

Columbus City Bulletin



Bulletin 5
January 31, 2004

Proceedings of City Council

Saturday, January 31, 2004



SIGNING OF LEGISLATION

Unless otherwise noted, all legislation listed in this bulletin was signed by Council President, Matthew D. Habash, on the night of the Council meeting, Monday, January 26, 2004; by the Mayor, Michael B. Coleman, on the following day, Tuesday, January 27, 2004, and attested by the City Clerk, Andrea Blevins, prior to Bulletin publishing.

The City Bulletin Official Publication of the City of Columbus

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. 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 department.



City of Columbus

Journal - Final

Columbus City Council

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

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

Monday, January 26, 2004

5:00 PM

Columbus City Council

Columbus City Council

Journal

January 26, 2004

REGULAR MEETING NO. 4 OF COLUMBUS CITY COUNCIL, JANUARY 26, 2004 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: 1 - President Pro-Tem Mentel

Present: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

READING AND DISPOSAL OF THE JOURNAL

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

C0002-2004

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, JANUARY 21, 2004:

New Type: C1, C2
To: Klassak Beverage LTD
DBA Crabtrees Drive Thru
2505 Parsons Av
Columbus Ohio 43207

New Type: C1, C2
To: Armbruster Energy Enterprises LLC
1937 E Livingston Av
Columbus Ohio 43209

New Type: C1
To: Lion Of Judah Inc
DBA Lion of Judah Convenience Store
6257 E Main St
Columbus Ohio 43213

Transfer Type: D2, D2X, D3, D3A, D6
To: Organic Trails Cafes LLC
951 N High St
Columbus Ohio 43215
From: Xando Cosi Inc
AKA Cosi Inc
1310 Polaris Pkwy & Patio
Columbus Ohio 43240

Transfer Type: D1, D3
To: Vuong K Nguyen
DBA Pho Café
1244 Morse Rd
Columbus Ohio 43229
From: Jason P Cardwell
DBA Cajun Creations
163 N High St 1st Fl Bsmnt & Mezzanine
Columbus Ohio 43215

Transfer Type: C2, C2X, D6
To: Tamarkin Co
DBA Giant Eagle
2801 N High St
Columbus Ohio 43201
From: Penn Traffic Co
2801 N High St
Columbus Ohio 43201

Transfer Type: C2, C2X, D6
To: Tamarkin Co
DBA Giant Eagle
280 E Whittier St
Columbus Ohio 43206
From: Penn Traffic Co
280 E Whittier St
Columbus Ohio 43206

Transfer Type: C1, D2, D6
To: Tamarkin Co
DBA Giant Eagle
777 Neil Av
Columbus Ohio 43215
From: Penn Traffic Co
DBA Big Bear 220
777 Neil Av
Columbus Ohio 43215

Transfer Type: C2, C2X, D6
To: Tamarkin Co
DBA Giant Eagle
1451 W Fifth Av
Columbus Ohio 43212

From: Penn Traffic Co
1451 W Fifth Av
Columbus Ohio 43212

Replacement Type: Liquor Agency Contract
To: A K Group Inc
6150 Sunbury Rd Unit B
Columbus Ohio 43081

Stock Type: D5, D6
To: White Rice Inc
DBA Woo Doggies Sports Bar & Grille
5253-57-61 Westpointe Plaza Dr
Columbus Ohio 43228

ADVERTISE 01/31/04
RETURN 02/09/04

Read and Filed

RESOLUTIONS OF EXPRESSION

BOYCE

023X-2004 To honor and recognize Rick Ewing on his retirement and for his 36 years of service to the City of Columbus Recreation and Parks Department

Sponsors: Kevin L. Boyce

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

026X-2004 To honor and recognize Robert O. Smith on his retirement and for his 32 years of service to the City of Columbus Recreation and Parks Department

Sponsors: Kevin L. Boyce

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

024X-2004 To honor and recognize Connie Coughenour on her retirement and for her 31 years of service to the City of Columbus Recreation and Parks Department

Sponsors: Kevin L. Boyce

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

022X-2004 To honor and recognize Cynthia Lee on her retirement and for her 31 years of service to the City of Columbus Recreation and Parks Department
Sponsors: Kevin L. Boyce

A motion was made by Ms. Thomas that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

025X-2004 To honor and recognize Sam Greer on his retirement and for his 26 years of service to the City of Columbus and the Recreation and Parks Department

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

013X-2004 To honor and recognize John Deeth on his retirement and for his 24 years of service to the City of Columbus Recreation and Parks Department

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

TAVARES

014X-2004 To recognize and congratulate Forest Edward Jones, on his 80th Birthday on January 23rd, 2004.

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

015X-2004 To welcome the honorable Jesse Jackson, Jr. to the City of Columbus.

Sponsors: Charleta B. Tavares

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

016X-2004 To welcome the honorable Dr. Maya Angelou to the City of Columbus and thank her for being an inspiration to all.

Sponsors: Charleta B. Tavares

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

017X-2004

To honor and recognize The Community of Holy Rosary and St. John the Evangelist for hosting their 20th annual Dr. Martin Luther King, Jr. celebration

Sponsors: Charleta B. Tavares

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

018X-2004

To recognize Columbus State Community College on their 40th Anniversary.

Sponsors: Charleta B. Tavares

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

020X-2004

To honor and recognize The Open Shelter on their 20th Anniversary.

Sponsors: Charleta B. Tavares

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

THOMAS

019X-2004

To recognize and congratulate Marvin and Ola Bibb on their dedicated and exemplary service to the Hosack Street Baptist Church.

Sponsors: Patsy Thomas and Charleta B. Tavares

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

MENTEL

011X-2004

To proclaim Sunday, February 1, 2004 Four Chaplains Sunday in the City of Columbus.

Sponsors: Michael C. Mentel

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

HABASH

012X-2004

To congratulate and commend Bill Behrens, Director of Convention Services at Experience Columbus for being named "2003 Convention Services Manager of the Year" by Successful Meetings Magazine and the Association for Convention Operations Management.

Sponsors: Matthew D. Habash

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

ADDITIONS OR CORRECTIONS TO THE AGENDA

THE FOLLOWING ITEMS WERE REMOVED FROM THE CONSENT AGENDA AND VOTED ON LATER IN THE MEETING

HEALTH, HOUSING & HUMAN SERVICES: 0096-2004

UTILITIES: 2634-2003

FIRST READING OF 30-DAY LEGISLATION

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

021X-2004 FR To offer the support of The Council of the City of Columbus for the application being submitted by the Recreation and Parks Department to the Ohio Department of Natural Resources for a Clean Ohio Trail Funds grant in the amount of \$148,000.

Sponsors: Kevin L. Boyce

Read for the First Time

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

0005-2004 FR To accept the application (AN03-027) of LINSUE Inc., et al. for the annexation of certain territory containing 1.289 ± Acres in Clinton Township.

Read for the First Time

0006-2004 FR To accept the application (AN03-031R) of Diane Cring for the annexation of certain territory containing 19.0 ± Acres in Plain Township.

Read for the First Time

0017-2004 FR To accept the application (AN03-034R) of Timothy E. Fritchen, et al. for the annexation of certain territory containing 7.1 ± Acres in Prairie Township.

Read for the First Time

0018-2004 FR To accept the application (AN03-032) of Meridian Industrial Trust for the annexation of certain territory containing 5.791 ± Acres in Hamilton & Madison Townships.

Read for the First Time

0062-2004 FR To accept the application (AN03-033) of Columbus Regional Airport Authority for the annexation of certain territory containing 18.004 ± Acres in

Hamilton Township.

Read for the First Time

- 0151-2004** FR To authorize the Director of Development to enter into a Columbus Downtown Office Incentive Program agreement with Buckeye Community Health Plan as provided in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

Read for the First Time

- 0163-2004** FR To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Plante Moran as provided in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

Read for the First Time

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR.
SENSENBRENNER TAVARES HABASH**

- 0007-2004** FR To authorize the Public Service Director to enter into a contract for the Transportation Division with McDaniel's Construction Corporation Inc. for construction of the Reis Avenue project; to authorize the expenditure of \$234,459.52 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division. (\$234,459.52)

Read for the First Time

- 0056-2004** FR To authorize the Public Service Director to execute those documents required to transfer the City's underlying fee interest in the excess right-of-way at the southeast corner of State Route 315 and Rich Street to Columbus Karma Thegsum Chöling, Inc.; and to waive the competitive bidding provisions of Columbus City Codes.

Read for the First Time

- 0064-2004** FR To accept various DEEDS for real property to be used as road right-of-way and to dedicate and name those properties as Big Run South Road, Montclair Drive, Florian Drive, Fountain Square Drive, Harlem Road, Cassady Avenue and Thompson Road.

Read for the First Time

- 0067-2004** FR To authorize the Public Service Director to execute those documents required to grant an encroachment easement into Marconi Boulevard for a new entrance canopy for the One Marconi Place project at 274 Marconi Boulevard.

Read for the First Time

- 0084-2004** FR To accept a GENERAL WARRANTY DEED from DOMINION HOMES, INC., an Ohio corporation, by Robert A. Meyer, Senior Vice President, and to dedicate and name the premises so deeded Courtright Road and authorize the City Engineer, or his designee, on behalf of the City of Columbus to execute a petition for annexation of this road right-of-way located in Madison Township, Franklin County, Ohio.

Read for the First Time

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS
HABASH**

- 0077-2004** FR To authorize the Director of the Department of Development to enter into a

contract with Homes On The Hill for The Homebuyer Education Program; and to authorize the expenditure of \$43,000 from the Community Development Block Grant Fund. (\$43,000.00)

Read for the First Time

- 0078-2004** FR To authorize the Director of the Development Department to enter into a contract with the Mid-Ohio Regional Planning Commission for the Homeownership Program; and to authorize the expenditure of \$25,000 from the 2004 Community Development Block Grant Fund. (\$25,000)

Read for the First Time

- 0079-2004** FR To authorize the Director of the Department of Development to enter into a contract with Columbus Housing Partnership to fund the Homebuyer Education Program; and to authorize the expenditure of \$180,000 from the Community Development Block Grant Fund. (\$180,000)

Read for the First Time

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

- 2707-2003** FR To authorize the Director of Public Utilities to enter into contract with General Maintenance and Engineering Company for the Whittier Street Tank Site Improvements Project for the Division of Sewerage and Drainage, to authorize the expenditure of \$339,593.00 from the Sewerage System Operating Fund. (\$339,593.00)

Read for the First Time

- 0086-2004** FR To authorize the Director of Public Utilities to subscribe with the Water Environment Research Foundation for use of the Utility Subscription Program for the Division of Sewerage and Drainage, in accordance with the sole source provisions of the Columbus City Code, and to authorize the expenditure of \$55,040.00 from the Sewerage System Operating Fund. (\$55,040.00)

Read for the First Time

- 414X-2003** FR To authorize the Director of Public Utilities, on behalf of the Division of Electricity, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring in the Maize Morse Area under the assessment procedure.

Read for the First Time

- 415X-2003** FR To authorize the Director of Public Utilities, on behalf of the Division of Electricity, to cause plans and specifications to be prepared for installing ornamental street lighting with underground wiring on Sharon Woods Collector Streets under the assessment procedure.

Read for the First Time

RULES & REFERENCE: HABASH, CHR. MENTEL SENSENBRENNER TAVARES

- 0213-2004** FR To repeal existing Sections 161.06, 161.07 and 161.08 of the Columbus City Codes, 1959, to eliminate employment provisions relating to a loyalty oath.

Sponsors: Maryellen O'Shaughnessy

Read for the First Time

CONSENT ACTIONS

FINANCE:SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

- 2742-2003 CA To authorize the Human Resources Director to modify and extend the contract with Ceridian Benefits Services to provide all eligible employees COBRA continuation insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$24,040.00 from the Employee Benefits Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$ 24,040.00)

This Matter was Approved on the Consent Agenda.

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

- 0035-2004 CA To authorize the Public Service Director to modify a contract for the Facilities Management Division with Messer Construction Company for the installation of a fire suppression system at the new Police Academy, to authorize the expenditure of \$61,651.68 from the Police Division's Capital Improvement Fund, and to declare an emergency. (\$61,651.68)

This Matter was Approved on the Consent Agenda.

- 0122-2004 CA To authorize and direct the Director of the Department of Finance to modify the scope of services and extend the present Yerke Mortgage Co. agreement through February 29, 2004 for the servicing of housing and commercial loans under the CDBG program.

This Matter was Approved on the Consent Agenda.

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

- 0045-2004 CA To authorize the transfer, appropriation, and expenditure of \$30,000.00 within the Recreation and Parks Permanent Improvement Fund for various golf facility improvements, and to declare an emergency. (\$30,000.00)

This Matter was Approved on the Consent Agenda.

- 0052-2004 CA To authorize the expenditure of \$100,000.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund for various facility renovations, and to declare an emergency. (\$100,000.00)

This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- 2633-2003 CA To authorize an appropriation from the unappropriated balance of the Clerk's Collection Fee Special Revenue Fund and from all monies estimated to come into said fund during the 12 months ending December 31, 2004 in an amount of \$73,650.00 and to declare an emergency. (\$73,650.00)

This Matter was Approved on the Consent Agenda.

- 2723-2003 CA To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Oaklawn/Piedmont Road Drainage Improvement Project, to authorize the expenditure of \$2,065.00 from the Storm Sewer Bonds Fund and to declare an emergency. (\$2,065.00).

This Matter was Approved on the Consent Agenda.

- 0009-2004 CA To authorize an appropriation of \$250,000.00 from the Indigent Drivers Alcohol Treatment Fund to the Franklin County Municipal Court Judges,

pursuant to the requirements of R.C. 4511.191 (N); and to declare an emergency. (\$250,000.00)

This Matter was Approved on the Consent Agenda.

- 0022-2004** CA To authorize an appropriation of \$280,886.00 from the unappropriated balance of the Special Revenue Fund, Probation Fees, for all anticipated expenses associated with the enhancement of probation services, and to declare an emergency (\$280,886.00).

This Matter was Approved on the Consent Agenda.

- 0044-2004** CA To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Big Walnut Sanitary Trunk Extension Project, to authorize the expenditure of \$750.00 from the Sewer System Permanent Improvement Fund and to declare an emergency. (\$750.00).

This Matter was Approved on the Consent Agenda.

- 0065-2004** CA To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Greenhill Acres Storm Sewer Improvement Project, to authorize the expenditure of \$200.00 from the Storm Sewer Bond Fund and to declare an emergency. (\$200.00)

This Matter was Approved on the Consent Agenda.

- 004X-2004** CA To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Morse Road Improvement Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

- 010X-2004** CA To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Bexvie Avenue Stormwater System Improvement Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

- 0057-2004** CA To authorize the appropriation of \$159,000 from the unappropriated balance of the Housing/Business Tax Incentives Fund to the Department of Development to provide funds for the administration of tax incentive projects; and to declare an emergency. (\$159,000.00)

This Matter was Approved on the Consent Agenda.

- 0138-2004** CA To authorize the Director of the Department of Development to amend a contract with the Community Development Collaborative of Greater Columbus by extending the expiration date of the contract to June 30, 2004; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 0144-2004** CA To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-041) of 4.86± Acres in Orange Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 0145-2004** CA To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-047) of 3.5± Acres in Plain Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR.
SENSENBRENNER TAVARES HABASH**

- 0021-2004** CA To accept the plat titled OLDSTONE CROSSING SECTION 1, from VIRGINIA HOMES, LTD., an Ohio limited liability company, by CHARLES E. RUMA, Vice President.

This Matter was Approved on the Consent Agenda.

- 0030-2004** CA To authorize the Director of the Public Service Department to execute those documents required to grant an encroachment easement into the east side of North Sixth Street between Grove Street and Buckingham Street.

This Matter was Approved on the Consent Agenda.

- 0043-2004** CA To authorize the transfer of \$60,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to reimburse the Gateway Area Redevelopment Initiative for the cost of designing the rehabilitation of Eleventh Avenue between North High Street and IR-71 in coordination with the Gateway Area project; to authorize the expenditure of \$64,130.00 for this purpose, \$60,000.00 from the 1995, 1999 Voted Streets and Highways Fund and \$4,130.00 from the Development Fund and to declare an emergency. (\$64,130.00)

This Matter was Approved on the Consent Agenda.

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS
HABASH**

- 2538-2003** CA To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$121,214; to authorize the appropriation of \$121,214 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$121,214)

This Matter was Approved on the Consent Agenda.

- 0004-2004** CA To authorize and direct the Board of Health to accept grant funds from the Ohio Department of Health for the provision of a Cardiovascular Health Project in the amount of \$155,000, to authorize the appropriation of \$155,000 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$155,000)

This Matter was Approved on the Consent Agenda.

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

- 2755-2003** CA To authorize the Director of Public Utilities to establish an encumbrance, for participation in the AWWA Research Foundation, in accordance with the sole source provisions of the Columbus City Code, to authorize the expenditure of \$87,592.00 from Water Systems Operating Fund, and to declare an emergency. (\$87,592.00)

This Matter was Approved on the Consent Agenda.

- 0020-2004** CA To authorize the Director of Public Utilities to execute three (3) Water Resource Restoration Sponsor Program (WRRSP) agreements with the Ohio Environmental Protection Agency and the Ohio Water Development Authority; to designate a Division of Sewerage and Drainage Sanitary System Improvement project as the sponsoring project for all three WRRSP projects; and to declare an emergency.
- This Matter was Approved on the Consent Agenda.**

APPOINTMENTS

- A0041-2004** CA Reappointment of Keith Shumate, 90 W. Broad Street, Columbus, OH 43215 to serve on the The City Records Commission with a new term expiration date of September 12, 2005. (appointees resume on file in the Mayor's office).
- This Matter was Approved on the Consent Agenda.**
- A0045-2004** CA Appointment of Cheryl Roberto, Public Utilities Director, 910 Dublin Road, Columbus, Ohio 43215 to serve on the Solid Waste Authority of Central Ohio with a term expiration date of January 31, 2006.
- This Matter was Approved on the Consent Agenda.**

Passed The Consent Agenda

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

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

FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

- 2550-2003** To make appropriations for the 12 months ending December 31, 2004, for each of the several Object Level 1s for which the City of Columbus has to provide from the monies known to be in the treasury of said City of Columbus, in the fund known as the General Fund, and as amended by City Council per the attachment herein, during the said 12 months from the collection of all taxes and from other sources of revenue, and to declare an emergency. (\$532,390,700.00)

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

TABLED UNTIL 02/02/04

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

2578-2003

To make appropriations for the 12 months ending December 31, 2004, for other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

TABLED UNTIL 02/02/04

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

2739-2003

To make appropriations for the 12 months ending January 31, 2005 for the funding of the City employee insurance programs, and to declare an emergency. (\$62,937,818.00)

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

2741-2003

To authorize the Human Resources Director to modify and extend the contract with Anthem Blue Cross Blue Shield to provide all eligible employees dental insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$7,120,952.00, from the Employee Benefits Insurance Fund or so much thereof as may be necessary to pay the cost of said contract; and to declare an emergency. (\$7,120,952.00)

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

- 2744-2003** To authorize the Human Resources Director to modify and extend the contract with C N A Financial Corporation to provide all employees life insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$831,811.00, from the Employee Benefits Insurance Fund or so much thereof as may be necessary to pay the cost of said contract; and to declare an emergency. (\$831,811.00)
- A motion was made by Mr. Sensenbrenner, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash
- 2745-2003** To authorize the Human Resources Director to modify and extend the contract with Anthem Life to provide all eligible employees short-term disability insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$2,353,092.00 from the Employee Benefits Insurance Fund or so much thereof as may be necessary to pay the cost of said contract; and to declare an emergency. (\$2,353,092.00)
- A motion was made by Mr. Sensenbrenner, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash
- 2752-2003** To authorize the Human Resources Director to modify and extend the contract with United Health Care Services Inc. to provide all eligible employees prescription drug insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$13,868,839.00 from the Employee Benefits Insurance Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$13,868,839.00)
- A motion was made by Mr. Sensenbrenner, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash
- 2753-2003** To authorize the Human Resources Director to modify and extend the contract with United Health Care Services Inc. to provide all eligible employees medical insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$37,676,683.00 from the Employee Benefits Insurance Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$37,676,683.00)
- A motion was made by Mr. Sensenbrenner, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash
- 2754-2003** To authorize the Human Resources Director to modify and extend the contract with Mercer Human Resource Consulting, to provide professional

employee benefits consulting services from February 1, 2004 through January 31, 2005; and to authorize the expenditure of \$ 151,000.00, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$151,000.00)

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0071-2004

To repeal Ordinance No. 2173-95, passed September 25, 1995, to direct that effective January 1, 2004, payments for the lease of the Waste to Energy Facility by the Solid Waste Authority of Central Ohio, including any payments made as a result of issuance of debt obligations by SWACO, shall be deposited to the Economic Stabilization Fund, to allow the City Auditor, in consultation with the Finance Director, to transfer from the Special Income Tax Fund to the General Fund an amount not to exceed the difference between \$11 million and any lesser amount received from SWACO in 2004 as payment for the lease of the Waste to Energy Facility, to appropriate the funds necessary to carry out the purpose of this ordinance, and to declare an emergency.

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0177-2004

To authorize the Director of Development to enter into a Project Acquisition Agreement with National Church Residences for the acquisition and construction of certain public infrastructure improvements in the Waggoner TIF District; and to waive the competitive bidding requirements for the procurement of engineering services and construction.

Section 55(b) of the Charter of the City of Columbus

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0178-2004

Authorizing the issuance of special obligation bonds in an amount not to exceed \$2,000,000 for the purpose of providing funds necessary to pay, or reimburse the payment of, costs of certain public improvements to be acquired by the City pursuant to an Agreement between the City and National Church Residences, and to pay the costs of issuance of such special obligations. (\$2,000,000)

Section 55(b) of the City Charter

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0180-2004

An ordinance providing for the issuance and sale of not to exceed \$70,000,000 tax increment financing bonds of the City of Columbus, Ohio (the "Issuer"), in two or more series (collectively, the "Bonds"), for the purpose of providing (i) a portion of the funds necessary to advance refund the Issuer's Tax Increment Financing Bonds, Series 1999 (Easton Project) (the "1999 Bonds"), and (ii) funds to pay the costs of certain Public Improvements; authorizing a Trust Agreement to secure the Bonds hereafter authorized; authorizing Bond Purchase Contracts and Official Statements appropriate for the offering and sale of the Bonds; authorizing the acquisition of municipal bond insurance, letters of credit, and other credit facilities to secure the Bonds or portions of the Bonds; and providing for the redemption and defeasance of the 1999 Bonds. (\$70,000,000)

Section 55(B) of the City Charter.

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0227-2004

To appropriate \$195,000 within the Hotel/Motel Tax Fund, to transfer \$299,400 from the Hotel/Motel Tax Fund to the Recreation and Parks Operating Fund, and to declare an emergency. (\$299,400)

TABLED UNTIL 02/02/04

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

0027-2004 To authorize and direct the City Auditor to transfer \$1,700,000 from the Special Income Tax Fund to the Safety Bond Fund; to authorize the appropriation of said funds; to authorize and direct the Public Service Director to modify a contract with Messer Construction Company for furniture, fixtures, and equipment for the new Police Academy; to authorize the expenditure of \$1,700,000 from the Safety Voted Bond Fund; and to declare an emergency. (\$1,700,000)

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0094-2004 To authorize and direct the Director of the Department of Finance to enter into an agreement with AmeriNational Community Services, Inc. through February 28, 2006 for the servicing of housing and commercial loans under the CDBG program; to authorize the expenditure of \$300,000.00 or so much thereof as may be necessary of Community Development Block Grants Funds; and to declare an emergency. (\$300,000.00)

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

0040-2004 To authorize the Executive Director of the Department of Recreation & Park to execute those documents, as requested by Columbia Gas of Ohio, Inc., necessary to grant an perpetual non-exclusive easement through real property owned by the City, commonly known as the Woodbridge Green Park and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0055-2004 To authorize the Executive Director of the Recreation and Parks Department to execute those documents necessary to grant Columbia Gas of Ohio, Inc. an easement to extend its existing gas line through that real property known as the Columbus Zoo and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

021X-2004

To offer the support of The Council of the City of Columbus for the application being submitted by the Recreation and Parks Department to the Ohio Department of Natural Resources for a Clean Ohio Trail Funds grant in the amount of \$148,000.

Sponsors: Kevin L. Boyce

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

2557-2003

To accept the application (AN03-029) of Ruth Ames for the annexation of certain territory containing 4.794 ± Acres in Franklin & Jackson Townships.

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

2582-2003

To accept the application (AN03-028) of Jennifer Grooms, et al. for the annexation of certain territory containing 171.0 ± Acres in Prairie & Pleasant Townships.

A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Tabled Indefinitely. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

2585-2003

To accept the application (AN03-036) of Community Housing Network, Inc. for the annexation of certain territory containing 2.904 ± Acres in Franklin Township.

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

Absent: 1 - President Pro-Tem Mentel
 Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

2593-2003

To accept the application (AN03-026) of Sharon L. Goodburn, et al. for the annexation of certain territory containing 10.912 ± Acres in Orange

Township.

A motion was made by Ms. O'Shaughnessy, seconded by Ms. Thomas, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0026-2004

An ordinance adopting the Harrison West / A.C. Humko Economic Development Plan as a guide for future economic development and in support of a tax increment financing district.

A motion was made by Ms. O'Shaughnessy, seconded by Ms. Thomas, that this matter be Tabled Indefinitely. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR.
SENSENBRENNER TAVARES HABASH**

0036-2004

To authorize the Director of the Public Service Department to execute those documents required to grant encroachment easements into East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue to 4MX Partners, LLC.

A motion was made by Ms. O'Shaughnessy, seconded by Mr. Sensenbrenner, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0037-2004

To authorize the Director of the Public Service Department to execute those documents required to transfer the 10 foot wide unimproved alley west of 936 Spring Street to David C. Fleisher and Charles W. Jett, II, and to waive the competitive bidding provisions of Columbus City Codes.

A motion was made by Ms. O'Shaughnessy, seconded by Mr. Sensenbrenner, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0041-2004

To authorize the Public Service Director to execute those documents required to grant encroachment easements into Nationwide Boulevard and John H, McConnell Boulevard to NWD 225 Nationwide, LLC.

A motion was made by Ms. O'Shaughnessy, seconded by Mr. Sensenbrenner, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0042-2004

To authorize the Public Service Director to execute those documents

required to transfer a portion of Worthington Road, north of Polaris Parkway, to NP Limited Partnership; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

A motion was made by Ms. O'Shaughnessy, seconded by Mr. Sensenbrenner, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE THOMAS HABASH

2575-2003

To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$338,165; to authorize the appropriation of \$338,165 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$338,165.00)

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0087-2004

To authorize the expenditure of \$1,507,061 from the 2004 Community Development Block Grant Fund for the purpose of making loans and grants for operation of the Affordable Housing Opportunity Fund; and to declare an emergency. (\$1,507,061)

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0095-2004

To authorize the Director of the Department of Development to enter into a contract with Catholic Social Services for the Chores Program; to authorize the expenditure of \$50,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$50,000.00)

TABLED UNTIL 02/02/04

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

Absent: 1 - President Pro-Tem Mentel
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner and President Habash

0096-2004

To authorize the Director of the Department of Development to enter into a contract with the Clintonville Resources Center for the Chores Program; to authorize the expenditure of \$50,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$50,000.00)

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

2308-2003 To grant an exception from the street lighting requirements of Chapter 1165 of the Columbus City Codes, 1959, to The Ohio State University for Lane Avenue from Pearl Alley to the east side of the Lane Avenue/Olentangy bridge structure and from the west side of the Lane Avenue Olentangy bridge structure to approximately 900' west; and to authorize the Director of Public Utilities to enter into an agreement with The Ohio State University for the maintenance of said lighting. (\$0)

A motion was made by Ms. O'Shaughnessy, seconded by Mr. Sensenbrenner, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner and President Habash

2572-2003 To authorize the Director of Public Utilities to modify contracts with the Superior Electric Company and Camp Dresser and McKee, Inc. in connection with the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project; to authorize the appropriation, transfer and expenditure of \$2,288,711.00 from the Sewerage System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to amend the 2003 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$2,288,711.00)

A motion was made by Ms. O'Shaughnessy, seconded by Mr. Sensenbrenner, that this matter be Approved. The motion carried by the following vote:

Absent: 1 - President Pro-Tem Mentel
Abstained: 1 - Ms. Thomas
Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner and President Habash

2681-2003 To authorize the Director of Public Utilities to modify the contract for construction administration services with Benatec Associates for the East Stanton Avenue Stormwater Systems Improvements project; to authorize an intra-subfund transfer of monies within the Storm Sewer Bonds Fund; to amend the Capital Improvements Budget to accommodate this transaction for the Division of Sewerage and Drainage; to authorize the expenditure of \$14,483.12; and to declare an emergency. (\$14,483.12)

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

Absent: 1 - President Pro-Tem Mentel
Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0013-2004 To appropriate \$10,967,000.00 within the Special Income Tax Fund; to authorize the Public Service Director to establish an encumbrance in this amount to pay 2004 refuse tipping fees to the Solid Waste Authority of

Central Ohio for the Refuse Collection Division pursuant to an existing lease agreement; to authorize the expenditure of \$10,967,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; to waive the competitive bidding requirements of the City Code, and to declare an emergency. (\$10,967,000.00)

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0023-2004

To appropriate and authorize the City Auditor to transfer \$1,414,548.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to modify and increase existing contracts with ESEC Corporation dba Columbus Peterbilt and Schodorf Truck Body and Equipment Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute nine (9) automated side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,414,548.00 from the Voted 1995, 1999 Refuse Collection Fund and to declare an emergency. (\$1,414,548.00)

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0060-2004

To authorize the Director of the Department of Public Utilities to execute a quitclaim deed to Sandra McCall to certain City owned property located in the vicinity of Sunbury Road and Harlem Road (Hoover Reservoir), in exchange for a deed of similar acreage previously granted to the City; to waive the Land Review Commission provisions of the Columbus City Codes (1959).

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

0091-2004

To authorize the Director of Public Utilities to enter into contract with Fuller, Mossbarger, Scott and May Engineers Inc for the Facilitation of an External Advisory Group as required by the Ohio EPA for the Division of Sewerage and Drainage, to waive the provisions of competitive bidding, to authorize the expenditure of \$30,850.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$30,850.00)

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

2634-2003

To authorize the Director of Public Utilities to modify the contract with Darby

Creek Excavating Inc., for Fire Hydrant Upgrades - 2002 for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$140,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$140,000.00)

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

Absent: 1 - President Pro-Tem Mentel

Abstained: 1 - Ms. Thomas

Affirmative: 5 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner and President Habash

ADJOURNMENT

ADJOURNED: 6:22 P.M.

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

Absent: 1 - President Pro-Tem Mentel

Affirmative: 6 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas and President Habash

**City of Columbus
Ordinances and Resolutions**

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

Legislation Number: 0004-2004

Drafting Date: 12/19/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health has been awarded a grant in the amount of \$155,000 from the Ohio Department of Health for the continuation of the Cardiovascular Health Project (PHS) grant program. The purpose of this legislation is to accept and appropriate these funds to conduct the Cardiovascular Health Project for the period of January 1, 2004 through December 31, 2004. The focus of the Cardiovascular Health Project is on improving the cardiovascular health of Columbus and Franklin County residents.

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

FISCAL IMPACT: To accept grant funding in the amount of \$155,000. This project will not generate revenue or require a City match.

Title

To authorize and direct the Board of Health to accept grant funds from the Ohio Department of Health for the provision of a Cardiovascular Health Project in the amount of \$155,000, to authorize the appropriation of \$155,000 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$155,000)

Body

WHEREAS, \$155,000 in grant funds have been made available through the Ohio Department of Health for the Cardiovascular Health Project grant program for the period of January 1, 2004 through December 31, 2004; and,

WHEREAS, it is necessary to accept and appropriate these funds from the Ohio Department of Health for the continued support of the Cardiovascular Health Project; and,

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

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to accept these grant funds from the Ohio Department of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept a grant award of \$155,000 from the Ohio Department of Health for the Cardiovascular Health Project grant program for the period of January 1, 2004 through December 31, 2004.

SECTION 2. That from the unappropriated monies in the fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the twelve months ending December 31, 2004, the sum of \$155,000 is hereby appropriated to the Department of Health, Department No. 50-01 as follows:

Cardiovascular Health

OCA: 504048 Grant: 504048 Obj. Level 01: 01 Amount: \$103,432

OCA: 504048 Grant: 504048 Obj. Level 01: 02 Amount: \$ 1,000

OCA: 504048 Grant: 504048 Obj. Level 01: 03 Amount: \$ 50,568

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

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

Legislation Number: 0009-2004

Drafting Date: 12/22/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance will appropriate \$250,000.00 in 2004 to the Franklin County Municipal Court Judges from the Indigent Drivers Alcohol Treatment Account to provide sufficient funds to pay the cost of attendance at court-ordered drug and alcohol treatment centers. The Board of Alcohol, Drug Addiction, and Mental Health Services administers the Indigent Drivers Alcohol Treatment Program of the Court, pursuant to R.C. 4511.191 (N). This legislation is considered an emergency measure to insure for the continuation of uninterrupted payments to the referred treatment centers.

Title

To authorize an appropriation of \$250,000.00 from the Indigent Drivers Alcohol Treatment Fund to the Franklin County Municipal Court Judges, pursuant to the requirements of R.C. 4511.191 (N); and to declare an emergency. (\$250,000.00)

Body

Whereas, Ordinance No. 2070-90 was submitted by the City Attorney's Office and passed by Columbus City Council on July 23, 1990, which established the Indigent Drivers Alcohol Treatment Account as a Special Revenue Fund; and

Whereas, the Board of Alcohol, Drug Addiction, and Mental Health Services, (ADAMH) administers the Indigent Drivers Alcohol Treatment Program of the court, pursuant to R.C. 4511.191 (N); and

Whereas, an emergency exists in the usual daily operation of the Franklin County Municipal Court Judges in that it is immediately necessary to appropriate the aforementioned funds, in order to provide sufficient funds to pay the cost of attendance at court-ordered drug and alcohol treatment centers, thereby preserving the public health, peace, property, safety and welfare; Now, Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1: That from the unappropriated monies in Special Revenue Fund known as the Indigent Drivers Alcohol Treatment Fund, Fund No. 225, Sub-fund No. 001 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, 2004 the sum of \$250,000.00 is appropriated to the Franklin County Municipal Court Judges, Department 25, Object Level One 03, Object Level Three 3336, as follows:

OCA Code	Amount
250266	\$250,000.00
Total:	\$250,000.00

Section 2: That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Franklin County Municipal Court Judges; 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.

Legislation Number: 0013-2004

Drafting Date: 12/22/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Public Service Director to establish an encumbrance within the Special Income Tax Fund to pay 2004 refuse tipping fees to the Solid Waste Authority of Central Ohio (SWACO) for the Refuse Collection Division. This expense is necessary to safely and legally dispose of the refuse collected by the division in the course of pursuing its mission.

The Finance Department has determined that \$10,967,000.00 should be adequate for this purpose. This number is based on estimated refuse tonnage and may need to be adjusted later through legislation presented to City Council. Actual tonnage is susceptible to variables such as the weather and the number of households collected that cannot be absolutely predicted at this time. Actual annual tipping fees totaled \$10,787,906.67 and \$10,551,338.72 for 2001 and 2002, respectively. The 2003 authorization totals \$11,108,000.00 to date. Through November 2003, actual 2003 expenditures total \$10,018,252.17.

Formal competitive bidding requirements must be waived because refuse disposal services other than those provided by SWACO are available in the marketplace, however the City is contractually obligated to tip at SWACO facilities. Tipping fee rates are determined by SWACO's established rate setting process. The City is represented on SWACO's board of directors.

This 2004 expense is budgeted within the Special Income Tax Fund. This ordinance appropriates these funds as necessary.

Emergency action is requested to provide to avoid payment delays to the Solid Waste Authority of Central Ohio (SWACO) that will result in the City incurring an interest penalty.

Title

To appropriate \$10,967,000.00 within the Special Income Tax Fund; to authorize the Public Service Director to establish an encumbrance in this amount to pay 2004 refuse tipping fees to the Solid Waste Authority of Central Ohio for the Refuse Collection Division pursuant to an existing lease agreement; to authorize the expenditure of \$10,967,000.00 or so much thereof as may be necessary from the Special Income Tax Fund; to waive the competitive bidding requirements of the City Code, and to declare an emergency. (\$10,967,000.00)

Body

WHEREAS, the Refuse Collection Division must encumber funds to continue refuse tipping at the Solid Waste Authority of Central Ohio's facilities pursuant to the lease agreement between the City and the Authority for those facilities; and

WHEREAS, these funds must be appropriated within the Special Income Tax Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to establish an encumbering document with the Solid Waste Authority of Central Ohio for refuse disposal in 2004, 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 sum of \$10,967,000.00 be and hereby is appropriated from the unappropriated balance of 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 purpose during the fiscal year ending December 31, 2004, to Department No. 59-02, Public Service Department, Refuse Collection Division, Object Level One Code 03, Object Level Three Code 3389, OCA Codes and amounts as follows:

OCA CODE	AMOUNT
590067 \$	9,000
593707	967,350
593715	1,406,700
593723	755,700
593731	250,775
593756	183,900
593772	23,700
593806	775
590083	51,825
593947	619,125
593954	1,733,450
593962	804,150
593988	188,100
594135	192,950
590109	37,950
594333	625,425
594341	1,713,550
594358	1,000,175
594366	248,875
594374	13,475
594382	126,000
594408	4,750
594499	9,300
Total Tipping Fee Allocation \$	10,967,000

SECTION 2. That the monies appropriated in Section 1 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That the Public Service Director be and hereby is authorized to establish an encumbrance with the Solid Waste Authority of Central Ohio for 2004 refuse tipping services for the Refuse Collection Division at the various rate charges assigned to each tipping location and any legal subsequently adjusted rates.

SECTION 4. That the expenditure of \$10,967,000.00.00, or so much thereof as may be needed, is hereby authorized from the Special Income Tax Fund, Fund 430, Department No. 59-02, Public Service Department, Refuse Collection Division, Object Level One Code 03, Object Level Three Code 3389, OCA Codes and amounts as follows:

OCA CODE	AMOUNT
590067 \$	9,000

593707	967,350
593715	1,406,700
593723	755,700
593731	250,775
593756	183,900
593772	23,700
593806	775
590083	51,825
593947	619,125
593954	1,733,450
593962	804,150
593988	188,100
594135	192,950
590109	37,950
594333	625,425
594341	1,713,550
594358	1,000,175
594366	248,875
594374	13,475
594382	126,000
594408	4,750
594499	9,300

Total Tipping Fee Allocation \$ 10,967,000

SECTION 5. That in accordance with Section 329.27 of the Columbus City Code, City Council has determined that it is in the best interest of the City of Columbus that Section 329.06 relating to formal competitive bidding requirements be waived and hereby waives said section.

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

Legislation Number: 0020-2004

Drafting Date: 12/23/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND

A. Need: This legislation is required of the City to execute three Water Resource Restoration Sponsor Program (WRRSP) agreements with the Ohio EPA and the Ohio Water Development Authority (OWDA). A designated Sewerage and Drainage Division Project, identified in Section 2., is the sponsoring project for all three WRRSP projects. These projects were nominated by the City and have received funding approval through the Ohio Water Pollution Control Loan Fund Program.

B. Emergency Designation: This authorizing legislation must be submitted to the Ohio EPA by February 13, 2004, or this projects will be subject to removal from the priority list.

2. FISCAL IMPACT N/A

Title

To authorize the Director of Public Utilities to execute three (3) Water Resource Restoration Sponsor Program (WRRSP) agreements with the Ohio Environmental Protection Agency and the Ohio Water Development Authority; to designate a Division of Sewerage and Drainage Sanitary System Improvement project as the sponsoring project for all three WRRSP projects; and to declare an emergency.

Body

WHEREAS, the City has nominated three Water Resource Restoration Sponsor Program (WRRSP) projects and has designated a Division of Sewerage and Drainage project as the sponsoring project; and

WHEREAS, the Ohio EPA has informed the City that these three WRRSP projects have ranked within the funding range and are listed on the priority list of the Water Pollution Control Loan Fund Draft 2004 Program Management Plan; and

WHEREAS, this legislation must be approved and a certified copy must be submitted to the Ohio EPA by the close of business on February 13, 2004 therefore an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to execute these three Water Resource Restoration Sponsor Program projects with the State of Ohio for the immediate preservation of the public peace, health, property, and safety; Now Therefore:

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to execute three Water Resource Restoration Sponsor Program agreements with the Ohio Environmental Protection Agency and the Ohio Water Development Authority, for the following projects:

1. Bokes Creek/Mill Creek Scioto River Watershed Conservation Reserve Enhancement Program (CREP)
2. Big Run Preservation Park
3. Camp Lazarus Conservation Easement

Section 2. That the Director of Public Utilities be, and hereby is, authorized to designate the Division of Sewerage and Drainage project titled Big Walnut Outfall Sewer System Capacity Augmentation, Part 1 (aka BWARI, Part 2), CIP No. 650430.1, WPCLF No. CS392260-02 as the sponsoring project for all three of the WRRSP projects as herein described in Section 1 of this ordinance.

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

Legislation Number: 0021-2004

Drafting Date: 12/23/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

VIRGINIA HOMES, LTD., an Ohio limited liability company, by CHARLES E. RUMA, Vice President, has submitted the plat titled OLDSTONE CROSSING SECTION 1 to the City Engineer's Office for review and approval. This plat has been reviewed and approved by the City Engineer. The following legislation allows the City to accept said plat for property located north off of Hard Road at Linworth Road.

Title

To accept the plat titled OLDSTONE CROSSING SECTION 1, from VIRGINIA HOMES, LTD., an Ohio limited liability company, by CHARLES E. RUMA, Vice President.

Body

WHEREAS, the plat titled OLDSTONE CROSSING SECTION 1 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, VIRGINIA HOMES, LTD., an Ohio limited liability company, by CHARLES E. RUMA, Vice President, owner of the platted land, desires to dedicate to the public use all or such parts of the Drives and Court shown on said plat and not heretofore so dedicated; and

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

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

Section 1. That the plat titled OLDSTONE CROSSING SECTION 1 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

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

Legislation Number: 0022-2004

Drafting Date: 12/23/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

TO THE HONORABLE MEMBERS OF CITY COUNCIL:

This ordinance authorizes the appropriation of \$280,886.00 and reflects the anticipated expenses for fiscal 2004 in Special Revenue Fund No. 227, Subfund 003, Probation Fees. These funds are currently being collected as a one-time probation supervision fee for all individuals placed under probation supervision by the Court, effective December 1, 1995. The collection of said funds was authorized by Amended Substitute House Bill Number 406, signed into law in August, 1994. The Franklin County Municipal Court Judges incorporated the collection of Probation Fees into Local Court Rule 13 effective December 1, 1995 at the amount of \$20.00 per case.

These funds are to be utilized for the enhancement of probation services, not to supplant existing funds. The intent of these funds is to provide for specialized probation staff, the purchase of needed equipment, the purchase of services and other similar probation-related expenses not currently available to the Court's Department of Probation Services.

Surplus money in this fund at the end of the fiscal year shall not revert to the Treasury of the City but shall be retained in this special fund.

Title

To authorize an appropriation of \$280,886.00 from the unappropriated balance of the Special Revenue Fund, Probation Fees, for all anticipated expenses associated with the enhancement of probation services, and to declare an emergency (\$280,886.00).

Body

WHEREAS: an appropriation of funds is necessary in order to continue with the enhancement of probation services and the payment thereof, and

WHEREAS: an emergency exists in the usual daily operation of the Municipal Court Judges in that it is immediately necessary to undertake said activities, all for the immediate preservation of the public health, safety and welfare; now therefore;

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

SECTION 1: That the sum of \$280,886.00 be and is hereby appropriated from the unappropriated balance of the Special Revenue Fund, Fund 227, Subfund 003, and from all monies estimated to come into said fund from any and all sources unappropriated for any other purposes during the fiscal year ending December 31, 2004 to the Department of the Municipal Court Judges, Department 25, OCA Code 250324, as follows:

Object Level One	Purpose	Amount
01	Personal Services	\$ 128,788.00
02	Materials & Supplies	7,470.00
03	Services for Operation and Maintenance	68,868.00
10	Transfers	75,760.00
	Total:	\$ 280,886.00

SECTION 1: That monies appropriated in Section 1 shall be paid upon the recommendation of the Chief Probation Officer and upon the order of the Administrative/Presiding Judge, and that no order shall be drawn or 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 declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0023-2004

Drafting Date: 12/23/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Automated side loader collection vehicles are an integral part of the Refuse Collection Division's mechanized collection system. This ordinance authorizes the purchase of nine (9) automated side loader trucks to replace aging, high maintenance expense vehicles. Formal competitive bids were solicited and opened by the Purchasing Office on July 31, 2003 (solicitation #SA000481). Bids were received from the following (vendor/make and model/unit cost):

Cab and Chassis Bids	
Graham Ford, Inc./Sterling Condor	\$88,671.00
Miami Valley International Trucks, Inc./International	\$89,546.00
ESEC Corporation dba Columbus Peterbilt/Peterbilt 320*	\$90,227.00
Great Lakes Service Center, Inc./Crane Carrier LCF-44	\$108,500.00
Great Lakes Service Center, Inc./Crane Carrier LET2-44	\$109,000.00

Body Bids

McNeilus Truck and Manufacturing Company/McNeilus	\$53,200.00
Wayne Engineering Corporation/Wayne CT24FE	\$54,855.00
Miami Valley International Trucks, Inc./Wayne CT24FE	\$54,855.00
Schodorf Truck Body and Equipment Company, Inc./Heil 7000*	\$54,950.00

*Met Bid Specifications

The complete refuse collection truck consists of the cab, chassis and body. The division recommends the purchase of the Peterbilt cab and chassis from ESEC Corporation (majority), contract compliance number 34-1285858 (expiring September 17, 2006), and the Heil body from Schodorf Truck Body and Equipment Company (majority), contract compliance number 31-4416487 (expiring February 14, 2005), as the lowest, best, most responsive and most responsible bids. The total cost of the complete truck is \$157,172.00 per unit including these bid options:

Included Options (Cab and Chassis)

Telma braking system - \$8,495.00 per unit, \$76,455.00 total

Included Options (Body)

hopper screen - \$650.00 per unit, \$5,850.00 total

camera monitoring system - \$2,250.00 per unit, \$20,250.00 total

Python hydraulic arm with oil bath grabber gear box - \$600.00 per unit, \$5,400.00 total

The division expended \$1,300,257.00 in 2001 for the purchase of nine (9) automated side loader units (\$144,473.00/unit). The division expended \$2,917,062.01 in 2002 for the purchase of nineteen (19) automated side loader units (average \$153,529.58/unit). The division expended \$1,423,348.00 in 2003 (Ordinance #2234-2003E passed November 17, 2003) for the purchase of nine (9) automated sideloader units (\$158,149.77/unit). This purchase of an additional nine units will cost \$1,414,548.00, \$8,800.00 less than the November, 2003, purchase due to it not including the purchase of two diagnostic laptop computers. The incumbent vendors have agreed to hold to all terms and conditions (including pricing) for these contract modifications.

This expense is budgeted within the Voted 1995, 1999 Refuse Collection Fund and is consistent with the division's scheduled collection vehicle replacement program. This ordinance also appropriates and transfers funding within the Special Income Tax Fund because all unencumbered cash within the Refuse Collection Fund has been exhausted. This method of funding is a temporary measure until the City sells notes or bonds for this acquisition.

Emergency action is requested to expedite the receipt of these new trucks that have a long delivery lead-time and because of the short window available to the City to take advantage of current advantageous pricing. All cab and chassis vendors will soon be susceptible to manufacturers' engine cost increases.

Title

To appropriate and authorize the City Auditor to transfer \$1,414,548.00 from the Special Income Tax Fund to the Voted 1995, 1999 Refuse Collection Fund; to authorize and direct the Finance Director to modify and increase existing contracts with ESEC Corporation dba Columbus Peterbilt and Schodorf Truck Body and Equipment Company for the purchase of truck cabs and chassis and bodies, respectively, which collectively constitute nine (9) automated side loader refuse collection trucks for the Refuse Collection Division; to authorize the expenditure of \$1,414,548.00 from the Voted 1995, 1999 Refuse Collection Fund and to declare an emergency. (\$1,414,548.00)

Body

WHEREAS, the Purchasing Office solicited formal competitive bids to acquire automated side loader refuse collection trucks on behalf of the Refuse Collection Division; and

WHEREAS, bids received for solicitation #SA000481 were opened on July 31, 2003; and

WHEREAS, Ordinance #2234-2003E passed by City Council on November 17, 2003, authorized the purchase of nine (9) of these units; and

WHEREAS, the purchase of an additional nine (9) of these vehicles is a budgeted expense within the division's 2004 capital improvement budget; and

WHEREAS, these trucks will replace aging and high maintenance expense vehicles; and

WHEREAS, it is necessary to appropriate monies within the Special Income Tax Fund and transfer the same to the 1995, 1999 Voted Refuse Collection Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to modify and increase contracts for the purchase of these vehicles to assure their timely delivery, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

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

SECTION 1. That from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from the 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, 2004, the sum of \$1,414,548.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5500, OCA Code 920023.

SECTION 2. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995, 1999 Refuse Collection Fund, Fund 703, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

SECTION 3. That \$1,414,548.00 is hereby appropriated within the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 for the purchase of nine (9) automated side loader refuse collection trucks for the Refuse Collection Division.

SECTION 4. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 2 above.

SECTION 6. That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

SECTION 7. That the Finance Director be and hereby is authorized and directed to modify and increase existing contracts for the purchase of nine (9) automated side loader refuse collection trucks for the Refuse Collection Division as follows:

Vendor/Item/Amount		
ESEC Corporation dba Columbus Peterbilt/ Truck Cabs and Chassis		\$888,498.00
Schodorf Truck Body and Equipment Co./ Truck Bodies		\$526,050.00
	Total	\$1,414,548.00

SECTION 8. That the expenditure of \$1,414,548.00, or so much thereof as may be needed, is hereby authorized from the Voted 1995, 1999 Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 to pay the cost thereof.

SECTION 9. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0027-2004

Drafting Date: 12/24/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: This ordinance authorizes the transfer, appropriation, and expenditure of \$1,700,000 from the Special Income Tax Fund for furniture, fixtures, and equipment at the new Police Academy currently being constructed at 1000 North Hague Avenue. The Special Income Tax transfer and appropriation is a temporary measure until the City sells notes or bonds for this project. The Public Service Director contracted on June 16, 2003, with the Messer Construction Company, contract compliance No. 31-0740877, for the construction of the new Police Academy, to be completed in January 2005, for \$18,876,875.

The portion of the bid covering furniture, fixtures, and equipment was omitted from the original contract, due to a lack of sufficient funding at the time. Furniture, fixtures, and equipment were part of the bid as Alternate Bid III and Messer Construction Company was the winning bidder. This ordinance allows the Public Service Director to modify contract EL003464 with Messer Construction Company to include Alternate bid III.

The bid for furniture, fixtures, and equipment includes speakers, microphones, a boxing ring, a telephone system, kitchen appliances, laundry appliances, bleachers, satellite dishes, a video conferencing system, shelving, data system equipment, aquatics equipment, podiums, and exercise equipment.

Emergency action is requested so as to allow the timely completion of the new Police Academy. The contractor has indicated that a delay in the delivery of furniture, fixtures, and equipment would result in delays and inefficiencies in the construction process.

Fiscal Impact: The Special Income Tax fund has a sufficient budget to support this transfer.

Title

To authorize and direct the City Auditor to transfer \$1,700,000 from the Special Income Tax Fund to the Safety Bond Fund; to authorize the appropriation of said funds; to authorize and direct the Public Service Director to modify a contract with Messer Construction Company for furniture, fixtures, and equipment for the new Police Academy; to authorize the expenditure of \$1,700,000 from the Safety Voted Bond Fund; and to declare an emergency. (\$1,700,000)

Body

WHEREAS, it is necessary to provide furniture, fixture, and equipment to the new Police Academy, and

WHEREAS, a transfer of funds from the Special Income Tax Fund is necessary to fund this purchase; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this purchase is presently expected not to exceed

\$1,700,000; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Facilities Management Division, in that it is necessary to transfer and appropriate funds within the Special Income Tax Fund, in order to ensure the timely and efficient completion of the new Police Academy; now, therefore:

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

SECTION 1. That the sum of \$1,700,000.00 be and is hereby appropriated from the unappropriated balance of 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 purpose during the fiscal year ending December 31, 2004 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 2. That the City Auditor is hereby authorized to transfer said funds to the Safety Voted Bond Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

SECTION 3. That the amount of \$1,700,000.00 is hereby transferred and appropriated to the Police Division 30-03, Safety Voted Bond Fund, Fund 701, Police Training Academy Project 330022, OCA Code 644559, Object Level Three Code 6645.

SECTION 4. That the Public Service Director be and is hereby authorized and directed to modify contract EL003464 in the amount of \$1,700,000.00, or so much thereof as may be necessary, to Messer Construction for the purchase of furniture, fixtures, and equipment for the new Police Academy, Police Division 30-03, Safety Voted Bond Fund, Fund 701, Police Training Academy 330022, OCA Code 644559, Object Level Three Code 6644.

SECTION 5. That upon obtaining other funds for the Police Training Academy Project, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 2, above, and said funds are hereby deemed appropriated for such purpose.

SECTION 6. That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 2, above.

SECTION 7. The City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

SECTION 8. That for the reasons stated in the preamble hereto, which is hereby made a part of hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0030-2004

Drafting Date: 12/24/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City of Columbus, Public Service Department, Transportation Division, recently received a request from Columbus State Community College asking that the City grant an encroachment easement into the east side of North Sixth Street between Grove Street and Buckingham Street. The granting of this easement will allow for installation of an ADA compliant ramp and stair assembly, an overhead canopy to protect the ramp and a planting bed, as a part of a renovation of a vacant structure at 366-370 North Sixth Street for academic use. After investigation, it has been determined that the granting of the requested encroachment easement will not adversely affect the City's continued use of the adjacent North Sixth Street right-of-way and that the requested encroachment easement should be granted. A value of \$1,000.00 has been established for the granting of the proposed encroachment easement.

The City will receive a total of \$1,000.00, to be deposited in Fund 748, Project 537650, as consideration for the granting of the requested encroachment easement.

Title

To authorize the Director of the Public Service Department to execute those documents required to grant an encroachment easement into the east side of North Sixth Street between Grove Street and Buckingham Street.

Body

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, recently received a request from Columbus State Community College asking that the City grant an encroachment easement into the east side of North Sixth Street between Grove Street and Buckingham Street; and

WHEREAS, the granting of this easement will allow for installation of an ADA compliant ramp and stair assembly, an overhead canopy to protect the ramp and a planting bed as a part of a renovation of a vacant structure at 366-370 North Sixth Street for academic use; and

WHEREAS, after investigation, it has been determined that the granting of the requested encroachment easement will not adversely affect the City's continued use of the adjacent North Sixth Street right-of-way and that the requested encroachment easement should be granted; and

WHEREAS, a value of \$1,000.00 has been established for the granting of the proposed encroachment easement; 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 those documents necessary to grant the following described encroachment easement to Columbus State Community College, District Board of Trustees; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 9, Township 5, Range 22, Refugee Lands, and being a strip of land across Sixth Street
Beginning, for reference, at a point marking the intersection of the northerly right-of-way line of Grove Street with the easterly right-of-way line of Sixth Street, being the southwesterly corner of Lot 69 of that subdivision entitled "Neilston Park Place Addition" of record in Plat Book 4, Page 129;
Thence North 03°44'07" East, with said easterly right-of-way line, a distance of 67.45 feet to the True Point of Beginning;
Thence crossing said Sixth Street the following courses;
North 86°15'53" West, a distance of 1.50 feet to a point;
North 03°44'07" East, a distance of 124.17 feet to a point; and
South 86°15'53" East, a distance of 1.50 feet to a point in said easterly right-of-way line;
Thence South 03°44'07" West, with said easterly right-of-way line, a distance of 124.17 feet to the True Point of Beginning, and containing 0.004 acre of land more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Section 2. That the \$1000.00 to be received by the City as consideration for the granting of the requested encroachment easement shall be deposited in Fund 748, Project 537650.

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

Legislation Number: 0035-2004

Drafting Date: 12/26/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Public Service Director to modify contract EL003464 on behalf of the Facilities Management Division for installation of a fire suppression system in the computer room of the new Police Academy, 1000 North Hague Avenue, for the Police Division. The Police Division has requested an FM 200 fire suppression system, which would need to be installed during the construction process. The FM 200 system provides fire protection in computer room environments while blending into the surroundings and using little space. A discharge from the system is environmentally friendly and does not cause breathing problems. It is designed to snuff out fires within thirty seconds, without the water damage associated with a typical sprinkler system. Informal bids were requested.

Emergency Action is requested by the Police Division so as to construct this computer facility while overall Academy is under construction.

Fiscal Impact: Funds for this project are available in the Police Division's Capital Improvement Fund.

Title

To authorize the Public Service Director to modify a contract for the Facilities Management Division with Messer Construction Company for the installation of a fire suppression system at the new Police Academy, to authorize the expenditure of \$61,651.68 from the Police Division's Capital Improvement Fund, and to declare an emergency. (\$61,651.68)

Body

WHEREAS, it is necessary to install a fire suppression system in the computer room of the new Police Academy for the Police Division, and

WHEREAS, the Police Division recommends acceptance of the bid submitted by Messer Construction Company, and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division in that it is immediately necessary to modify contract EL003464 with Messer Construction Company to install a fire suppression system in the computer room of the new Police Academy, 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 is hereby authorized to modify contract EL003464 for the Messer Construction Company for the installation of a fire suppression system in the computer room of the new Police Academy for the Police Division, 1000 North Hague Avenue.

SECTION 2. That the expenditure of \$61,651.68, or so much thereof in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-03
Fund: 701
Project: 330021
Project Name: Police Facility Renovation.

OCA Code: 644559
Object Level 1: 06
Object Level 3: 6620
Amount: \$61,651.68

SECTION 3. 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 or vetoes the same.

Legislation Number: 0036-2004

Drafting Date: 12/29/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Public Service Department, Transportation Division, recently received a request from 4MX Partners, LLC, asking that the City grant underground foundation encroachment easements into East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue for a medical office building at 500 East Main Street. After investigation it has been determined that the granting of the requested encroachment easements will not adversely affect the City's continued use of the East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue right-of-way and that the requested encroachment easements should be granted. A value of \$2,688.32 was established for the granting of these encroachment easements, however, Land Review Commission voted to recommend the necessary encroachment easements be granted at no charge. The mitigating circumstances cited were the commitment of almost 7 million dollars for construction of the new medical facility; the dramatic increase in real estate taxes to be paid on the property; and the creation of additional jobs in the City.

Title

To authorize the Director of the Public Service Department to execute those documents required to grant encroachment easements into East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue to 4MX Partners, LLC.

Body

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, recently received a request from 4MX Partners, LLC, asking that the City grant underground foundation encroachment easements into East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue for a medical office building at 500 East Main Street; and

WHEREAS, after investigation it has been determined that the granting of the requested encroachment easements will not adversely affect the City's continued use of the East Main Street, Washington Avenue, Cherry Street and the alley west of Washington Avenue right-of-way; 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 those documents necessary to grant the following described encroachment easements to 4MX Partners, LLC; to-wit:

8.44 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 16, Township 5, Range 22, Refugee Lands, and being a strip of land within the right-of-way of Cherry Street, and being described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way of Washington Avenue with the southerly right-of-way of Cherry Street;

Thence South 90°00'00" West, with said southerly right-of-way line, a distance of 49.72 feet to the True Point of Beginning for the strip herein intended to be described;

Thence South 90°00'00" West, continuing with said southerly right-of-way line, a distance of 5.40 feet to a point;

Thence crossing said Cherry Street right-of-way, the following courses and distances:

North 00°03'00" East, a distance of 1.56 feet to a point;

South 89°57'00" East, a distance of 5.40 feet to a point; and

South 00°03'00" West, a distance of 1.56 feet to the True Point of Beginning, and containing 8.44 square feet, more or less.

8.21 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 16, Township 5, Range 22, Refugee Lands, and being a strip of land within the right-of-way of Cherry Street, and being described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way of Washington Avenue with the southerly right-of-way of Cherry Street;

Thence South 90°00'00" West, with said southerly right-of-way line, a distance of 1.38 feet to the True Point of Beginning for the strip herein intended to be described;

Thence South 90°00'00" West, continuing with said southerly right-of-way line, a distance of 5.40 feet to a point;

Thence crossing said Cherry Street right-of-way, the following courses and distances:

North 00°03'00" East, a distance of 1.52 feet to a point;
South 89°57'00" East, a distance of 5.40 feet to a point; and
South 00°03'00" West, a distance of 1.52 feet to the True Point of Beginning, and containing 8.21 square feet, more or less.

7.78 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 16, Township 5, Range 22, Refugee Lands, and being a strip of land within the right-of-way of Main Street, and being described as follows:
Beginning, for reference, at the intersection of the northerly right-of-way of Main Street with the westerly right-of-way of Washington Avenue;
Thence South 90°00'00" West, with said northerly right-of-way line, a distance of 32.55 feet to the True Point of Beginning for the strip herein intended to be described;
Thence across said Main Street right-of-way, the following courses and distances:
South 00°03'00" West, a distance of 0.69 feet to a point;
North 89°57'00" West, a distance of 11.40 feet to a point; and
North 00°03'00" East, a distance of 0.69 feet to a point in the northerly right-of-way of said Main Street;
Thence North 90°00'00" East, with said right-of-way line, a distance of 11.40 feet to the True Point of Beginning, and containing 7.78 square feet, more or less.

13.07 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 16, Township 5, Range 22, Refugee Lands, and being a strip of land within the right-of-way of Cherry Street, and being described as follows:
Beginning, for reference, at the intersection of the westerly right-of-way of Washington Avenue with the southerly right-of-way of Cherry Street;
Thence South 90°00'00" West, with said southerly right-of-way line, a distance of 25.05 feet to the True Point of Beginning for the strip herein intended to be described;
Thence South 90°00'00" West, continuing with said southerly right-of-way line, a distance of 6.40 feet to a point;
Thence crossing said Cherry Street right-of-way, the following courses and distances:
North 00°03'00" East, a distance of 2.04 feet to a point;
South 89°57'00" East, a distance of 6.40 feet to a point; and
South 00°03'00" West, a distance of 2.04 feet to the True Point of Beginning, and containing 13.07 square feet, more or less.

156.47 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 16, Township 5, Range 22, Refugee Lands, and being a strip of land within the right-of-way of the first alley west of Washington Avenue and north of Main Street, and being described as follows:
Beginning, for reference, at the intersection of the northerly right-of-way of Main Street with the westerly right-of-way of said alley;
Thence North 00°03'00" East, with said easterly right-of-way line of said alley, a distance of 3.88 feet to the True Point of Beginning for the strip herein intended to be described;
Thence across said alley right-of-way, the following courses and distances:
North 89°57'00" West, a distance of 0.62 feet to a point;
North 00°03'00" East, a distance of 4.33 feet to a point;
North 89°57'00" West, a distance of 0.50 feet to a point;
North 00°03'00" East, a distance of 5.40 feet to a point;
South 89°57'00" East, a distance of 0.50 feet to a point;
North 00°03'00" East, a distance of 23.10 feet to a point;
North 89°57'00" West, a distance of 2.00 feet to a point;
North 00°03'00" East, a distance of 8.40 feet to a point;
South 89°57'00" East, a distance of 2.00 feet to a point;
North 00°03'00" East, a distance of 22.10 feet to a point;
North 89°57'00" West, a distance of 1.50 feet to a point;
North 00°03'00" East, a distance of 7.40 feet to a point;
South 89°57'00" East, a distance of 1.50 feet to a point;
North 00°03'00" East, a distance of 22.60 feet to a point;
South 89°57'00" East, a distance of 1.50 feet to a point;
North 00°03'00" East, a distance of 7.40 feet to a point;
South 89°57'00" East, a distance of 1.50 feet to a point;
North 00°03'00" East, a distance of 22.60 feet to a point;
North 89°57'00" West, a distance of 1.50 feet to a point;
North 00°03'00" East, a distance of 7.40 feet to a point;
South 89°57'00" East, a distance of 1.50 feet to a point;
North 00°03'00" East, a distance of 24.77 feet to a point;
North 89°57'00" West, a distance of 0.50 feet to a point;
North 00°03'00" East, a distance of 5.40 feet to a point;
South 89°57'00" East, a distance of 0.50 feet to a point;
North 00°03'00" East, a distance of 2.83 feet to a point; and
South 89°57'00" East, a distance of 0.62 feet to a point in the easterly right-of-way of said alley;
Thence South 00°03'00" West, with said easterly right-of-way line, a distance of 163.73 feet to the True Point of Beginning, and containing 156.47 square feet, more or less.

142.07 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 16, Township 5, Range 22, Refugee Lands, and being a strip of land within the right-of-way of Washington Avenue, and being described as follows:

Beginning, for reference, at the intersection of the northerly right-of-way of Main Street with the westerly right-of-way of Washington Avenue;

Thence North 00°03'00" East, with said westerly right-of-way line, a distance of 3.28 feet to the True Point of Beginning for the strip herein intended to be described;

Thence North 00°03'00" East, continuing with said westerly right-of-way line, a distance of 163.23 feet to a point;

Thence across said Washington Avenue right-of-way, the following courses and distances:

South 89°57'00" East, a distance of 0.62 feet to a point;

South 00°03'00" West, a distance of 3.00 feet to a point;

South 89°57'00" East, a distance of 0.50 feet to a point;

South 00°03'00" West, a distance of 5.40 feet to a point;

North 89°57'00" West, a distance of 0.50 feet to a point;

South 00°03'00" West, a distance of 24.10 feet to a point;

South 89°57'00" East, a distance of 1.00 feet to a point;

South 00°03'00" West, a distance of 6.40 feet to a point;

North 89°57'00" West, a distance of 1.00 feet to a point;

South 00°03'00" West, a distance of 23.60 feet to a point;

South 89°57'00" East, a distance of 1.00 feet to a point;

South 00°03'00" West, a distance of 6.00 feet to a point;

North 89°57'00" West, a distance of 1.00 feet to a point;

South 00°03'00" West, a distance of 23.60 feet to a point;

South 89°57'00" East, a distance of 1.00 feet to a point;

South 00°03'00" West, a distance of 6.40 feet to a point;

North 89°57'00" West, a distance of 1.00 feet to a point;

South 00°03'00" West, a distance of 22.60 feet to a point;

South 89°57'00" East, a distance of 2.00 feet to a point;

South 00°03'00" West, a distance of 8.40 feet to a point;

North 89°57'00" West, a distance of 2.00 feet to a point;

South 00°03'00" West, a distance of 27.93 feet to a point;

South 89°57'00" East, a distance of 0.50 feet to a point;

South 00°03'00" West, a distance of 5.40 feet to a point; and

North 89°57'00" West, a distance of 1.12 feet to the True Point of Beginning and containing 142.07 square feet, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

Clark E. White, Registered Surveyor No. 7868

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

Legislation Number: 0037-2004

Drafting Date: 12/29/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City of Columbus, Public Service Department, Transportation Division, recently received a request from David C. Fleisher and Charles W. Jett, II, asking that the City sell the 10 foot wide unimproved alley west of 936 Spring Street. Sale of this excess right-of-way to Mr. Fleisher and Mr. Jett will provide additional side yard for the house located at 936 Spring Street. After investigation it was determined that there are no objections to the sale of this right-of-way. The Department of Law, Real Estate Division established a value of \$1,193.47 for this right-of-way. The Land Review Commission voted to recommend that this right-of-way be sold to for the Real Estate established value of \$1,193.47.

The City will receive a total of \$1,193.47, to be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested right-of-way.

Title

To authorize the Director of the Public Service Department to execute those documents required to transfer the 10 foot wide unimproved alley west of 936 Spring Street to David C. Fleisher and Charles W. Jett, II, and to waive the competitive bidding provisions of Columbus City Codes.

Body

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, recently received a request from David C. Fleisher and Charles W. Jett, II, asking that the City sell the 10 foot wide unimproved alley west of 936 Spring Street; and

WHEREAS, sale of this excess right-of-way to Mr. Fleisher and Mr. Jett will provide additional side yard to the house located at 936 Spring Street; and

WHEREAS, after investigation it was determined that there are no objections to the transfer of this right-of-way; and

WHEREAS, the Department of Law, Real Estate Division established a value of \$1,193.47 for this right-of-way; and

WHEREAS, the Land Review Commission voted to recommend that this right-of-way be sold for the Real Estate Division established value; 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 David C. Fleisher and Charles W. Jett, II, for \$1,193.47; to-wit:

A small tract of land lying within the boundaries of JAS Fullerton Subdivision, (1893) as it is recorded in Plat Book 5, Page 191 in the Franklin County records and being all of a 10 foot wide alley lying between Lot 5 on the East and Lots 1, 2, 3, and 4 on the West, and bounded by another 10 foot alley on the North and Spring Street on the South and more particularly described by metes and bounds as follows:

Beginning at a 5/8-inch rebar set with cap at the Southwest corner of Lot 5, (a small lot owned by Davis Fleisher (Inst. No. 200006210122718) said point being on the North line of Spring Street (50') and in the East line of the heretofore mentioned alley;

Thence South 78 degrees 40 minutes 45 seconds West along the north line of Spring Street 10.18 feet to a 5/8-inch rebar set with cap;

Thence North 00 degrees 31 minutes 43 seconds West along the East line of Lots 4, 3, 2 and 1 of said subdivision 95.22 feet to a 5/8 inch rebar set with cap in the South line of another 10 foot alley;

Thence South 89 degrees 38 minutes 32 seconds East 10.00 feet to a 5/8-inch rebar set with cap at the Northwest corner of Lot 5;

Thence South 00 degrees 31 minutes 43 seconds East along the West line of Lot 5, 93.16 feet to the Point of Beginning.

Containing 0.022 acres all in Franklin County, Ohio.

Basis for bearings is South 00 degrees 31 minutes 43 seconds East the West line of Lot 5 of JAS Fullerton Subdivision Survey made during November 2003.

David E. Slagle, P.S., No. 7408

Section 2. That the above referenced real property shall be considered excess road rights-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 rights-of-way.

Section 4. That the \$1,193.47 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 this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 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.

Legislation Number: 0040-2004

Drafting Date: 12/29/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The City of Columbus is the owner of certain real property located in the vicinity of Fall Haven Drive and Hard Road, commonly known as the Woodbridge Green Park. Columbia Gas of Ohio, Inc., desires to relocate a gas line through a portion of the aforementioned City real property. After investigation, the Department of Recreation & Parks has determined that the granting of a perpetual easement will not adversely affect the City and may be granted. The Department of Law, Real Estate Division, has determined a value of \$5,200.00 for the aforementioned easement. The following legislation authorizes the Executive Director of the Department of Recreation and Parks to execute those instruments necessary to grant the subject easement to certain City owned real property, more fully described within the body of this ordinance.

Fiscal Impact: The City shall receive \$5,200.00 as consideration for the granting of this easement, to be deposited with the City Auditor as appropriate.

Emergency Justification: Being that is it Winter, emergency action is requested to allow for the immediate availability of a utility service through the above mentioned real property without delay.

Title

To authorize the Executive Director of the Department of Recreation & Park to execute those documents, as requested by Columbia Gas of Ohio, Inc., necessary to grant an perpetual non-exclusive easement through real property owned by the City, commonly known as the Woodbridge Green Park and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

Body

WHEREAS, the City of Columbus is the owner of certain real property located in the vicinity of Fall Haven Drive and Hard Road, commonly known as the Woodbridge Green Park; and

WHEREAS, Columbia Gas of Ohio, Inc., desires to relocate a gas line through a portion of the aforementioned City owned real property; and

WHEREAS, after investigation, it has been determined that the granting of a perpetual easement will not adversely affect the City; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$5,200.00 for the aforementioned easement; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, that it is immediately necessary to authorize the Executive Director of the Department of Recreation & Park to execute those instruments prepared by the Real Estate Division, Department of Law, necessary to grant a perpetual non-exclusive easement in, under, across, over and through a certain portion of that City owned real property commonly known as Woodbridge Green Park for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Executive Department of Recreation & Park be and hereby is authorized to execute those documents prepared by the Department of Law, Real Estate Division necessary to grant the following described perpetual non-exclusive easement in, under, across, over and through a certain portion of that City owned real property commonly known as Woodbridge Green Park, as requested by Columbia Gas of Ohio, Inc., to wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Lot 15 and Lot 24 as the same are numbered and delineated upon the recorded plat of Flavel Tuller's Survey of Section 1, Township 2, Range 19, United States Military Lands, of record in Plat Book 3, Page 60, containing 3.326 acres of land conveyed to the City of Columbus in Official Record 14196, E-15 and 3.326 acres of land conveyed to the City of Columbus in Official Record 11996, C-03, being all of that 6.652 acre tract of land described in Exhibit "A" in the deed to Kenneth R. Campbell, of record in Official Record 07504, A-04 and being an easement out of said 3.326 and 3.326 acres of land conveyed to the City of Columbus, (all references to records being on file in the Office of the Recorder, Franklin County, Ohio) said easement being further described as follows:

Beginning for reference at the southwesterly corner of said 3.326 acre tract of land described in Official Record 14196, E-15 being in the centerline of Hard Road, thence N 02° 28' 04" E, along the westerly line of said 3.326 acre tract of land, a distance of 40.00 feet to a point;

Thence N 11° 01' 20" W, continuing along the westerly line of said 3.326 acre tract of land, a distance of 20.51 feet, being the True Place Of Beginning;

Thence N 11° 01' 20" W, along the westerly line of said 3.326 acre tract of land, a distance of 20.21 feet to a point;

Thence N 87° 19' 37" E, a distance of 154.12 feet to a point;

Thence N 71° 35' 18" E, a distance of 107.08 feet to a point;

Thence with a curve to the right having a length of 146.65 feet, a radius of 402.00 feet, a delta of 20° 54' 07", and a chord bearing N 82° 02' 21" E, a distance of 145.84 feet to a point;

Thence S 09° 14' 26" E, a distance of 20.45 feet to a point;

Thence with a curve to the left having a length of 143.51 feet, a radius of 382.00 feet, a delta of 21° 31' 32", and a chord bearing of S 82° 21' 04" W, a distance of 142.67 feet to a point;

Thence S 71° 35' 18" W, a distance of 109.84 feet to a point;

Thence S 87° 19' 37" W, a distance of 153.95 feet to the True Place Of Beginning, and containing 0.187 acres (8,151.58 square feet).

For the purpose of this description, a bearing of S 87° 31' 56" E was used on the centerline Hard Road, State of Ohio, County of Franklin, City of Columbus, Section 1, Township 2, Range 19, United States Military Lands.

Hockaden and Associates, Inc., Frank C. Long, P.S. No. 6615, 7/10/02.

Prior Instrument Reference: O.R. Vol. 14196, Pg. E-15,

O.R. Vol. 11996, Pg. C-03,

Recorder's Office, Franklin County, Ohio.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (Land Review Commission) and Section 329.29 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only.

Section 3. The Five Thousand Two Hundred Dollars (\$5,200.00) to be received by the City of Columbus, Department of Recreation & Parks for the granting of the easement shall be deposited as follows: Project # 747999; Dept./ Div. 51-01; Fund # 747; O.C.A. Code 054312; Object Level 0819.

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

Legislation Number: 0041-2004

Drafting Date: 12/29/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Public Service Department, Transportation Division, recently received a request from Nationwide Realty Investors, Ltd., asking that the City grant underground foundation encroachment easements into Nationwide Boulevard and John H. McConnell Boulevard for a proposed office building at 225 West Nationwide Boulevard. After investigation it has been determined that the granting of the requested encroachment easements will not adversely affect the City's continued use of the Nationwide Boulevard and the John H. McConnell Boulevard right-of-way and that the requested encroachment easements should be granted. A value of \$1,000.00 was established for the granting of these encroachment easements, however, Land Review Commission voted to recommend the necessary encroachment easements be granted at no charge. The mitigating circumstances cited were the continued development of the old Pen Site, the willingness of the petitioner to absorb the cost of any utility relocation necessary to construct this office building, the dramatic increase in tax revenue to be generated by the continued development of the old Pen Site; and the continuation of the development of the Arena District.

Title

To authorize the Public Service Director to execute those documents required to grant encroachment easements into Nationwide Boulevard and John H, McConnell Boulevard to NWD 225 Nationwide, LLC.

Body

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, recently received a request from Nationwide Realty Investors, Ltd., asking that the City grant underground foundation encroachment easements into Nationwide Boulevard and John H. McConnell Boulevard for a proposed office building at 225 West Nationwide Boulevard; and

WHEREAS, after investigation it has been determined that the granting of the requested encroachment easements will not adversely affect the City's continued use of the Nationwide Boulevard and the John H. McConnell Boulevard right-of-way; and

WHEREAS, a value of \$1,000.00 was established for the granting of these encroachment easements, however, Land Review Commission voted to recommend the necessary encroachment easements be granted at no charge; and

WHEREAS, the mitigating circumstances cited by the Land Review Commission were the continued development of the old Pen Site, the willingness of the petitioner to absorb the cost of any utility relocation necessary to construct this office building, the dramatic increase in tax revenue to be generated by the continued development of the old Pen Site; and the continuation of the development of the Arena District; 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 execute those documents necessary to grant the following described encroachment easements to NWD 225 Nationwide, LLC; to-wit:

Nationwide Boulevard 900.250 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Lands, and being part of the right-of-way of Nationwide Boulevard and described as follows:
Beginning, for reference, at the intersection of the westerly right-of-way for John H. McConnell Boulevard with the southerly right-of-way line for said Nationwide Boulevard, the northeasterly corner of Lot 3 of "Arena District Subdivision" as recorded in Plat Book 90, Page 75;
Thence South 79°28'03" West, with said southerly right-of-way line, the northerly line of said Lot 3, a distance of 43.73 feet to the True Point of Beginning;
Thence South 79°28'03" West, continuing with said southerly right-of-way line, said northerly lot line, a distance of 180.05 feet;
Thence across said right-of-way of Nationwide Boulevard, the following courses;
North 10°31'57" West, a distance of 5.00 feet;
North 79°28'03" East, a distance of 180.05 feet;
South 10°31'57" East, a distance of 5.00 feet to the True Point of Beginning and containing 900.250 square feet, more or less.

John H. McConnell Boulevard 91.000 Square Foot Easement:

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 8, Township 5, Range 22, Refugee Lands, and being part of the right-of-way of John H. McConnell Boulevard and described as follows:
Beginning, for reference, at the intersection of the westerly right-of-way for said John H. McConnell Boulevard with the southerly right-of-way line for Nationwide Boulevard, the northeasterly corner of Lot 3 of "Arena District Subdivision" as recorded in Plat Book 90, Page 75;
Thence South 00°53'05" West, with said westerly right-of-way line, the easterly line of said Lot 3, a distance of 73.36 feet to the True Point of Beginning;
Thence across said right-of-way of John H. McConnell Boulevard, the following courses:
South 89°06'55" East, a distance of 1.00 foot;

South 00°53'05" West, a distance of 91.00 feet;
North 89°06'55" West, a distance of 1.00 foot to said westerly right-of-way line, said easterly lot line;
Thence North 00°53'05" East, with said westerly right-of-way line, said easterly lot line, a distance of 91.00 feet to the True Point of Beginning and containing 91.000 square feet, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.
John C. Dodgion, Registered Surveyor No. 8069

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

Legislation Number: 0042-2004

Drafting Date: 12/29/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City of Columbus, Public Service Department, Transportation Division, received a request from NP Limited Partnership asking that the City transfer excess right-of-way identified as a portion of Worthington Road, north of Polaris Parkway, to them to allow for future development of their adjacent property. NP Limited Partnership originally deeded this right-of-way to the City at no charge as a part of the Polaris Parkway Improvement project. The configuration of some of the roadways within the Polaris Centers of Commerce changed subsequent to the completion of right-of-way acquisition for the Polaris Parkway project resulting in the City holding title to excess public right-of-way. After investigation it was determined that there are no objections to the transfer of that portion of Worthington Road NP Limited Partnership has requested. The Department of Law, Real Estate Division, established a value of \$1.50 per square foot for this right-of-way; however, the Transportation Division recommendation is that this right-of-way be re-conveyed to NP Limited Partnership at no charge.

Title

To authorize the Public Service Director to execute those documents required to transfer a portion of Worthington Road, north of Polaris Parkway, to NP Limited Partnership; and to waive the Land Review Commission and the competitive bidding provisions of Columbus City Codes.

Body

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, received a request from NP Limited Partnership asking that the City transfer excess right-of-way identified as a portion of Worthington Road, north of Polaris Parkway, to them to allow for future development of their adjacent property; and

WHEREAS, NP Limited Partnership originally deeded this right-of-way to the City at no charge as a part of the right-of-way for the Polaris Parkway Improvement project; and

WHEREAS, the configuration of some of the roadways within the Polaris Centers of Commerce changed after the completion of acquisition of the right-of-way needed for the project resulting in the City holding title to excess public right-of-way; and

WHEREAS, after investigation it was determined that there are no objections to the transfer of the portion of Worthington Road that NP Limited Partnership has requested; and

WHEREAS, the Department of Law, Real Estate Division established a value of \$1.50 per square foot for this right-of-way; and

WHEREAS, the Transportation Division recommendation is that this right-of-way be re-conveyed to NP Limited Partnership at no charge; 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 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 NP Limited Partnership at no charge; to-wit:

Situated in the State of Ohio, County of Delaware, City of Columbus, Farm Lot 17, Section 4, Township 3, Range 18, United States Military Lands and being 0.251 acres of land out of said Farm Lot 17 and being 0.251 acres of land out of the City of Columbus (all records being of the Recorder's Office, Delaware County, Ohio) and being more particularly described as follows:

Beginning for reference at the centerline intersection of Polaris Parkway (Variable Width) as recorded in Plat Book 24, Page 137 with the centerline intersection of Olde Worthington Road;

Thence North 45°40'17" East (non radial) crossing said Polaris Parkway, a distance of 97.06 feet to a 1" iron pipe set with an EDG cap on the northerly right-of-way line of said Polaris Parkway and also being a point on the southerly line of a 19.952 acre tract of land as conveyed to N.P. Limited Partnership of record in Official Record Volume 268, Page 2340 and being a point on a curve and also being a point on the corporation line between the City of Columbus and Orange Township and being the true point of beginning;

Thence with the northerly right-of-way line together with the southerly line of said 19.952 acre tract of land, the following two (2) courses;

1) With a curve northeasterly and to the left having a radius of 604.81 feet, a central angle of 32°54'16", a chord bearing of North 56°21'37" East, and a chord distance of 342.58 feet to a 1" iron pipe set with an EDG cap;
2) South 50°05'31" East, a distance of 20.00 feet to a 1" iron pipe set with an EDG cap on the westerly right-of-way line of said Worthington Road and said corporation line;
Thence South 39°54'29" West with the westerly right-of-way line of said Worthington Road and said corporation line, a distance of 228.00 feet to a 1" iron pipe set with an EDG cap;
Thence South 89°14'07" West crossing said Worthington Road and said Polaris Parkway, a distance of 154.30 feet to the true point of beginning and containing 0.251 acres of land more or less.
This description was prepared by Environmental Design Group. The basis of bearing is North 03°31'27" East for the centerline of Interstate 71 and all other bearings calculated from this meridian.

Maynard H. Thompson, P.S., Registered Surveyor No. 7128

Section 2. That the above referenced real property shall be considered excess road rights-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 rights-of-way.

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

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

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

Legislation Number: 0043-2004

Drafting Date: 12/29/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to reimburse Gateway Area Revitalization Initiative (GARI), an Ohio not-for-profit corporation, for preliminary design costs associated with the Gateway Area project on East Eleventh Avenue between North High Street and IR-71. By agreement between GARI and the Director of the Development Department, the City has agreed to provide a signature streetscape for Eleventh Avenue as a continuation of the Gateway improvements. EMH&T has provided design services for GARI in connection with the Gateway project and has performed work applicable to the proposed Eleventh Avenue improvements. Accordingly, EMH&T has been retained by GARI as the designer of this streetscape and has proposed preliminary design services in the amount of \$64,130.00. These services include a survey of the project limits; proposals of options for consideration regarding pavement, sidewalk, lighting, signalization and other improvements and a cost analysis for use in determining the scope of the streetscape improvements, among other deliverables.

Funding is available from two different sources, \$60,000.00 from the economic development project within the 1995, 1999 Voted Streets and Highways Fund, which this ordinance transfers to the OSU Community Improvements project in that same fund, and \$4,130.00 from the Urban Infrastructure Recovery project within the Development Fund.

Gateway Area Revitalization Initiative's contract compliance number is 31-1700935.

Emergency action is requested so that this project can proceed in a timely manner to keep commitments made to the community.

Title

To authorize the transfer of \$60,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to authorize the Public Service Director to reimburse the Gateway Area Redevelopment Initiative for the cost of designing the rehabilitation of Eleventh Avenue between North High Street and IR-71 in coordination with the Gateway Area project; to authorize the expenditure of \$64,130.00 for this purpose, \$60,000.00 from the 1995, 1999 Voted Streets and Highways Fund and \$4,130.00 from the Development Fund and to declare an emergency. (\$64,130.00)

Body

WHEREAS, the City has identified the need for and proposes the improvement of the portion of roadway defined by the limits of the Gateway Area project; and

WHEREAS, it is necessary for the City to reimburse the Gateway Area Revitalization Initiative for the cost of a design services contract associated with

this improvement; and

WHEREAS, monies must be transferred between projects within the 1995, 1999 Voted Streets and Highways Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service and Development Departments in that the reimbursement should be authorized immediately so that the work may proceed without delay, 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 transfer of \$60,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No. 59-09, Transportation Division, be and hereby is authorized as follows:

TRANSFER FROM
project #/ project/ OCA code
590415/ Economic Development/ 644385

Total Transfer From: \$60,000.00

TRANSFER TO:
project #/ project/ OCA code
530051/ OSU Community Improvements/ 644385

Total Transfer To: \$60,000.00

SECTION 2. That the Public Service Director be and hereby is authorized to reimburse the Gateway Area Redevelopment Initiative, 1824 North High Street, Columbus, Ohio 43201, in an amount not to exceed \$64,130.00 for the cost of preliminary engineering of the rehabilitation of Eleventh Avenue between North High Street and IR-71.

SECTION 3. That for the purpose of paying the cost thereof, the sum of \$64,130.00 or so much thereof as may be needed, be and hereby is authorized to be expended from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6682, OCA Code 644385 and Project 530051 (\$60,000.00) and from the Development Fund, Fund 742, Department No. 44-01, Development Department, Object Level One Code 06, Object Level Three Code 6682, OCA Code 643817 and Project 440004 (\$4,130.00).

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

Legislation Number: 0044-2004

Drafting Date: 12/29/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Big Walnut Sanitary Trunk Extension Project.

Fiscal Impact: Funding for this project is from the Department Public Utilities, Division of Sewerage and Drainage, Sewer System Permanent Improvement Fund.

Emergency Justification: Emergency action is requested to allow the immediate filing of the complaints and the timely scheduling of a court date for appropriation of the parcels necessary for the aforementioned project to proceed without delay.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Big Walnut Sanitary Trunk Extension Project, to authorize the expenditure of \$750.00 from the Sewer System Permanent Improvement Fund and to declare an emergency. (\$750.00).

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Big Walnut Sanitary Trunk Extension Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 388X-2003, on the 17th day of November, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That construction and permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Big Walnut Sanitary Trunk Extension Project, #650033, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

5ST

Subterranean Tunnel Easement

From: Fauzi Tayim

Subterranean Tunnel (Subsurface) Easement- EXTENDING VERTICALLY BETWEEN NAVD 88 ELEVATIONS 809 AND 844:

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 6, Township 2, Range 16, United States Military Lands and being a permanent subsurface easement thirty-five (35.00) feet in height within a 1.447 acre tract conveyed to Fauzi Tayim of record in Official Record 1403-J14 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning in the southerly line of said 1.447 acre tract, in the northerly line of a 10.9056 acre tract conveyed to Paula J. Gummer of record in Official Record 32887-107, and in the westerly right-of-way of Lee Road;

Thence along the southerly line of said 1.447 acre tract and the northerly line of said 10.9056 acre tract, North 55°16'58" West a distance of 9.87 feet to a point;

Thence crossing through said 1.447 acre tract, North 36°06'15" East a distance of 383.97 feet to the northerly line of said 1.447 acre tract and the southerly line of a 1.533 acre tract conveyed to Clyde N. and Gail C. Merrell of record in Official Record 19913-E20;

Thence along the northerly line of said 1.447 acre tract and the southerly line of said 1.533 acre tract, South 86°05'51" East a distance of 6.09 feet to the westerly right-of-way of Lee Road;

Thence along the westerly right-of-way of Lee Road, with the arc of a curve to the left having a radius of 2894.59, a central angle of 02°16'08", and a chord that bears South 36°12'16" West a chord distance of 114.62 feet to a point;

Thence continuing along the westerly right-of-way of Lee Road, South 35°04'12" West a distance of 272.40 feet to the True Point of Beginning;

Said easement contains a volume of 89,110 cubic feet, more or less, and the area of the horizontal plane at elevation 809 contains 0.058 acres (2546 square feet), more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (1986) as derived from a survey occupying Franklin County Monuments "FCGS 0008", "FCGS 5568", "FCGS 8824", and "FCGS 8825".

The above description was prepared by DLZ Ohio, Inc., Columbus, Ohio from available records and an actual field survey.

A drawing of the above description is attached hereto and made a part hereof.

DLZ Ohio, Inc. Robert A. Bosworth, P.S. 7750 Date

Section 3. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 4. That the Council of the City of Columbus hereby fixes the value of said construction and permanent easements as follows:

1. 5-ST \$750.00

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

Section 6. That the expenditure of \$750.00, or so much thereof as may be necessary for the Big Walnut Sanitary Trunk Extension Project, #650033, from the Sewer System Permanent Improvement Fund, 671, Dept./Div. 60-05, OCA Code 671033, Object Level Three 6601, AC #020709-001, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

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

Drafting Date: 12/30/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance will authorize the appropriation, transfer and various expenditures for labor, materials and equipment in conjunction with various golf facility improvements.

Work will include roof and HVAC renovations, irrigation, electrical and plumbing improvements, etc. All work will be based on three estimates obtained from qualified contractors and will not exceed \$20,000.00 per job.

Funding for these expenditures is being transferred from the unallocated balance of the Recreation and Parks Permanent Improvement Fund to the Facilities Improvement Project.

Emergency action is requested to allow these projects to proceed in a timely manner and to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management. Emergency action is also necessary to have funding available for necessary expenditures.

FISCAL IMPACT:

\$30,000.00 is required and budgeted in the Recreation and Parks Permanent Improvement Fund to meet the financial obligations of these various expenditures.

\$30,000.00 is being transferred within the Recreation and Parks Permanent Improvement Fund, as shown in Section 3 of this ordinance.

Title

To authorize the transfer, appropriation, and expenditure of \$30,000.00 within the Recreation and Parks Permanent Improvement Fund for various golf facility improvements, and to declare an emergency. (\$30,000.00)

Body

WHEREAS, various golf facility improvements are necessary within the Recreation and Parks Department; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to transfer and expend these funds to allow project to proceed in a timely manner; now, therefore

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

SECTION 1. That the purchase of labor, materials and equipment is necessary for various golf facility improvements within the Recreation and Parks Department.

SECTION 2. That the amount of \$30,000.00 is hereby appropriated to the Recreation and Parks Permanent Improvement Fund, as follows:

Fund Type	Dept.	Fund	Project No.	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	747999	5501	900747	\$30,000.00

SECTION 3. That the transfer of \$30,000.00 within the Recreation and Parks Permanent Improvement Fund be and is hereby authorized to provide funds in the proper project account for various golf facility improvements for the Recreation and Parks Department, as follows:

FROM:

Fund Type	Dept.	Fund	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	747999	Unallocated	5501	900747	\$30,000.00
Balance							

TO:

Fund Type	Dept.	Fund	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	510035	Facilities Improvements	6620	640862	\$30,000.00

SECTION 4. That the expenditure of \$30,000.00, or so much thereof as may be necessary, be and is hereby authorized from the unallocated balance of the Recreation and Parks Permanent Improvement Fund 747 as follows, to pay the cost thereof. All work will be based on three estimates and will not exceed \$20,000.00 per contract or job. City Council recognizes that this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understands that its passage will give the Recreation and Parks Director the final decision in determination of the lowest

best responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

Fund Type	Dept.	Fund	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	510035	Facilities Improvements	6620	640862	\$30,000.00

SECTION 5. 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 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 004X-2004

Drafting Date: 01/05/2004

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Morse Road Improvement Project.

Fiscal Impact: N/A

Emergency Justification:

Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay.

Title

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Morse Road Improvement Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus is engaged in the Morse Road Improvement Project; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to declare the necessity and intent to appropriate fee simple title and lesser interests in and to the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate fee simple title and lesser interests in and to the following listed parcels of real estate more fully described in Exhibits A through FF attached hereto and made a part hereof as though fully written herein, necessary for the Morse Road Improvement Project, Project # 530052 pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

EXHIBIT PARCEL NUMBER OWNERS

- A 8WD Sun TV & Appliance
- B 9T 900-71 LLC
- C 10WD, T Frontier Investments Inc
- D 11T, T-1 R & M Fam.LP (B.Daniels Buick)
- E 12T 1000 Morse Ltd
- F 19T Oh Nat'l Bank of Cols
- G 21WD, WD-1. T Emro Mkting Co dba Marathon Sta.
- H 22WD, T Complete Gen Constr Co, Reese
(Exhibit H Continued) Resse & Co., H. Adams, Hetrick
- I 24T, Union Savings Bank

J 25WD, T, T-1 Union Savings Bank
 K 27T Michael A Verhage
 L 28WD, T Patrick J Carter
 M 33T Lee Shackelford
 N 34WD, T Kocolene Mkting LLC
 O 35WD, T Sullivan Acquisition LLC
 P 75WD Big Boy Properties
 Q 76WD UMC-Morse LLC
 R 79WD, T B P Oil & Exploration Inc
 S 80WD, T Speedway Super America LLC
 T 81WD, T Anna L Lockwood Trustee
 U 85T Greenwich Apts Ltd
 V 86T Jane Brazik Perry
 W 87T Equilon Enterprises LLC
 X 88T SCP 2001A-CSF-53 LLC
 Y 89 Oakridge Plaza Ptnrs
 Z 90WD The Pep Boys-Manny, Moe/ Jack
 A A 91WD, T Glick-Morse Realty Ltd
 B B 92T 2150 Investments Co
 C C 93T Bernard R Ruben & Murray Ebner
 D D 95WD, T Ascension Lutheran Church
 E E 97WD, T Mason-Realty Cols Prop. LLC
 F F 98WD, T City Nat'l Bank/Trust Co of Cols.

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

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

Legislation Number: 0052-2004

Drafting Date: 12/30/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This ordinance will authorize various expenditures for labor, materials and equipment in conjunction with various facilities improvements.

Work will include roof and HVAC renovation, ADA improvements, electrical and plumbing improvements, etc. All work will be based on three estimates obtained form qualified contractors and will not exceed \$20,000.00 per job.

Funding for these expenditures is from the Voted 1995 and 1999 Parks and Recreation Bond Fund.

Emergency action is requested to allow these projects to proceed in a timely manner and to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management. Emergency is also necessary to have funding available for necessary expenditures.

Fiscal Impact

\$100,000.00 is required and budgeted in the Voted 1995 and 1999 Parks and Recreation Bond Fund to meet the financial obligations of these various expenditures.

Title

To authorize the expenditure of \$100,000.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund for various facility renovations, and to declare an emergency. (\$100,000.00)

Body

WHEREAS, various facility renovations are necessary within the Recreation and Parks Department; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to transfer and expend these funds to have funding available for necessary expenditures to allow these projects to proceed in a timely manner; now, therefore

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

Section 1. That the purchase of labor, materials and equipment is necessary for various facility renovations within the Recreation and Parks Department.

Section 2. That the expenditure of \$100,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund No. 702, as follows, to pay the cost thereof. All work will be based on three estimates and will not exceed \$20,000.00 per contract or job. City Council recognizes that this ordinance does not identify the contractor(s) to whom the contract(s) will be awarded and understands that its passage will give the Recreation and Parks Director the final decision in determination of the lowest best responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

Fund Type	Dept. No.	Fund	Project No.	Project Title	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	702	510035	Facility Renovations	6620	644526	\$100,000.00

Section 4. 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 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0055-2004

Drafting Date: 12/31/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

Columbia Gas of Ohio, Inc. has an existing gas utility line through that City owned property known as the Columbus Zoo. Columbia Gas of Ohio, Inc. desires to extend certain existing gas lines in order to provide service to certain zoo buildings. The gas company requests that the City grant the utility easements necessary for this extension. After investigation, the Recreation and Parks Department determined that the granting of the requested easements will not adversely affect the City and should be granted. The service to be provided by the proposed gas lines will benefit the City and therefore there is no charge for the easement. The following ordinance authorizes the Executive Director of the Recreation and Parks Department to execute those instruments necessary to grant the subject easement to that City owned property located in the vicinity of Glick Road and State Route 257, more fully described within the body of this ordinance.

Fiscal Impact: The service to be provided by the proposed gas lines will benefit the City and therefore there is no charge for the easement.

Emergency Justification: Emergency action is requested as not to delay the benefit of gas service to the City of Columbus.

Title

To authorize the Executive Director of the Recreation and Parks Department to execute those documents necessary to grant Columbia Gas of Ohio, Inc. an easement to extend its existing gas line through that real property known as the Columbus Zoo and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency.

Body

WHEREAS, Columbia Gas of Ohio, Inc. has existing utility lines through that City owned property known as the Columbus Zoo, and

WHEREAS, Columbia Gas of Ohio, Inc. desires to extend its existing gas lines in order to provide service to certain Zoo buildings; and

WHEREAS, Columbia Gas of Ohio, Inc. requests that the City grant the utility easement necessary for the aforementioned extension; and

WHEREAS, after investigation, the Recreation and Parks Department has determined that the granting of the requested easement will not adversely affect the City, but will benefit it and should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Executive Director

Recreation and Parks Department to execute those instruments, prepared and approved by the Real Estate Division, Department of Law, necessary to grant an easement to Columbia Gas of Ohio, Inc. so as not to delay the resulting benefit to the City, 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 Executive Director of the Recreation and Parks Department be and hereby is authorized to execute those documents, prepared by the Real Estate Division, Department of Law, necessary to grant certain easement rights to Columbia Gas of Ohio, Inc. in, under, across, over, and through the following described real property, to-wit:

(0.045 + Acre)

Situation in the State of Ohio, of Delaware, Township of Liberty, located in Section 3, Township 3, Range 9, United States Military Lands, being a strip of land, 20 feet in width, out of a 70.30 acre tract conveyed to the City of Columbus, in Deed Book 248, Page 110, (further shown and delineated upon Exhibit "C" attached hereto and made part hereof by reference), and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of Glick Road and the westerly right of way of State Route 257, said point also being 35.00 feet left of the left centerline station 650+00;

Thence North 48° 17' 00" East, along the said westerly right of way line of State Route 257, a distance of 55.19 feet to a point at a southwesterly corner of an existing 20 foot wide easement (Easement 8) conveyed to the Columbia Gas of Ohio in Deed Volume 581, Page 161;

Thence North 12°22'02" West, leaving the said westerly right of way line, and along a westerly line of the said existing 20 foot wide easement, a distance of 112.54 feet to a point;

Thence South 83° 09'53" West, along a southerly line of the said existing 20 foot wide easement, a distance of 80.92 feet to a point at a southwesterly corner of the said existing 20 foot wide easement, said point being the Point of Beginning for the boundary of the herein described easement;

Thence leaving the said existing 20 foot wide easement, and through the said 70.30 acre tract, the following eight (8) courses:

- 1) South 83°09'53" West, a distance of 6.41 feet to a point;
- 2) Along the arc of a curve to the right having a radius of 70.00 feet, an arc length of 84.17 feet, a delta of 68°53'53", and subtended by a chord bearing of North 62°23'11" West and a chord distance of 79.19 feet to a point;
- 3) North 27°56'14" West, a distance of 18.37 feet to a point;
- 4) North 62°03'46" East, a distance of 20.00 feet to a point;
- 5) South 27°56'14" East, a distance of 18.37 feet to a point;
- 6) Along the arc of a curve to the left having a radius of 50.00 feet, an arc length of 60.12 feet, a delta of 68°53'53", and subtended by a chord bearing of South 62°23'11" East and a chord of 56.57 feet to a point;
- 7) North 83°09'53" East, a distance of 6.41 feet to a point at a northwesterly corner of the said existing 20 foot wide easement;
- 8) South 06°50'07" East, along a westerly line of said existing 20 foot wide easement, a distance of 20.00 feet to the Point of Beginning.

Containing 1938 sq. ft., or 0.045 acre, more or less.

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

All stations and offsets are referenced to the left centerline of State Route 257 upon the right of way plans designated as S.H. 558 Sec. B (P.T.)/DEL-257-0.85 on file with the Ohio Department of Transportation-District 6.

Bearings are based on the right of way plans designated as S.H. 558 Sec. B (P.T.)/DEL-257-0.85 on file with the Ohio Department of Transportation-District 6.

(0.109 + Acre)

Situation in the State of Ohio, of Delaware, Township of Liberty, located in Section 3, Township 3, Range 9, United States Military Lands, being a strip of land, 20 feet in width, out of a 70.30 acre tract conveyed to the City of Columbus, in Deed Book 248, Page 110, (further shown and delineated upon Exhibit "C" attached hereto and made part hereof by reference), and being more particularly described as follows:

Commencing at a point in the westerly right-of-way of State Route 257, said point being 48.00 feet right of the left centerline said State Route 257;

Thence North 75°42'00" West, along the said westerly right of way line of State Route 257, leaving the said westerly right of way line at 2.00 feet, henceforth through the said 70.30 acre tract, a total distance of 39.41 feet to a point in westerly line of an existing 20 foot wide easement (Easement 8) conveyed to Columbia Gas of Ohio in Deed Volume 581, Page 161;

Thence South 16°09'19" West, with a westerly line of the said existing 20 foot wide easement, a distance of 0.99 feet to a point;

Thence South 77°27'25" West, along a northerly line of said existing 20 foot wide easement, a distance of 138.24 feet to a point;

Thence North 75°53'42" West, along a northerly line of the said existing 20 foot wide easement, a distance of 220.43 feet to a point at a northwesterly corner of the said existing 20 foot wide easement, said point being the Point of Beginning for the boundary of the herein described easement;

Thence continuing through the said 70.30 acre tract, the following four (4) courses:

- 1) along a westerly line of the said existing 20 foot wide easement, South 15°59'25" West, a distance of 20.00 feet to a point;
- 2) North 74°45'47" West, a distance of 236.99 feet to a point;
- 3) North 15°14'13" East, a distance of 20.00 feet to a point;
- 4) South 74°45'47" East, a distance of 237.25 feet to the Point of Beginning;

Containing 4,742 sq. ft. or 0.0109 acre, more or less.

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

All stations and offsets are referenced to the left centerline of state Route 257 as shown upon the right of way plans designated as S.H. 558 Sec. B

(P.T.)/DEL-257-0.85 on file with the Ohio Department of Transportation-District 6.

Bearings are based on the right of way plans designated as S.H. 558 Sec. B (P.T.)/DEL-257-0.85 on file with the Ohio Department of Transportation-District 6.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (Land Review Commission) and Section 329.29 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only.

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

Legislation Number: 0057-2004

Drafting Date: 12/31/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The passage of Senate Bill 19 in 1994 provided for new fees for tax incentive projects to compensate for increased monitoring expenses. The City charges a one-time monitoring/processing fee of \$2,500 for business projects and an annual administrative fee in effect through the duration of the tax-abated terms. The City also charges a \$1,500 processing fee for residential projects. In addition, a \$250 pre-application/commitment fee is also collected. These funds are being appropriated to provide funding for staff costs.

Fiscal Impact: This legislation appropriates \$159,000 from the unallocated balance of the Housing/Business Tax Incentives Fund for the administration of this program. The cash balance of this fund is approximately \$170,000. It is projected another \$80,000 will be collected during the remainder of 2004.

Emergency action is requested so that expenditures related to the administration of the tax incentive projects can be charged accordingly.

Title

To authorize the appropriation of \$159,000 from the unappropriated balance of the Housing/Business Tax Incentives Fund to the Department of Development to provide funds for the administration of tax incentive projects; and to declare an emergency. (\$159,000.00)

Body

Whereas, this legislation appropriates \$159,000 from the unallocated balance of the Housing/Business Tax Incentives Fund for the administration of this program; and

Whereas, emergency action is requested so that expenditures related to the administration of the tax incentive projects can be charged accordingly; and

Whereas, an emergency exists in the usual daily operation of the Department of Development, that it is immediately necessary to provide an appropriation for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,

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

Section 1. That from the unallocated monies in the Housing/Business Tax Incentives Fund, Fund No. 229, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2004, the sum of \$159,000 be and hereby is appropriated to the Department of Development, Economic Development Division, Division 44-02, OCA Code 440316, as follows:

OJLOne	OJL Three	Purpose	Amount
01	1101	Salaries & Wages	\$107,130
01	1104	Service Credit	1,400
01	1105	Sick Leave Recip.	2,300
01	1121	PERS 8.5%	9,400
01	1150	Emp. Insurance	15,495
01	1160	Pension City Share	14,950
01	1171	Medicare	1,600
01	1173	Workers Comp.	6,725
		Total:	\$ 159,000

Section 2. That the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Development Director 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.

Legislation Number: 0060-2004

Drafting Date: 01/02/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

The City of Columbus ("City") is the owner of certain real property located in the vicinity of Sunbury Road and Harlem Road (Hoover Reservoir). It has come to the attention of the City that a neighboring property owner, Sandra Jean McCall, is currently encroaching on a 0.060 + acre portion of the aforementioned property. The City proposes to grant a quitclaim deed to Mrs. McCall, to remedy the 0.060 + acres encroachment, in exchange for a previously granted deed of similar acreage from the encroaching property owner. The Department of Public Utilities has determined that the granting of the subject deed will not adversely affect the City and should be granted. The exchange will benefit both the City and the property owner, therefore no money will be exchanged between the parties. This legislation authorizes the Director of the Department of Public Utilities to execute those document necessary grant a quitclaim deed to Sandra McCall to the aforementioned City owned property.

Fiscal Impact: N/A

Emergency Justification: N/A

Title

To authorize the Director of the Department of Public Utilities to execute a quitclaim deed to Sandra McCall to certain City owned property located in the vicinity of Sunbury Road and Harlem Road (Hoover Reservoir), in exchange for a deed of similar acreage previously granted to the City; to waive the Land Review Commission provisions of the Columbus City Codes (1959).

Body

WHEREAS, the City of Columbus ("City") is the owner of certain real property located in the vicinity of Sunbury Road and Harlem Road (Hoover Reservoir); and

WHEREAS, it has come to the attention of the City that a neighboring property owner, Sandra Jean McCall, is currently encroaching on a 0.060 + acre portion of the aforementioned property; and

WHEREAS, the City desires to grant Mrs. McCall a quitclaim deed to remedy the 0.060 + acre encroachment in exchange for a deed of similar acreage previously granted to the City from the encroaching property owner; and

WHEREAS, the Department of Public Utilities has determined that the granting of the subject deed will not adversely affect the City and should be granted; and

WHEREAS, the exchange will benefit both the City and the property owner, therefore no money will be exchanged between the parties; now, therefore:

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

Section 1. That the Director of Department of Public Utilities be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to grant to Sandra Jean McCall a quitclaim deed in and to the following described real property, in exchange for a deed for similar acreage previously granted to the City:

Situated in the State of Ohio, County of Delaware, Township of Genoa, and lying in Farm Lot 7, Section 1, Township 3 North, Range 17 West, United States Military Lands, and being a 0.060 acre parcel of land out of a 16.12 acre tract within the City of Columbus Hoover Reservoir and conveyed to the City of Columbus by a deed of record in Deed Book 256, Page 392, all records herein at the Recorder's Office, Delaware County, Ohio, and said 0.060 acre parcel being bounded and more particularly described as follows:

Begin, for reference, at a PK survey nail found in the centerline of Sunbury Road (80 feet wide) marking the northwesterly corner of the HOPPES SUBDIVISION No. 3, the southeasterly corner of a 1 acre parcel conveyed to Sandra Jean McCall by a deed of record in Deed Book 566, Page 790, and the northeasterly corner of a 3.58 acre parcel conveyed to David L. and Mary Ann Pemberton by a deed of record in Deed Book 410, Page 109;

Thence N 86° 14' 52" W, a distance of 774.64 feet, along the line common to said 1 acre and 3.58 acre parcels, and then continuing along the line common to a 2.107 acre remainder conveyed to Sandra Jean McCall by a deed of record in Deed Book 566, Page 787 and said 3.58 acre parcel, to a monument (an iron pin encased in concrete) found in the east line of the City of Columbus Hoover Reservoir, said monument marking the southeasterly

corner of a 16.12 acre parcel conveyed to the City of Columbus by a deed of record in Deed Book 256, Page 392, and also marking the westerly common corner of said 2.107 acre remainder and 3.58 acre parcels;

Thence N 01° 06' 46" E, a distance of 83.74 feet, along the line common to said 2.107 acre remainder and 16.12 acre parcels, to a monument found in the east line of the City of Columbus Hoover Reservoir marking a common corner of said 2.107 acre remainder and 16.12 acre parcels, and also marking the Point Of True Beginning of the 0.060 acre parcel described herein;

Thence N 17° 53' 05" E, a distance of 129.69 feet, along a new line over and across said 16.12 acre parcel within the City of Columbus Hoover Reservoir to a concrete monument set in a line common to said 2.107 acre remainder and 16.12 acre parcels;

Thence along the following three (3) courses and distances along lines common to said 2.107 acre remainder and 16.12 acre parcels:

1. S 28° 41' 46" E, a distance of 51.44 feet, to a concrete monument found;
2. S 34° 56' 31" W, a distance of 47.44 feet, to a concrete monument found;
3. S 43° 28' 04" W, a distance of 54.30 feet, to the Point Of True Beginning, containing 0.060 acres of land, more or less.

The bearing used in this description are based on the same meridian as the bearing of N 01° 06' 46" E for the east line of said Hoover Reservoir as established by a network of GPS observations emanating from Delaware Control Monuments within the NAD83 Ohio State Plane Coordinate System, North Zone.

R.D. Zande & Associates, Inc., Chris Y. Scheeres, Registered Surveyor No. 7385.

Being more commonly known as: a 0.060 acre portion of Hoover Reservoir.

Prior Instrument Reference: D.B. Vol. 256, Pg. 392,

Recorder's Office, Delaware County, Ohio.

Delaware County Tax Parcel No. 31713004001000.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (Land Review Commission) and Section 329.29 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only.

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

Legislation Number: 0065-2004

Drafting Date: 01/05/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Greenhill Acres Storm Sewer Improvement Project.

Fiscal Impact: Funding for this project is from the Department of Public Utilities, Division of Sewers and Drains.

Emergency Justification: Emergency action is requested to allow the immediate acquisition of all necessary parcels as not to delay the completion of this City project.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Greenhill Acres Storm Sewer Improvement Project, to authorize the expenditure of \$200.00 from the Storm Sewer Bond Fund and to declare an emergency. (\$200.00)

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Greenhill Acres Storm Sewer Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 346X-2003, on the 6th day of October, 2003, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That construction and permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Greenhill Acres Storm Sewer Improvement Project, #610965, pursuant to the power and authority granted to a municipal

corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL NO. 8S

Situated in the City of Columbus, County of Franklin, State of Ohio, and being part of Lot No. 24, of Lewis Southern Heights Addition, as recorded in Deed Book 3123, Page 569 and Plat Book 16, Page 61, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point on the Grantor's southwest property corner, said point being at the southwest corner of said Lot 24 and in the northerly right of way line of Lock Avenue, and being the TRUE point of beginning for the Parcel herein conveyed;

Thence along said Grantor's westerly property line and westerly line of Lot 24 North 03°47'00" East a distance of 5.00 feet to a point on the proposed easement line;

Thence along said easement line South 86°00'00" East a distance of 35.00 feet to a point on the Grantor's easterly property line and easterly line of Lot 24;

Thence along said property line South 03°47'00" West a distance of 5.00 feet to a point on the Grantor's southerly property line and northerly right of way line of Lock Avenue;

Thence along said right of way line North 86°00'00" West a distance of 35.00 feet to the TRUE point of beginning and containing 0.004 acres, more or less.

The above take area is from Auditor's Parcel No. 010-114245, which contains 0.10 acres.

The above description was prepared under the direction of Michael D. Weeks, Professional Surveyor No. 7357.

The Basis of Bearing for this description is the northerly right of way line of Lock Avenue, being North 86°00'00" West as shown of record in Plat Book 16, Page 61, Recorder's Office, Franklin County, Ohio.

Michael D. Weeks, Registered Surveyor No. 7357

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

Section 3. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be Two Hundred Dollars (\$200.00).

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 5. That the expenditure of \$200.00, or so much thereof as may be necessary for the Greenhill Acres Storm Sewer Improvement Project, Project #610965, Dept./Div. 60-15, from the 685 Fund, OCA Code 685001, Object Level Three 6601, Auditor's Certificate No.020489, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

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

Legislation Number: 0071-2004

Drafting Date: 01/06/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background/Fiscal Impact:

This ordinance repeals Ordinance No. 2173-95, passed September 25, 1995. That ordinance clarified and reiterated financial transactions between the City and the Solid Waste Authority of Central Ohio (SWACO) for the Waste to Energy Facility. It has been determined by the City Auditor and the Finance Director that the majority of the terms of that ordinance are no longer relevant or necessary. This ordinance replaces the one section of the Ordinance No. 2173-95 that is still relevant -- the direction of the deposit of rental payments made to the City by SWACO for the lease of the closed Waste to Energy Facility.

This ordinance directs that effective January 1, 2004, payments for the lease of the Waste to Energy Facility by the Solid Waste Authority of Central Ohio, including any payments made as a result of issuance of debt obligations by SWACO, shall be deposited to the Economic Stabilization Fund, rather than the Special Income Tax Fund. In addition, this ordinance allows the City Auditor, in consultation with the Finance Director, to transfer from the Special Income Tax Fund to the General Fund an amount not to exceed the difference between \$11 million and any lesser amount received from SWACO in 2004 as payment for the lease of the Waste to Energy Facility.

This is consistent with the assumptions in the 2004 Executive Budget, as well as the City's Auditor's 2004 Estimate of Available Resources.

This ordinance is submitted as an emergency so as to allow any financial transactions affected by this amendment to be properly posted. Up to date

financial posting promotes accurate accounting and financial management.

Title

To repeal Ordinance No. 2173-95, passed September 25, 1995, to direct that effective January 1, 2004, payments for the lease of the Waste to Energy Facility by the Solid Waste Authority of Central Ohio, including any payments made as a result of issuance of debt obligations by SWACO, shall be deposited to the Economic Stabilization Fund, to allow the City Auditor, in consultation with the Finance Director, to transfer from the Special Income Tax Fund to the General Fund an amount not to exceed the difference between \$11 million and any lesser amount received from SWACO in 2004 as payment for the lease of the Waste to Energy Facility, to appropriate the funds necessary to carry out the purpose of this ordinance, and to declare an emergency.

Body

WHEREAS, it has been determined by the City Auditor and the Finance Director that the majority of the terms of Ordinance No. 2173-95 are no longer relevant or necessary; and

WHEREAS, Ordinance No. 2173-95, passed September 25, 1995, stipulated, among other things, that rental payments made to the City for the leasing of the Waste to Energy Facility be deposited into the Special Income Tax Fund; and

WHEREAS, it has been determined that it is in the best interest of the City to begin to deposit payments for the lease of the Waste to Energy Facility by the Solid Waste Authority of Central Ohio, including any payments made as a result of issuance of debt obligations by SWACO, to the Economic Stabilization Fund, Fund No. 011, effective January 1, 2004; and

WHEREAS, the 2004 budget is predicated upon the transfer from the Special Income Tax Fund, Fund No. 430 to the General Fund, Fund No. 010, an amount not to exceed \$11 million of these SWACO lease payments; and

WHEREAS, this ordinance is submitted as an emergency to allow any financial transactions affected by this amendment to be properly posted, 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 Ordinance No. 2173-95, passed September 25, 1995 is hereby repealed.

SECTION 2. That effective January 1, 2004, payments for the lease of the Waste to Energy Facility by the Solid Waste Authority of Central Ohio, including any payments made as a result of issuance of debt obligations by SWACO, shall be deposited to the Economic Stabilization Fund, Fund No. 011, until such time as it is no longer necessary, as determined by this Council.

SECTION 3. That the City Auditor, in consultation with the Finance Director, may transfer from the Special Income Tax Fund, Fund No. 430 to the General Fund, Fund No. 010, an amount not to exceed the difference between \$11 million and any lesser amount received from SWACO in 2004 as payment for the lease of the Waste to Energy Facility.

SECTION 4. That funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0087-2004

Drafting Date: 01/07/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the expenditure of \$1,507,061 for the provision of loans and grants for projects that preserve and increase the local supply of decent, safe, sanitary and affordable housing for low-income families.

The Affordable Housing Opportunity Fund represents the City's commitment to the preservation and production of housing units affordable to very-low, low and moderate-income individuals. Funds will be used to meet the housing needs identified in the Consolidated Plan through repair, acquisition, and/or construction of rental or homeowner units. Programs will provide homeowner assistance with home repairs in Neighborhood Pride areas, home maintenance repairs for seniors, homeownership development incentives, and accessibility modifications.

Emergency action is necessary to allow for payment of projects currently underway at this time.

FISCAL IMPACT:

Funding is from the 2004 Community Development Block Grant Fund.

Title

To authorize the expenditure of \$1,507,061 from the 2004 Community Development Block Grant Fund for the purpose of making loans and grants for operation of the Affordable Housing Opportunity Fund; and to declare an emergency. (\$1,507,061)

Body

WHEREAS, the Department of Development, Housing Division desires to administer an Affordable Housing Opportunity Program; and

WHEREAS, these monies will be used to provide loans and grants to preserve and increase the supply of decent, safe, sanitary and affordable housing; and

WHEREAS, emergency action is necessary to allow for prompt payment of projects currently underway; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to expend said funds thereby preserving the public health, peace, property, safety, and welfare; and NOW, THEREFORE,

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

Section 1. That the Director of the Department of Development is hereby authorized to make loans and grants for the various affordable housing programs administered by the Housing Division including homeowner assistance in Neighborhood Pride areas, homes maintenance and repairs for seniors, accessibility modifications, homeownership development incentives.

Section 2. That for the purpose as stated in Section 1, the expenditure of \$1,507,061 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-10, Fund 248, Subfund 248001, as follows:

OJL One	OJL Three	OCA Code	Amount	
05	5517	444009	\$1,028,413	
05	5525	444009	\$ 478,648	TOTAL \$1,507,061

Section 3. That expenditures of funds from this authorization will be in accordance with U.S. Department of Housing and Urban Development Rule 24 CFR Part 570.200-206, CDBG Eligibility.

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

Legislation Number: 0091-2004

Drafting Date: 01/08/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to enter into an agreement with Fuller, Mossbarger, Scott and May Engineers Inc for the facilitating of External Advisory Group (EAG) as required by the Ohio EPA's Water Quality Management Plan for the Scioto River Basin and Blacklick Creek (208 plan) and to waive the provisions of competitive bidding procedures of the Columbus City Code.

Fuller, Mossbarger, Scott and May Engineers Inc. have been facilitating the External Advisory Group (EAG) since June 2003. It is necessary for this service to continue. The purpose of the EAG is to recommend criteria and/or standards by which the four (4) protective conditions described in the OEPA's Water Quality Management Plan for the Scioto River Basin and Blacklick Creek (208 plan) can be met. Fuller, Mossbarger, Scott and May Engineers Inc has facilitated meetings, developed and maintained an EAG website that provides a brief description of the project and coordinated with EAG members, the City of Columbus and OEPA on items of concern that have arisen during the process.

Further services will include, continuation of meetings with the External Advisory Group (EAG) and development of a draft and final reports detailing recommendations of the EAG to be forwarded to the Directors of OEPA and the Department of Public Utilities and to continue maintenance of the website.

SUPPLIER: Fuller, Mossbarger, Scott and May Engineers Inc (61-0659421)

FISCAL IMPACT: \$30,850.00 is needed and budgeted for this request.

\$18,505.00 was spent in 2003

Emergency legislation is requested so that there is not an interruption in this ongoing crucial service.

Title

To authorize the Director of Public Utilities to enter into contract with Fuller, Mossbarger, Scott and May Engineers Inc for the Facilitation of an External Advisory Group as required by the Ohio EPA for the Division of Sewerage and Drainage, to waive the provisions of competitive bidding, to authorize the expenditure of \$30,850.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$30,850.00)

Body

WHEREAS, the Division of Sewerage and Drainage wishes to continue provision of services by Fuller, Mossbarger, Scott and May Engineers Inc. to facilitate the External Advisory Group (EAG) as required by the Ohio EPA's Water Quality Management Plan for the Scioto River Basin and Blacklick Creek (208 plan), and

WHEREAS, emergency legislation is being requested so that there is no interruption in this ongoing crucial service to the division, and

WHEREAS, Fuller, Mossbarger, Scott and May Engineers Inc. has been providing said service since June 2003 and this agreement is being entered into by waiving the provisions of Section 329.06, competitive bidding, of the Columbus City Code and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to enter into contract in order to continue performance of External Advisory Group facilitation with Fuller, Mossbarger, Scott and May Engineers Inc for the immediate preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into contract with Fuller, Mossbarger, Scott and May Inc for External Advisory Group Facilitation Services for the Division of Sewerage and Drainage.

Section 2. That this Council finds that it is in the best interest of the City of Columbus to authorize the Director of Public Utilities to enter into an agreement and waive the provisions of Section 329.06, competitive bidding, of the Columbus City Code.

Section 3 That the expenditure of \$30,850.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, OCA 605006, Object Level 1: 03, Object Level 03: 3336

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

Legislation Number: 0094-2004

Drafting Date: 01/08/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation will authorize a contract with AmeriNational Community Services, Inc. through February 28, 2006 for the servicing of housing, and commercial loans under the Community Development Block Grant (CDBG) Program and the Home Investment Partnership Program. Competitive bids were solicited for this service in December of 2003. The original RFP contemplates additional two-year contract periods. Efforts were made through EBO and others to identify MBE/FBE's which might be interested in submitting proposals. One MBE was identified but chose not to submit a proposal.

FISCAL IMPACT: This initial contract with AmeriNational is for 25 months; the first month (beginning 2/1/04) will be used for the transition of the portfolio from the current service contract. The following 24 months (beginning 3/1/04) AmeriNational Community Services, Inc. will begin loan servicing. AmeriNational Community Services, Inc. (beginning 3/1/04) will receive a service fee based upon the loans serviced each month. The total amount to be authorized for this contract is \$300,000.00 for the first thirteen-month period. Compensation for the second year of the contract is subject to the approval and appropriation of funds by City Council.

2004 CDBG funds have been approved by City Council, Ordinance #2310-2003, in the adoption of the 2004 "Consolidated Plan" Action Plan budget and appropriated by Ordinance #2650-2003.

This legislation is submitted as an emergency measure to ensure uninterrupted servicing of the loan portfolios

Title

To authorize and direct the Director of the Department of Finance to enter into an agreement with AmeriNational Community Services, Inc. through February 28, 2006 for the servicing of housing and commercial loans under the CDBG program; to authorize the expenditure of \$300,000.00 or so much thereof as may be necessary of Community Development Block Grants Funds; and to declare an emergency. (\$300,000.00)

Body

WHEREAS, it is desirous to enter into an agreement with AmeriNational Community Services, Inc. for the servicing of housing and commercial loans under the CDBG program; and

WHEREAS, the city will enter into a 25 month contract with the funding for the last 12 months of the contract being contingent on the approval and appropriation of funds by City Council; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance in that it is immediately necessary to enter into a contract with AmeriNational Community Services, Inc. to ensure that sufficient time is allowed for the transition of the loan portfolio, 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 Finance is hereby authorized to enter into an agreement with AmeriNational Community Services, Inc. through February 28, 2006; and that the expenditure of \$300,000.00 or so much thereof as may be necessary from the Community Development Block Grant Fund; Fund 248; Subfund No. 001 and 002, Department 45-01 is authorized to fund the first 13 month period of the contract as follows;

Subfund	Object Level 1	Object Level 3	OCA	Amount
001	03	3336	454015	\$153,000.00
002	03	3336	454016	\$147,000.00
		Total	\$300,000.00	

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

Legislation Number: 0096-2004

Drafting Date: 01/08/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into a contract with the Clintonville Resources Center to support the operation of the Chores Program. The contract will provide \$50,000 from the Community Development Block Grant Fund.

The Chores Program provides minor home maintenance and repair services to low and low/moderate-income elderly and disabled homeowner-occupants in the City of Columbus. Examples of program services include replacement or repair of leaking faucets and commodes, faulty light fixtures and switches, loose or missing sections of porch decking or steps and installation of handrails, smoke detectors and deadbolt locks. Eligible homeowners may receive up to \$800 in home repairs within one calendar year. The Clintonville Resources Center will be the program provider to neighborhoods on the north and east sides of the City. This program will help about 100 households.

Emergency action is required to allow program services to continue without interruption.

FISCAL IMPACT: Funds for this expenditure are allocated from the 2004 Community Development Block Grant Fund budget.

Title

To authorize the Director of the Department of Development to enter into a contract with the Clintonville Resources Center for the Chores Program; to authorize the expenditure of \$50,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$50,000.00)

Body

WHEREAS, the Director of the Department of Development desires to enter into a contract with the Clintonville Resources Center to fund the Chores Program; and

WHEREAS, the Chores Program will provide minor home maintenance and repair services to low and low/moderate-income elderly and disabled homeowner-occupants in the City of Columbus; and

WHEREAS, the Clintonville Resources Center is a non-profit organization; and

WHEREAS, emergency action is required to allow program services to continue without interruption; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into contract with the Clintonville Resources Center so that necessary services will not be interrupted, all for the preservation of the public health, peace, property, safety and welfare; and NOW THEREFORE,

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into a contract with the Clintonville Resources Center to fund the Chores basic home maintenance and repair program.

Section 2. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959, as amended.

Section 3. That for the purpose as stated in Section 1, the expenditure of \$50,000.00 or so much thereof as necessary, be and is hereby authorized to be expended from the Department of Development, Department No. 44-10, Fund 248, Subfund 001, Object Level One 03 , Object Level Three 3337, OCA 444009.

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

Legislation Number: 010X-2004

Drafting Date: 01/12/2004

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Bexvie Avenue Stormwater System Improvement Project.

Fiscal Impact:

N/A

Emergency Justification:

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

Title

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Bexvie Avenue Stormwater System Improvement Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus is engaged in the Bexvie Avenue Stormwater System Improvement Project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Engineering and Construction, in that it is immediately necessary to declare the necessity and intent to appropriate fee simple title and lesser interests in and to the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate fee simple title and lesser interests in and to the following listed parcels of real estate more fully described in Exhibits A through L attached hereto and made a part hereof as though fully written herein, necessary for the Bexvie Avenue Stormwater System Improvement Project, Project # 610960 pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

EXHIBIT	PARCEL NUMBER	OWNERS
A	6T	Ralph A & Rosemary K Applegate
B	7T	Grandview Manor Ltd
C	8T	Houston Burks, Tr
D	9T	James R Berry
E	10T	Mildred A Gornall
F	11T	Budhamamaka Society Inc
G	12T	Calvary Chris. Fellowship Assbly of God
H	13T	Ellis E Harris Jr
I	14T	Anthony W & Carolyn West
J	15T	Marcia M Stewart
K	17T	Janet S Figures
L	18T	Maria A Hernandez

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

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

Legislation Number: 011X-2004

Drafting Date: 01/15/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To proclaim Sunday, February 1, 2004 Four Chaplains Sunday in the City of Columbus.

Body

WHEREAS, the Armed Services of the United States have always entreated the spiritual guidance of the American soldier and sailor to a Corp of dedicated Chaplains; and

WHEREAS, this February 1st. marks the fifty-ninth anniversary of the sinking of the troop ship Dorchester, which carried to their deaths Four Chaplains of different faiths, who along with many sailors, met their deaths on that day; and

WHEREAS, these Four Chaplains, a Jewish rabbi, a Catholic Priest, a Methodist Minister and a Minister of the Dutch Reformed Church gave their own life-jackets to four soldiers and sacrificed their own lives for their fellow man; and

WHEREAS, it is fitting that on this anniversary, the Council of the City of Columbus give special recognition to the memory of these Four Chaplains and by so doing acknowledge all those who have served in similar circumstances; and

WHEREAS, the sacrifice of the Dorchester Chaplains is the best spirit of the Chaplain Corp in all branches of the American Armed Forces; and now; therefore

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

That this Council does hereby proclaim Sunday, February 1, 2004, as Four Chaplains Sunday in Columbus, and urges the Columbus community to commemorate this day in honor of the Dorchester Chaplains and all those who have received spiritual guidance from the Chaplain Corp.

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented as a token of our esteem.

To proclaim Sunday February 2, 2003 Four Chaplains Sunday in the City of Columbus.

Whereas, the Armed Services of the United States have always entreated the spiritual guidance of the American soldier and sailor to a Corp of dedicated Chaplains; and

Whereas, this February 2nd. marks the fifty-eighth anniversary of the sinking of the troop ship Dorchester, which carried to their deaths Four Chaplains of different faiths, who along with many sailors, met their deaths on that day; and

Whereas, these Four Chaplains, a Jewish rabbi, a Catholic Priest, a Methodist Minister and a Minister of the Dutch Reformed Church gave their own life-jackets to four soldiers and sacrificed their own lives for their fellow man; and

Whereas, it is fitting that on this anniversary, the Council of the City of Columbus give special recognition to the memory of these Four Chaplains and by so doing acknowledge all those who have served in similar circumstances; and

Whereas, the sacrifice of the Dorchester Chaplains is the best spirit of the Chaplain Corp in all branches of the American Armed Forces; and now; therefore

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

That this Council does hereby proclaim Sunday, February 2, 2003, as Four Chaplains Sunday in Columbus, and urges the Columbus community to commemorate this day in honor of the Dorchester Chaplains and all those who have received spiritual guidance from the Chaplain Corp.

Legislation Number: 0122-2004

Drafting Date: 01/12/2004

Version: 1

Explanation

BACKGROUND: On February 1, 2003 the Department of Finance entered an agreement with the Yerke Mortgage Company, agreement # EL003209

Current Status: Passed

Matter Type: Ordinance

for \$180,000.00, to expire January 31, 2004. This original agreement provides funds for the servicing of the city's loan portfolio under the CDBG Program and the Home Investment Partnership Program.

Competitive bids were solicited for loan servicing in December of 2003 and AmeriNational Community Servicer, Inc. was chosen as the new loan servicer.

An extension to the term of the current agreement and a modification to the scope of services are needed to allow for a smooth transition of the loan portfolio and to allow Yerke Mortgage Co. to continue servicing loans through February 29, 2004.

FISCAL IMPACT: The funding for this contract modification and extension will come from the balance of the present Yerke Mortgage Co. agreement # EL003209. No new funding is requested.

This legislation is submitted as an emergency measure to ensure uninterrupted servicing of the loan portfolio.

Title

To authorize and direct the Director of the Department of Finance to modify the scope of services and extend the present Yerke Mortgage Co. agreement through February 29, 2004 for the servicing of housing and commercial loans under the CDBG program.

Body

WHEREAS, a scope of services modification and an extension to the term of this agreement is needed to allow for a smooth transition of the loan portfolio and to allow Yerke Mortgage Co. to continue servicing loans; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance in that it is immediately necessary to modify the present agreement with the Yerke Mortgage Co. to ensure that sufficient time is allowed for the transition of the loan portfolio, 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 Finance is hereby authorized to modify the scope of services and extend for one month the present Yerke Mortgage Co. agreement # EL003209 through February 29, 2004.

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

Legislation Number: 012X-2004

Drafting Date: 01/21/2004

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To congratulate and commend Bill Behrens, Director of Convention Services at Experience Columbus for being named "2003 Convention Services Manager of the Year" by Successful Meetings Magazine and the Association for Convention Operations Management.

Body

Whereas, Bill Behrens was nominated for this award by several meeting planners who hold or have held major meetings in Columbus; and

Whereas, this award recognizes those individuals who have done an outstanding job of servicing meetings. Winners have demonstrated to the most demanding in the business - meeting planners - their ability to provide the highest level of service; and

Whereas, Bill was chosen to receive this award over more than 100 other Convention Services Managers and will be profiled in an upcoming issue of Successful Meetings Magazine; and

Whereas, it is indeed a privilege for this Council to recognize one of our own for his efforts to bring valuable recognition to Experience Columbus and the City of Columbus as a convention destination; now therefore

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

That we congratulate and commend Bill Behrens, Director of Convention Services at Experience Columbus for being named "2003 Convention Services Manager of the Year" by Successful Meetings Magazine and the Association for Convention Operations Management.

Be it further resolved that a copy of this resolution be presented to Bill with a heartfelt thank you for being such a fine ambassador for Experience Columbus and the City of Columbus.

Legislation Number: 0138-2004

Drafting Date: 01/13/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

On March 18, 2003 the Department of Development entered into a contract (DL 005273) with the Community Development Collaborative of Greater Columbus (Collaborative) to provide administrative costs and technical assistance to the Milo-Grogan Revitalization Corporation. The contract will expire on January 31, 2004 with remaining work still to be completed. The Collaborative and the City desire to continue to increase the capacity and ability of this community-based non-profit development corporation. In order to accomplish this work the contract needs to be extended until June 30, 2004. The Collaborative will provide the technical assistance element and the City will provide funding for administrative costs for the organization.

This legislation is presented as an emergency measure to allow the Collaborative to continue to provide services uninterrupted.

FISCAL IMPACT:

There is no fiscal impact associated with this legislation.

Title

To authorize the Director of the Department of Development to amend a contract with the Community Development Collaborative of Greater Columbus by extending the expiration date of the contract to June 30, 2004; and to declare an emergency.

Body

WHEREAS, the Department of Development entered into an agreement with the Community Development Collaborative of Greater Columbus to provide administrative costs and technical assistance to the Milo-Grogan Revitalization Corporation; and

WHEREAS, the Collaborative is still in the process of providing this technical assistance in the form of capacity building and administrative costs; and

WHEREAS, additional time is needed to complete the work started by the Community Development Collaborative of Greater Columbus with the Milo-Grogan Revitalization Corporation; and

WHEREAS, the contract with the Community Development Collaborative of Greater Columbus expires on January 31, 2004; and

WHEREAS, this legislation needs to be an emergency to allow the work started by the Community Development Collaborative of Greater Columbus with the Milo-Grogan Redevelopment Corporation to continue past the January 31, 2004 contract end date and to allow this to happen in a timely manner; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend this contract by extending the expiration date, all for the immediate preservation of the public health, peace, property, safety and welfare; NOW, THEREFORE,

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

Section 1. That the Director of the Department of Development is hereby authorized and directed to amend Contract DL 005273 with the Community Development Collaborative of Greater Columbus by extending the term of the contract to June 30, 2004.

Section 2. That this contract is amended pursuant to Section 329.16 of the Columbus City Codes, 1959 as amended.

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

Legislation Number: 013X-2004

Drafting Date: 01/21/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

Title

To honor and recognize John Deeth on his retirement and for his 24 years of service to the City of Columbus Recreation and Parks Department

Body

Whereas, John Deeth began his service with the Columbus Recreation and Parks Department on December 31, 1979; and

Whereas, John has worked in a variety of roles with the department including Landscape Architect, Construction Administration and Planning and Design Manager, and

Whereas, John served as the Director of the Franklin Park Conservatory and the Park of Roses from 1981 to 1986; and,

Whereas, In his various roles with the department, John has had a positive impact on the number of parks, the design of new parks, the renovations of existing parks and facilities that are utilized by all; and

Whereas, while the number of the facilities and parks that John has had an impact on are too numerous to mention but some of the more significant projects include, Carriage Place, Northeast and Douglas Recreation Centers, Gillie Senior Center, renovations to Barnett, Beatty, Blackburn, Linden, Thompson, Whetstone, Westgate, Cooke Recreation Centers, Columbus Swim Center, the new Mentel Memorial Clubhouse, renovation and replacement of roofs too numerous to mention, replacement of boilers, furnaces and air-conditioning, acquisition of numerous new parks, development of parks and the renovations and upgrades to many parks; and

Whereas, the City of Columbus and the staff of the Recreation and Parks Department will miss the commitment to its citizens that John has shown over the years; and

Whereas, the Columbus City Council hereby wishes to extend its sincere thanks and appreciation for a job well done, one which the city will benefit from for years to come; and

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

That this Council does hereby recognize John Deeth on his retirement and for his 24 years of service to the City of Columbus Recreation and Parks Department

Legislation Number: 0144-2004

Drafting Date: 01/13/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN03-041

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Orange Township. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Notice of the annexation request was received from Delaware County. The ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Delaware County. Information to determine the municipal services that would be available was compiled following the receipt of the notice. This process takes a minimum of two weeks to complete. Preparation of the ordinance and submission to the City Clerk in order to have a timely hearing before City Council requires a minimum additional time of two weeks. All of the above creates the necessity for emergency legislation in order to meet the hearing deadline.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-041) of 4.86± Acres in Orange Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

Body

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed by Frank W. Otto, et al on January 13, 2004; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Delaware; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the 1994 Far North Plan planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Delaware County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 4.86± acres in Orange Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

First response from: Station 33, 440 Lazelle Road, 10 Personnel/ 3 Paramedics.
Apparatus responding: Paramedic/Engine, Medic, and Ladder.
Time: 6.0 minutes.

Second response from: Station 27, 7560 Smokey Row Road, 10 Personnel/ 3 Paramedics.
Apparatus responding: Paramedic/Engine, Ladder, and Medic.
Time: 16.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: This site can be served by an existing 12 inch main located about 350 feet west of the site in Powell Road. Extension of this main is the responsibility of the developer.

Sewer:

Sanitary Sewer:

This site can be served by an existing 8 inch sewer located about 300 feet from the site in the Prestwick Subdivision. Mainline extension is the responsibility of the developer.

Storm Sewer:

All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 4.86 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Orange Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to

provide a buffer separating the use of the annexed territory and the adjacent land remaining within Orange Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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

Legislation Number: 0145-2004

Drafting Date: 01/13/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN03-047

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Plain Township. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Notice of the annexation request was received from Franklin County. The ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information to determine the municipal services that would be available was compiled following the receipt of the notice. This process takes a minimum of two weeks to complete. Preparation of the ordinance and submission to the City Clerk in order to have a timely hearing before City Council requires a minimum additional time of two weeks. All of the above creates the necessity for emergency legislation in order to meet the hearing deadline.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-047) of 3.5± Acres in Plain Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

Body

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by Alice S. Wood, Trustee on January 13, 2004; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the Northland Plan Volume II planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 3.5± acres in Plain Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any

proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

First response from: Station 29, 5151 Little Turtle Way, 6 Personnel/ 3 Paramedics.
Apparatus responding: Paramedic/Engine, and Medic.
Time: 6.0 minutes.

Second response from: Station 6, 5750 Maple Canyon Avenue, 8 Personnel/ 3 Paramedics.
Apparatus responding: Paramedic/Engine, Battalion Chief, EMS Supervisor, and Medic.
Time: 15.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: This site can be served by an existing 16 inch main located in Harlem Road.

Sewer:

Sanitary Sewer:

This site can be served by an existing 8 inch sewer located along the southern portion of the parcel. Mainline extension will be required at the developer's expense.

Storm Sewer:

All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 3.5 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Plain Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Plain Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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

Legislation Number: 014X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To recognize and congratulate Forest Edward Jones, on his 80th Birthday on January 23rd, 2004.

Body

WHEREAS, on Friday, January 23rd, 2004, family and friends will gather to celebrate the 80 years of life, of one of God's chosen vessel and laborer; and

WHEREAS, Mr. Jones is a devoted, spiritual and God fearing man of God. A husband, father, grandfather, great grandfather, brother, uncle, brother-in-law, Godfather, adopted Dad, adopted Grandpa, friend, and a mentor to many (young and old); and

WHEREAS, Mr. Jones is an active and enthusiastic member of Triedstone Missionary Baptist Church, serving on the Deacon Board, Sick and Shut-in Ministry, Hostess Club, and Seasoned Senior Citizens; and

WHEREAS, Forest Edward Jones, is the owner of F.E. Jones Home Remodeling and Construction Company, a retired contractor for the City of Columbus, and Local 423, and a member of the Mock Road and Woodland/Holt District Civic Association; and

WHEREAS, Forest has been married for 57 years to Rebecca. To that union (2) daughters, (8) grandchildren, (6) great grandchildren and (4) Godchildren; and he considers himself a truly Blessed Man, now, therefore

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

That this Council does hereby recognize and congratulate Forest Edward Jones, on his 80th Birthday on January 23rd, 2004.

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to Forest Edward Jones as a token of our high esteem.

Legislation Number: 015X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To welcome the honorable Jesse Jackson, Jr. to the City of Columbus.

Body

Whereas, Jesse Jackson, Jr. became the 91st African American ever elected to Congress on December 12, 1995; and

Whereas, Representative Jackson currently sits on the House Appropriations Committee, serving as the 5th Ranking Democrat on the Subcommittee on Labor, Health and Human Services, and Education as well as the 2nd ranking Democrat on the Subcommittee on Foreign Operations, Report Financing, and Related programs; and

Whereas, Representative Jackson's illustrated strong leadership in creating the National Center on Minority Health and Health Disparities at the National Institutes of Health in 2001, hailed by many minority health experts as the most important civil rights legislation since the 1964 Civil Rights Act.; and

Whereas, Representative Jackson also secured the funding for the Institute of Medicine's historic 2002 report on health disparities entitled "Unequal Treatment"; now therefore,

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

That this Council does hereby welcome the honorable Jesse Jackson, Jr. to the City of Columbus.

Legislation Number: 016X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To welcome the honorable Dr. Maya Angelou to the City of Columbus and thank her for being an inspiration to all.

Body

WHEREAS, Dr. Maya Angelou is a remarkable Renaissance woman who is hailed as one of the great voices of contemporary literature. As a poet, educator, historian, best-selling author, actress, playwright, civil-rights activist, producer and director, she continues to travel the world, spreading her legendary wisdom; and

WHEREAS, Dr. Angelou has authored twelve best-selling books including I Know Why the Caged Bird Sings and her current best-seller A Song Flung Up to Heaven; and

WHEREAS, Within the rhythm of her poetry and elegance of her prose lies Dr. Angelou's unique power to help readers of every orientation span the lines of race and Angelou captivates audiences through the vigor and sheer beauty of her words and lyrics; now therefore,

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

That this Council does hereby welcome the honorable Dr. Maya Angelou to the City of Columbus on this 21st day of January 21, 2004.

Legislation Number: 0177-2004

Drafting Date: 01/16/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Pursuant to Ordinance No. 1721-02, the City declared the Waggoner Road Area Tax Increment Financing District (the "Waggoner TIF District"). This ordinance authorizes a Project Acquisition Agreement with National Church Residences and will allow for the acquisition of public infrastructure improvements by the City within the Waggoner TIF District.

This Ordinance will be followed by a companion ordinance which will authorize the issuance of bonds in an amount not to exceed \$2,000,000. The bonds will not be general obligations of the City, but will be special obligations payable solely from TIF revenues generated from property within the Waggoner TIF District.

Fiscal Impact: No funding is required for this legislation.

Title

To authorize the Director of Development to enter into a Project Acquisition Agreement with National Church Residences for the acquisition and construction of certain public infrastructure improvements in the Waggoner TIF District; and to waive the competitive bidding requirements for the procurement of engineering services and construction.

Section 55(b) of the Charter of the City of Columbus

Body

WHEREAS, pursuant to Revised Code Sections 5709.40, 5709.42 and 5709.43 (the "Act"), the City by Ordinance No. 1721-02 (the "TIF Ordinance") declared improvements to certain parcels of real property located in the Waggoner TIF District (the "Properties") to be a public purpose, thereby exempting those improvements from real property taxation for a period of time, specified public infrastructure improvements to be made by the City or on its behalf, provided for the making of annual service payments in lieu of taxes by the owners of such parcels, and established the Waggoner Road Project Municipal Public Improvement Tax Increment Equivalent Fund #410 (the "TIF Fund") into which such service payments shall be deposited; and WHEREAS, the City desires to contract with National Church Residences (together with its successors and assigns, "NCR") for the construction and purchase of certain public infrastructure improvements in the Waggoner TIF District (collectively, the "Public Improvements"); and WHEREAS, the Public Improvements constitute public roadway and utility improvements that are "Public Infrastructure Improvements" as defined in Section 5709.40, Ohio Revised Code that benefit or serve, or that once made will benefit or serve, the Properties and constitute part of the expansion of public improvements that were designated in the TIF Ordinance; now therefore

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

Section 1. That pursuant to Columbus City Charter Section 186, the Director of Development is hereby authorized to enter into an agreement (the "Project Acquisition Agreement") to reimburse NCR for the cost of design and construction of the Public Improvements as set forth in the plans currently on file with the City Engineer, with such additional terms and conditions as may be deemed advisable by the City Auditor and the City Attorney, for a guaranteed maximum not to exceed the sum of \$2,000,000. The City's obligation to reimburse shall not constitute a debt of the City within the meaning of any statutory or constitutional provision, but shall be limited to payment out of moneys in the TIF Fund and proceeds of bonds and notes. Any such bonds or notes, including principal, interest and issuance costs, will to the extent not provided for from proceeds of such bonds or notes, be serviced solely from the revenues to the extent available generated by payments made in lieu of taxes pursuant to the municipal tax increment financing mechanism established by the TIF Ordinance and deposited in the TIF Fund.

Section 2. That all moneys necessary to carry out the purposes of this ordinance are hereby deemed appropriated from moneys on deposit in the TIF Fund and in the Capital Project Fund #768, but only to the extent such moneys are available from time to time.

Section 3. That this Council hereby finds and determines that the Public Improvements are designated as public infrastructure improvements in accordance with the Act that benefit or serve, or that once made will benefit or serve, the Properties.

Section 4. That the competitive bidding requirements of Chapter 329 of the Columbus City Codes be and are hereby waived for the procurement of engineering services and construction pursuant to the Project Acquisition Agreement.

Section 5. That the City currently estimates that the maximum principal amount of the bonds or notes referred to in Section 1 hereof shall be \$2,000,000. The Project Acquisition Agreement shall require NCR to provide a letter of credit to support the payment of principal of and interest on such bonds.

Section 6. That 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.

Legislation Number: 0178-2004

Drafting Date: 01/16/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

To authorize the issuance of special obligation bonds in an amount not to exceed \$2,000,000 for the purpose of providing funds necessary to pay, or reimburse the payment of, costs of certain public improvements to be acquired by the City pursuant to an Agreement between the City and National Church Residences, and to pay the costs of issuance of such special obligations.

Title

Authorizing the issuance of special obligation bonds in an amount not to exceed \$2,000,000 for the purpose of providing funds necessary to pay, or reimburse the payment of, costs of certain public improvements to be acquired by the City pursuant to an Agreement between the City and National Church Residences, and to pay the costs of issuance of such special obligations. (\$2,000,000)

Section 55(b) of the City Charter

Body

WHEREAS, pursuant to Ordinance 1721-02, adopted by this Council on November 25, 2002 (the "TIF Ordinance"), the City of Columbus, Ohio (the "Municipality") declared that (a) 100% of the increase in true value of certain property (described in the TIF Ordinance and herein collectively referred to as the "TIF Property") subsequent to the effective date of that ordinance is a public purpose and exempt from real property taxation, and (b) certain public improvements identified in the TIF Ordinance (the "Public Improvements") are public improvements that benefit or serve, or that once made will benefit or serve, the TIF Property; and

WHEREAS, pursuant to Section 3 of the TIF Ordinance, owners of the TIF Property are required to make service payments in lieu of real property tax payments to the County Treasurer of Franklin County, Ohio (the "Treasurer"), such service payments to be in amounts equal to the real property tax payments that would have been payable on the improvements exempted from taxation by the TIF Ordinance had no such exemption been granted; and

WHEREAS, pursuant to the TIF Ordinance, a portion of the above described service payments are to be paid by the Treasurer to the Licking Heights Local School District, and the balance of the service payments are to be paid by the Treasurer to the Municipality for deposit to the credit of the Waggoner Road Project Municipal Public Improvement Tax Equivalent Fund (the "TIF Account"), which account was established in Section 4 of the TIF Ordinance; and

WHEREAS, pursuant to an agreement to be entered into with National Church Residences (the "Developer") and authorized by separate ordinance of this Council adopted on the date of adoption of this ordinance (the "Project Acquisition Agreement"), the Municipality will agree to acquire certain public infrastructure improvements, which include streets, public alleys, road and other thoroughfares, sidewalks, public utilities, bridges, and pedestrian walkways, constructed within the public right-of-way (the "Public Improvements"), but solely from moneys deposited in the TIF Account, including, but not limited to, moneys constituting the proceeds of special obligations of the Municipality payable solely from moneys in the TIF Account;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. Definitions

When used in this Ordinance, and in addition to the words and terms elsewhere defined in this Ordinance, the following words and terms as used in this Ordinance shall have the following meanings unless the context or use indicates another or different meaning or intent, and such definitions shall be equally applicable to both the singular and plural forms of any of the words and terms herein defined:

"Alternate Letter of Credit" means an irrevocable letter of credit, other than the Letter of Credit, issued by a commercial bank or other financial institution meeting the Letter of Credit Conditions, which Alternate Letter of Credit provides for payment of (i) principal of the Bonds, (ii) interest on the Bonds for not less than 35 days at the Maximum Interest Rate, and (iii) purchase price of Bonds in the Weekly Mode tendered or deemed tendered for purchase pursuant to Section 7 of this Ordinance and not remarketed. Any Alternate Letter of Credit must provide that if the Bond Registrar or the Tender Agent makes a drawing thereunder by 3:00 p.m., Columbus, Ohio time, on any Business Day, the Letter of Credit Issuer will provide immediately available funds to the Bond Registrar or the Tender Agent, as the case may be, prior to 1:00 p.m., Columbus, Ohio time, on the next succeeding Business Day.

"Authorized Denomination" means (i) when the Bonds are in the Weekly Mode, \$100,000 or any integral multiple of \$5,000 in excess thereof, and (ii) when the Bonds are in the Fixed Rate Mode, \$5,000 or any integral multiple thereof.

"Bank Rate" means the rate of interest per annum to be borne by the LOC Bonds, as determined in accordance with the Letter of Credit Agreement.

"BMA Index" means, as of any date, the seven-day high grade market index of tax exempt variable rate demand obligations, as produced by Municipal Market Data or any successor thereto and published or made available by The Bond Market Association ("BMA"), or any person acting in cooperation or under the sponsorship of BMA, or, if such index is unavailable, then such other publicly available index or measurement of seven-day yields on high grade tax exempt variable rate demand obligations selected by the Municipality and agreed to by the Remarketing Agent.

"Bond Purchase Contract" means the Bond Purchase Contract between the Municipality and the Original Purchaser, providing for the sale of the Bonds to the Original Purchaser.

"Bond Register" means the books and records necessary for the registration, exchange and transfer of Bonds, maintained by the Bond Registrar

pursuant to Section 10 of this Ordinance.

"Bond Registrar" means the Board of Trustees of the Sinking Fund of the City of Columbus, Ohio.

"Bond Service Charges" means, for any period of time, the principal of (including scheduled optional redemption and mandatory sinking fund payments) and interest and any premium due on the Bonds for that period.

"Bondholder" or "holder" means the person in whose name a Bond is registered.

"Bonds" means the bonds of the Municipality authorized in Section 2 of this Ordinance.

"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 Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

"Business Day" means any day of the year other than: (a) a Saturday; (b) a Sunday; (c) a day on which banks in any city in which the Principal Office of the Tender Agent or the Principal Office of the Letter of Credit Issuer, if any, is located are required or authorized by law to remain closed; (d) a legal holiday in the Municipality; or (e) a day on which The New York Stock Exchange is closed.

"Capitalized Interest Subaccount" means the Capitalized Interest Subaccount in the TIF Account established in Section 13 of this Ordinance.

"Certificate of Award" means the Certificate of Award described in Section 12 of this Ordinance.

"Clerk" means the Clerk of Council of the Municipality.

"Code" means the Internal Revenue Code of 1986, as amended, and references to the Code and Sections of the Code shall include relevant regulations and proposed regulations thereunder and any successor provisions to such Sections, regulations or proposed regulations.

"Conversion Date" means the Interest Payment Date upon which the Bonds are converted to the Fixed Rate Mode in accordance with Section 8 of this Ordinance.

"Council" means the City Council of the Municipality.

"Depository" means The Depository Trust Company (a limited purpose trust company), New York, New York, its successors and their assigns, and any successor depository appointed in accordance with Section 11 of this Ordinance. Any successor depository shall be a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of obligations such as the Bonds, and to effect transfers of obligations such as the Bonds in book entry form.

"Developer" means National Church Residences, an Ohio nonprofit corporation, and its successors and assigns.

"Director of Finance" means the Municipality's Director of the Department of Finance and any officer of the Municipality who succeeds to the functions thereof.

"Executive Officer" means the Mayor of the Municipality and any officer of the Municipality who succeeds to the function thereof.

"Expiration Date" means the date established in the Letter of Credit for the expiration thereof in accordance with its terms, initially the date set forth in the Certificate of Award, and in the event such date is extended, such date as extended; or such earlier date, if any, on which the Letter of Credit terminates pursuant to an LOC Notice of Default.

"Fiscal Officer" means the City Auditor of the Municipality and any officer of the Municipality who succeeds to the functions thereof.

"Fixed Interest Rate" means a fixed non-adjustable interest rate on the Bonds to be borne by the Bonds while the Bonds are in the Fixed Rate Mode.

"Fixed Rate Mode" means that Interest Rate Mode in which the Bonds bear interest at the Fixed Interest Rate from the Conversion Date to the Maturity Date.

"Interest Determination Date" means, with respect to Bonds in the Weekly Mode, the Wednesday immediately preceding the commencement of such Interest Period, except that (i) if such day is not a Business Day, then the Interest Determination Date shall be the next preceding Business Day, and (ii) there shall be no Interest Determination Date for the Interest Period beginning on the Original Issuance Date.

"Interest Payment Date" means (i) while the Bonds are in the Weekly Mode, the first Business Day of each month, commencing with the month and year specified in the Certificate of Award, and (ii) while the Bonds are in the Fixed Rate Mode, each June 1 and December 1.

"Interest Period" means, with respect to Bonds in the Weekly Mode, a period from and including the Thursday in each calendar week to and including the Wednesday in the following week, except that the first Interest Period shall be the period from and including the Original Issuance Date to and including the Wednesday identified in the Certificate of Award as the last day of the first Interest Period.

"Interest Rate Mode" means the Weekly Mode or and the Fixed Rate Mode.

"Letter of Credit" means the irrevocable Letter of Credit issued by the Letter of Credit Issuer providing for payment of (i) principal of the Bonds, (ii) interest on the Bonds for not less than 35 days at the Maximum Interest Rate, and (iii) purchase price of Bonds in the Weekly Mode tendered or deemed tendered for purchase pursuant to Section 7 of this Ordinance and not remarketed. After the delivery of an Alternate Letter of Credit to the Tender Agent pursuant to Section 14 of this Ordinance, the Alternate Letter of Credit shall become the Letter of Credit.

"Letter of Credit Agreement" means the Reimbursement Agreement between the Developer and the Letter of Credit Issuer, and upon the delivery of an Alternate Letter of Credit, means the agreement between the Developer and the issuer of the Alternate Letter of Credit providing for the Alternate Letter of Credit.

"Letter of Credit Conditions" means, with respect to any Letter of Credit Issuer (the initial Letter of Credit Issuer and the issuer of any Alternate Letter of Credit), the following conditions shall have been satisfied by the Developer prior to the issuance of such Letter of Credit (including an Alternate Letter of Credit): (i) the Bond Registrar shall have received, (A) with respect to the initial issuance of the Letter of Credit, on or prior to the issuance of the Bonds, or (B) with respect to the issuance of an Alternate Letter of Credit, not less than thirty (30) days prior to the Interest Payment Date next preceding the Letter of Credit Termination Date, an opinion of counsel for the issuer of the Letter of Credit that it constitutes a legal, valid and binding obligation of the issuer in accordance with its terms; and (ii) the bank issuing the Letter of Credit (or the holding company of such issuer) has unsecured, uninsured and unguaranteed long-term debt rated by a nationally recognized rating agency in one of its three highest rating categories.

"Letter of Credit Event" means (a) an Expiration Date, or (b) the effective date of an Alternate Letter of Credit delivered to the Tender Agent pursuant to Section 14 of this Ordinance.

"Letter of Credit Issuer" means the issuer of the Letter of Credit, initially, such commercial bank or other financial institution meeting the Letter of Credit Conditions and specified in the Certificate of Award, and after the delivery of any Alternate Letter of Credit, the issuer of the Alternate Letter of Credit. "Principal Office" of the Letter of Credit Issuer means the office or offices designated from time to time as such by the Letter of Credit Issuer in writing to the Municipality, the Remarketing Agent, and the Tender Agent.

"LOC Bonds" mean Bonds which have been purchased and are being held by or on behalf of the Letter of Credit Issuer as a result of a draw on the Letter of Credit pursuant to subsection (g) of Section 7 of this Ordinance.

"LOC Tender Date" means the date on which all Bonds are to be purchased in accordance with subsections (b) and (o) of Section 7 of this Ordinance as a result of the delivery of a LOC Notice of Default.

"LOC Notice of Default" means a written notice from the Letter of Credit Issuer to the Municipality and the Tender Agent stating that (i) an Event of Default, as defined in the Letter of Credit Agreement, has occurred; and (ii) that the Letter of Credit will terminate on the date set forth in the notice.

"Mandatory Redemption Dates" means December 1 in the years, if any, specified in the Certificate of Award, which are dates on which the Bonds are to be redeemed pursuant to the mandatory sinking fund redemption requirements set forth in Section 5 of this Ordinance.

"Maturity Date" means the stated maturity date of the Bonds, which shall be set forth in the Certificate of Award, but which shall be on or before December 1, 2029.

"Maximum Interest Rate" means the maximum interest rate as set forth in the Letter of Credit, which shall not be less than ten per cent (10%) per annum.

"Municipality" means the City of Columbus, Ohio.

"Original Issuance Date" means the date on which the Bonds are first authenticated and delivered pursuant to the Bond Purchase Contract, which date shall be set forth in the Certificate of Award.

"Original Purchaser" means the person identified in the Certificate of Award as the purchaser of the Bonds upon initial issuance.

"Project Acquisition Agreement" means the agreement between the Municipality and the Developer authorized by separate ordinance duly adopted by this Council.

"Project Fund" means the Fund No. 768 in the City Treasury.

"Public Improvements" means those public improvements described on Exhibit B to the TIF Ordinance, including, but not limited to, streets, public alleys, road and other thoroughfares, sidewalks, public utilities, bridges, and pedestrian walkways, constructed within the public right-of-way.

"Purchase Price" means the amount paid by the Original Purchaser to the Municipality as consideration for the Bonds, which amount shall be set forth in the Certificate of Award, but such amount shall not be less than 100% of the original aggregate principal amount of the Bonds.

"Record Date" means (i) while the Bonds are in the Weekly Mode, the day preceding the related Interest Payment Date, and (ii) while the Bonds are in the Fixed Rate Mode, the fifteenth day of the month preceding the month in which occurs the related Interest Payment Date.

"Remarketing Agent" means the Remarketing Agent identified in the Certificate of Award, and any successor Remarketing Agent appointed in accordance with Section 15 of this Ordinance. "Principal Office" of the Remarketing Agent means the office or offices designated from time to time as such by the Remarketing Agent in writing to the Municipality and the Tender Agent.

"Remarketing Agent Agreement" means the Remarketing Agent Agreement between the Municipality and the Remarketing Agent, authorized by Section 16 of this Ordinance, and any and all modifications, alterations, amendments and supplements thereto, and includes any agreement between the Municipality and a successor Remarketing Agent.

"Tender Agent" means the Tender Agent identified in the Certificate of Award, and any successor Tender Agent appointed in accordance with Section 16 of this Ordinance. "Principal Office" of the Tender Agent means the office or offices designated from time to time as such by the Tender Agent in writing to the Municipality and the Remarketing Agent.

"Tender Agent Agreement" means the Tender Agent Agreement between the Municipality and the Tender Agent, authorized by Section 16 of this Ordinance, and any and all modifications, alterations, amendments and supplements thereto, and includes any agreement between the Municipality and a successor Tender Agent.

"TIF Account" means the Waggoner Road Project Municipal Public Improvement Tax Equivalent Fund No. 410 established in Section 4 of the TIF Ordinance.

"TIF Ordinance" means Ordinance 1721-02 adopted by the City Council of the Municipality on November 25, 2002.

"Weekly Mode" means that Interest Rate Mode in which the Bonds bear interest at an interest rate which is adjusted weekly in accordance with the provisions of Section 6 of this Ordinance.

SECTION 2. Authorization of the Bonds

The Bonds shall be issued in an aggregate principal of Two Million Dollars (\$2,000,000), or such lesser amount as shall be specified in the Certificate of Award, for the purpose of providing funds (a) to pay the cost of acquiring the Public Improvements pursuant to the Project Acquisition Agreement, (b) to provide for the payment of capitalized interest on the Bonds and (c) to pay the costs of issuance of the Bonds.

SECTION 3. Special Obligations

The Bonds shall be special obligations of the Municipality, and principal of and interest and premium, if any, on the Bonds shall be payable solely from amounts in the TIF Account. The Bonds shall not be general obligations of the Municipality and neither the full faith and credit nor the taxing power of the Municipality shall be pledged to the payment of the Bonds. The bonds shall not be deemed to be "obligations" within the meaning of Section 325.05 of the Columbus City Code.

SECTION 4. Designation

The Bonds shall be designated "City of Columbus, Ohio Adjustable Rate Tax Increment Financing Bonds (Waggoner Road Project)", and shall be issued and sold on or before December 31, 2004.

SECTION 5. Form; Maturity and Redemption

(a) The Bonds shall be issued only as fully registered bonds in an Authorized Denomination but not exceeding the aggregate principal amount of Bonds; shall be numbered as determined by the Bond Registrar; shall be dated the Original Issuance Date; shall bear interest payable on Interest Payment Dates, until the principal sum is paid; shall bear interest at the rates determined pursuant to Section 6 of this Ordinance; and shall mature on the Maturity Date. If any Interest Payment Date, Mandatory Redemption Date, if any, or Maturity Date is not a Business Day, the payment of Bond Service Charges otherwise due and payable on that day may be made on the next succeeding Business Day with the same force and effect as if made on such Interest Payment Date, Mandatory Redemption Date, or Maturity Date; provided, however, that if the Bonds are in the Weekly Mode the interest portion of the Bond Service Charges shall be calculated and paid based upon a period ending and including the day immediately preceding the day of payment of such Bond Service Charges.

(b) While the Bonds are in the Weekly Mode, Bonds shall be subject to redemption, at the option of the Municipality, on any Business Day, in whole or in part in the Authorized Denomination at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the redemption date.

(c) While the Bonds are in the Fixed Rate Mode, on or after the December 1 occurring in the year which is a number of years after the Conversion Date equal to the number of full years between the Conversion Date and the Maturity Date, multiplied by 1/2 and rounded up to the nearest whole number, the Bonds shall be subject to redemption at the option of the Municipality in whole at any time or in part (in integral multiples of \$5,000) on any Interest Payment Date at a redemption price equal to the par amount of Bonds redeemed plus accrued interest to the date fixed for redemption.

(d) If specified in the Certificate of Award, the Bonds shall be subject to mandatory sinking fund redemption at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the redemption date on the Mandatory Redemption Dates and in the principal amounts to be set forth in the Certificate of Award.

(e) The Municipality will take all necessary steps (including sending written instructions to the Bond Registrar) to cause the Bonds to be optionally redeemed at a redemption price of one hundred percent (100%) of the principal amount redeemed plus interest accrued to the redemption date, beginning on the first day in December in the year specified in the Certificate of Award, in the principal amounts and on the dates to be certified by the Fiscal Officer to the Bond Registrar on the Original Issuance Date, which certificate shall be deemed to be a notice of optional redemption as described in paragraph (f) below. The Fiscal Officer may modify an optional redemption notice and schedule by certifying a new schedule for optional redemption to the Bond Registrar; provided that the Bond Registrar shall not accept a new schedule for optional redemption unless such new schedule is acknowledged and agreed to, in writing, by the Letter of Credit Issuer and the Developer.

(f) Except in the case of redemption pursuant to any mandatory redemption provisions hereof, Bonds shall be redeemed only by written notice from the Municipality to the Bond Registrar and the Letter of Credit Issuer. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar. Except with the prior written consent of the Letter of Credit Issuer, in the case of any optional redemption of Bonds, there shall be deposited with the Bond Registrar concurrently with the notice specified in the immediately preceding sentence funds which, in addition to any other monies available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus interest accrued to the redemption date, all of the redeemed Bonds for which notice of redemption is to be given.

(g) The Municipality shall have the option to deliver to the Bond Registrar for cancellation Bonds in any aggregate principal amount and to receive a credit against (i) in the case of Bonds for which the Certificate of Award specifies that the Bonds are subject to mandatory sinking fund redemption, the then current mandatory sinking fund requirement for Bonds (and corresponding mandatory redemption obligation), and (ii) in the case of Bonds for which a notice of optional redemption has been given, the amount of the next succeeding optional redemption amount for the Bonds. A credit against (x) in the case of Bonds for which the Certificate of Award specifies that the Bonds are subject to mandatory sinking fund redemption, the then current mandatory sinking fund requirement (and corresponding mandatory redemption obligation) or (y) in the case of Bonds for which a notice of optional redemption has been given, the amount of the next succeeding optional redemption amount for the Bonds, also shall be received by the Municipality for any Bonds, which prior thereto have been redeemed (other than through the operation of the mandatory sinking fund requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any redemption obligation.

(h) Each Bond delivered pursuant to subsection (g) above, previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current mandatory sinking fund obligation or required optional redemption payment of Bonds. Any excess of that amount over the then current mandatory sinking fund requirement or required optional redemption payment shall be credited against subsequent mandatory sinking fund redemption obligations or required optional redemption with respect to the Bonds in the order directed by the Municipality.

(i) If fewer than all of the Bonds are to be redeemed, the selection of Bonds to be redeemed, or portions thereof in an Authorized Denomination, shall be made by the Bond Registrar in any such manner as the Bond Registrar may determine, except that LOC Bonds shall be redeemed prior to the redemption of any other Bonds. If it is determined that a Bond shall be partially redeemed, then the Bondholder of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the portion called for redemption (including without limitation, the interest accrued to the date fixed for redemption), and (ii) for issuance, without charge to the Bondholder thereof, of a new Bond or Bonds in the Authorized Denomination in an aggregate principal amount equal to the unmatured and unredeemed portion of the Bond surrendered.

(j) The right of redemption shall be exercised by notice specifying by numbers the 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 Bond Registrar shall cause such notice to be given by first class mail, postage prepaid, to the holder or holders of the Bonds to be redeemed, mailed to the address shown on the registration books. Such notice may set forth any additional information relating to such redemption. Such notice shall be given at least fifteen (15) days prior to the redemption date if the Bonds are in the Weekly Mode and at least thirty (30) days prior to the redemption date if the Bonds are in the Fixed Rate Mode. All Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Bonds are on deposit at the office of the Bond Registrar at that time. If, because of the temporary or permanent suspension of regular mail service, or for any other reason, it is impossible or impractical to give such notice of redemption by mail in the manner herein provided, then such other manner of giving notice in lieu thereof as the Bond Registrar shall, in its discretion, select shall constitute a sufficient notice. Any defect in the notice or any failure to give or receive such notice with respect to any Bond shall not affect the validity of any proceedings for the redemption of any other Bond.

SECTION 6. Interest Rates

(a) The Bonds shall be issued in the Weekly Mode. For the first Interest Period, the Bonds shall bear interest at the rate per annum set forth in the Certificate of Award. Thereafter, for each Interest Period while the Bonds are in the Weekly Mode, the interest rate on the Bonds shall be a rate determined by the Remarketing Agent, in its discretion, to be that rate which, if borne by all Bonds, would, in the judgment of the Remarketing Agent, having due regard to prevailing financial market conditions, be the interest rate necessary (but not in excess of the interest rate necessary) to enable the Remarketing Agent to remarket all outstanding Bonds on the first day of such Interest Period at a price equal to 100% of the principal amount thereof.

(b) For the second Interest Period and each Interest Period thereafter while the Bonds are in the Weekly Mode, the interest rate to be borne by Bonds shall be determined as provided in subsection (a) of this Section 6, and shall be made available to the Municipality, the Bond Registrar, the Letter of Credit Issuer, if any, the Developer, and the Tender Agent on the Interest Determination Date for such Interest Period. If, for any Interest Period, the Remarketing Agent fails to determine the interest rate to be borne by the Bonds as provided for in this Section 6, the interest rate for such Interest Period shall be equal to the BMA Index on the Interest Determination Date for such Interest Period.

(c) The Interest Rate Mode may be changed from the Weekly Mode to the Fixed Rate Mode, in which event the Bonds will bear interest at the Fixed Interest Rate as determined in Section 8 of this Ordinance. Subsequent to the conversion of the Bonds to the Fixed Rate Mode, no further changes in Interest Rate Mode shall be permitted.

(d) While the Bonds are in the Weekly Mode, interest shall be computed on the basis of a year of 365 or 366 days, as appropriate, and on the actual number of days elapsed. While the Bonds are in the Fixed Rate Mode, interest shall be computed on the basis of a 360-day year consisting of twelve 30 day months.

(e) Notwithstanding anything to the contrary contained in this Ordinance, each LOC Bond shall bear interest (i) on the principal amount thereof at the Bank Rate for each day it is an LOC Bond, (ii) on any interest that accrued on such Bond to but excluding the date it became an LOC Bond (the "Purchase Date"), but only to the extent that such accrued interest was included in the price for such Bond on the Purchase Date, at the Bank Rate for

each day from and including the Purchase Date to but excluding the first Interest Payment Date after the Purchase Date, and (iii) on any overdue interest on such Bond (including, without limitation, interest described in clause (ii) which is not paid on the first Interest Payment Date after the Purchase Date) for each day until paid, at the Bank Rate for such day. All interest on an LOC Bond shall be payable on the Interest Payment Dates, on the date that such LOC Bond ceases to be an LOC Bond, on the date of redemption or maturity, and after maturity on demand.

(f) Notwithstanding anything to the contrary contained in this Ordinance, while the Bonds are in the Weekly Mode, the interest rate borne by the Bonds shall not exceed the Maximum Interest Rate.

(g) The determination of the interest rate borne by Bonds as provided in this Section 6 with respect to Bonds in the Weekly Mode or in Section 8 of this Ordinance with respect to Bonds in the Fixed Rate Mode shall be conclusive and binding upon the Municipality, the Bond Registrar, the Remarketing Agent, the Tender Agent, the Letter of Credit Issuer, if any, and the holders of the Bonds.

SECTION 7. Purchase of Bonds.

(a) A Bond in the Weekly Mode, other than an LOC Bond, shall be purchased, on the demand of the holder thereof, on any Business Day at a purchase price equal to the principal amount thereof plus accrued interest, if any, to the date of purchase, upon delivery of an irrevocable written notice of tender substantially in the form of Exhibit A attached to this Ordinance, or irrevocable telephonic notice of tender promptly confirmed in writing, to the Remarketing Agent at its Principal Office, which notice states the date on which such Bond shall be purchased pursuant to this subsection, which date shall be a Business Day not prior to the seventh (7th) day next succeeding the date of the delivery of such notice. The holder of a Bond described in the notice shall deliver such Bond (with instruments of transfer) to the Principal Office of the Tender Agent at or prior to 12:00 noon, Columbus, Ohio time, on the date specified in such notice. Payment of the purchase price of a Bond purchased pursuant to this subsection (a) shall be made to the holder thereof by wire transfer of immediately available funds by the Tender Agent by the close of business on the date of purchase; provided, however, that payment of the purchase price shall be made only if the Bond is so delivered to the Tender Agent and only if the Bond so delivered to the Tender Agent conforms in all respects to the description thereof in the notice described in this subsection (a). A holder who gives notice of tender as set forth above may repurchase the Bonds so tendered on the purchase date specified in such notice if the Remarketing Agent agrees to sell the Bonds so tendered to such holder. If such holder decides to repurchase such Bonds and the Remarketing Agent agrees to sell such Bonds to such holder, the delivery requirements set forth above shall be waived and the Remarketing Agent shall notify the Tender Agent of such waiver by telecopy, telegraph, telex, facsimile transmission or other similar means of communication. In the event a holder of Bonds has given a written notice of tender and has failed to deliver the amount of Bonds specified in such notice and such amount represents less than all of the Bonds registered in such holder's name, Bonds owned by such holder selected by the Bond Registrar, in such manner as the Bond Registrar shall determine, shall be deemed to have been tendered. The determination by the Remarketing Agent as to whether or not a written notice of tender conforms to the provisions of this subsection (a) shall be binding upon the Municipality, the Tender Agent and the holder delivering such notice to the Remarketing Agent.

(b) All Bonds shall be purchased (i) on each Conversion Date, (ii) on the Interest Payment Date immediately preceding each Letter of Credit Event, and (iii) on the LOC Tender Date at a purchase price equal to the principal amount thereof plus accrued interest, if any, to the date of purchase. Holders of the Bonds shall deliver such Bonds (with instruments of transfer) to the Principal Office of the Tender Agent at or prior to 12:00 noon, Columbus, Ohio time, on each Conversion Date, on the Interest Payment Date immediately preceding each Letter of Credit Event and on the LOC Tender Date. Payment of the purchase price of a Bond purchased pursuant to this subsection (b) shall be made to the holder thereof by wire transfer of immediately available funds by the Tender Agent by the close of business on the date of purchase; provided, however, that payment of the purchase price shall be made only if the Bond is so delivered to the Tender Agent.

(c) Upon (i) receipt of written notice from a Bondholder pursuant to subsection (a) of this Section 7 or (ii) receipt of notice from the Bond Registrar that the Bonds will become subject to mandatory tender as a result of the establishment of a Conversion Date or an LOC Tender Date or the occurrence of a Letter of Credit Event, the Remarketing Agent shall offer for sale and use its best efforts to sell the Bonds described in any such notice, any such sale to be made on or after the date such Bonds are to be delivered to the Tender Agent in accordance with subsection (a) of this Section 7 or on or after the date on which the Bonds are subject to mandatory tender in accordance with subsection (b) of this Section 7, as the case may be, at a price equal to 100% of the principal amount thereof plus accrued interest. Notwithstanding the foregoing, the Remarketing Agent shall not offer for sale or sell Bonds purchased pursuant to this Section 7 if the Letter of Credit Issuer, pursuant to provisions of the Letter of Credit Agreement, has directed the Remarketing Agent not to remarket the Bonds.

(d) The purchase price of any Bonds, or portions thereof, purchased in accordance with subsection (a) or (b) of this Section 7 shall be derived from the following sources in the order of priority indicated, and the Tender Agent shall not be obligated to provide funds from any other source:

(i) proceeds of the sale of such Bonds by the Remarketing Agent;

(ii) moneys furnished pursuant to the Letter of Credit.

(e) Not later than 2:00 p.m., Columbus, Ohio time, on the Business Day immediately preceding any day on which Bonds are tendered or deemed tendered pursuant to subsection (a) or (b) of this Section 7, the Remarketing Agent shall give notice, by telecopy, telegraph, telex, facsimile transmission or other similar means of communication, to the Municipality, the Letter of Credit Issuer, the Developer, and the Tender Agent specifying the principal amount of such Bonds, if any, not remarketed by it as of such day pursuant to subsection (c) of this Section 7.

(f) Not later than 10:00 a.m., Columbus, Ohio time, on the day on which Bonds are to be purchased pursuant to subsection (a) or (b) of this Section 7, the Remarketing Agent shall deliver to the Tender Agent, in immediately available funds, the proceeds from the sale of all Bonds remarketed pursuant to subsection (c) of this Section 7.

(g) Not later than 3:00 p.m., Columbus, Ohio time, on the Business day immediately preceding the day on which Bonds are to be purchased pursuant to subsection (a) or (b) of this Section 7, the Tender Agent shall draw on the Letter of Credit, if any, in accordance with its terms and in an amount (the "Required Amount") equal to the amount of additional funds, if any, which the Tender Agent will need, after taking into account the funds expected to be received from the Remarketing Agent pursuant to subsection (f) of this Section 7, in order to pay the purchase price of Bonds payable on such day.

(h) The Tender Agent shall hold in a separate account moneys representing the purchase price of Bonds purchased in accordance with this Section 7 until such Bonds are delivered to the Tender Agent by the holders thereof. Such moneys shall not be invested by the Tender Agent.

(i) Any Bonds sold by the Remarketing Agent pursuant to subsection (c) of this Section 7 shall be delivered to the purchasers thereof identified by the Remarketing Agent. Any Bonds purchased with moneys described in clause (ii) of subsection (d) of this Section 7 shall be held by the Tender Agent on behalf of the Letter of Credit Issuer or transferred to or at the direction of the Letter of Credit Issuer.

(j) Notwithstanding any failure by a holder of Bonds to deliver Bonds which have been tendered pursuant to subsection (a) of this Section 7 or which are to be purchased pursuant to subsection (b) of this Section 7 to the Tender Agent, such Bonds shall be deemed to have been tendered, and funds necessary to purchase such tendered Bonds shall be set aside for such holder and held by the Tender Agent without liability for interest thereon. From and after the date on which such Bonds are deemed to have been tendered, and to the extent the Tender Agent is holding funds to pay the purchase price of such Bonds, such Bonds shall be deemed to be no longer outstanding with respect to the tendering Holder and interest thereon shall cease to accrue, and such holder shall look only to the funds held by the Tender Agent on its behalf for payment.

(k) The Tender Agent shall notify the Bond Registrar of any failure to deliver a Bond tendered pursuant to subsection (a) of this Section 7 or which is to be purchased pursuant to subsection (b) of this Section 7 and the Bond Registrar shall thereupon notify the holder of such Bond by first class mail, postage prepaid, that such Bond is no longer an outstanding Bond and that funds equal to the purchase price of such Bond are being held for such holder without interest, by the Tender Agent. The Bond Registrar shall make note on the registration books that such Bond has been deemed to be no longer an outstanding Bond. Upon delivery to the Tender Agent of a Bond which was deemed tendered pursuant to subsection (j) of this Section 7 but was not timely delivered, the holder thereof shall be entitled to receive the amount held on its behalf by the Tender Agent.

(l) If, by noon, Columbus, Ohio time, on the Business Day immediately succeeding the day on which any Bonds are to be purchased pursuant to subsections (a) or (b) of this Section 7, the Tender Agent shall not have received funds sufficient to purchase such Bonds, the Tender Agent shall give notice of such insufficiency, by telecopy, telegraph, telex, facsimile transmission or other similar means of communication, to the Fiscal Officer, the Developer, and the Bond Registrar, and the Tender Agent shall (i) return any Bonds delivered to it pursuant to subsections (a) or (b) of this Section 7 to the persons from whom such Bonds were received, and (ii) return any moneys delivered to it pursuant to subsections (f) or (g) of this Section 7 to the persons from whom such money was received.

(m) After the Bond Registrar has given notice of the establishment of the Conversion Date or the occurrence of a Letter of Credit Event, pursuant to subsection (d) of Section 8 of this Ordinance, any Bonds purchased pursuant to subsection (a) of this Section 7 shall not be remarketed except to a buyer who, at the time of purchase, specifically acknowledges in writing to the Remarketing Agent that repurchase of such Bonds will occur on the Conversion Date or on the Interest Payment Date immediately preceding the Letter of Credit Event, as the case may be, pursuant to subsection (b) of this Section 7.

(n) The Remarketing Agent shall use its best efforts to remarket LOC Bonds at a price equal to 100% of the principal amount thereof plus accrued interest thereon. If LOC Bonds are remarketed, the Remarketing Agent shall notify the Municipality, the Bond Registrar, the Letter of Credit Issuer, and the Tender Agent of such remarketing not later than 4:00 p.m., Columbus, Ohio time, on the Business Day immediately preceding the day on which the LOC Bonds are to be purchased pursuant to such remarketing. Not later than 10:00 a.m., Columbus, Ohio time, on the day of such purchase (i) the Remarketing Agent shall deliver or cause to be delivered to the Tender Agent, in immediately available funds, an amount equal to the proceeds from the remarketing of the LOC Bonds, and the Municipality shall deliver or cause to be delivered to the Tender Agent, in immediately available funds, an amount equal to the difference between the accrued interest payable with respect to such LOC Bonds calculated based upon the interest rate or rates applicable to such LOC Bonds and the accrued interest included in the remarketing proceeds; provided, however, that amounts payable by the Municipality pursuant to this clause (ii) shall be derived only from amounts on deposit in the TIF Account, and the Municipality shall have no obligation to pay such amounts from any other source of funds. Upon receipt of such moneys, the Tender Agent shall deliver (x) the remarketed Bonds to the purchasers thereof (provided, however, that if the Letter of Credit is then in effect, the Bonds shall not be so delivered until the Tender Agent has received notice from the Letter of Credit Issuer that the Letter of Credit has been reinstated with respect to the Bonds), and (y) the moneys from the Remarketing Agent and the Municipality to the Letter of Credit Issuer.

(o) Upon receipt of an LOC Notice of Default by the Municipality, the Bond Registrar shall establish the LOC Tender Date, which date shall be on or prior to the Business Day immediately preceding the Expiration Date.

SECTION 8. Change of Interest Rate Mode; Notices

(a) At any time subsequent to June 1, 2004, the Municipality may change the Interest Rate Mode from the Weekly Mode to the Fixed Rate Mode for the Bonds by giving written notice, by first class mail postage prepaid, to the Tender Agent, the Letter of Credit Issuer, and the Remarketing Agent, which notice shall specify (i) the Conversion Date, which shall be an Interest Payment Date not earlier than 30 days after the date of such notice, and (ii) the date the Fixed Interest Rate shall be determined (which shall not be less than five Business Days prior to the proposed Conversion Date). Such notice shall be sent not less than 30 days prior to the proposed Conversion Date.

(b) The notice described in subsection (a) of this Section 8 shall be accompanied by a written opinion of nationally recognized bond counsel selected by the Municipality stating that conversion of the Interest Rate Mode is authorized or permitted by this Ordinance and will not adversely affect the exclusion from gross income for purposes of federal income taxation of the interest on the outstanding Bonds.

(c) On the date specified in the notice described in subsection (a) of this Section 8, the Remarketing Agent shall give notice to the Municipality and the Tender Agent of the interest rate applicable to the Bonds effective on the Conversion Date. The Fixed Interest Rate shall be the lowest rate of interest at which the Remarketing Agent has received commitments on or prior to the fifth Business Day next preceding the proposed Conversion Date to purchase all outstanding Bonds on the proposed Conversion Date at a purchase price of 100% of the principal amount thereof.

(d) The Bond Registrar, on behalf of the Municipality, shall give written notice, by first class mail postage prepaid, to the holders of the Bonds of the establishment of a Conversion Date or the LOC Tender Date or the occurrence of a Letter of Credit Event, which notice shall include a statement (i) of

the date on which Bonds are to be purchased as a result of the establishment of the Conversion Date or the LOC Tender Date or the occurrence of a Letter of Credit Event, (ii) that this Ordinance provides that the Bonds are required to be delivered to the Tender Agent for purchase on the date specified in such notice, and that Bonds not delivered to the Tender Agent on or before such date shall nonetheless be deemed to have been purchased and, accordingly, no interest subsequent to the date specified in such notice shall be payable to such holders, and (iii) that on the purchase date specified in such notice the Tender Agent shall hold moneys equal to the purchase price for all Bonds in trust for the holders of the Bonds, which moneys shall be paid upon surrender of the Bonds to the Tender Agent. Such notice shall be given at least fifteen (15) days prior to the Conversion Date, the LOC Tender Date or the Interest Payment Date immediately preceding the Letter of Credit Event, as the case may be. If, because of the temporary or permanent suspension of regular mail service, or for any other reason, it is impossible or impractical to give such notice of purchase by mail in the manner herein provided, then such other manner of giving notice in lieu thereof as the Bond Registrar shall, in its discretion, select shall constitute a sufficient notice. Any defect in the notice or any failure to give or receive such notice with respect to any Bond shall not affect the validity of any proceedings for the purchase of any other Bond.

SECTION 9. Execution and Authentication; Payment

(a) The Bonds shall set forth the purpose for which they are issued and that they are issued pursuant to this Ordinance, and shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that either or both of those signatures may be a facsimile. No 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 Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

(b) The Bond Service Charges on the 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 Bonds shall be payable upon presentation and surrender of the Bonds at the office of the Bond Registrar. Each 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 a Bond is after the Record Date for an Interest Payment Date, in which case interest on such Bond shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the Bondholder as of the close of business on Record Date for such Interest Payment Date, as reflected on the Bond Register at the address appearing therein.

(c) Principal of and interest on the Bonds shall be paid only from the following sources and in the following order:

(i) Moneys in the TIF Account, provided that interest on the Bonds shall be paid from, and to the extent of, moneys in the Capitalized Interest Subaccount before other moneys in the TIF Account are applied to the payment of such interest, and

(ii) While the Bonds are in the Weekly Mode, moneys obtained by drawing on the Letter of Credit.

If as of the close of business on the second Business Day immediately preceding any Interest Payment Date and while the Bonds are in the Weekly Mode, the balance to the credit of the TIF Account is less than the amount required to pay principal of and interest on the Bonds (including any mandatory sinking fund requirement) on that Interest Payment Date, then prior to 3:00 p.m. Columbus, Ohio time on the Business Day immediately preceding that Interest Payment Date, the Bond Registrar shall draw on the Letter of Credit in an amount equal to the difference between the amount required to pay principal of and interest on the Bonds on that Interest Payment Date and the amount available in the TIF Account to make such payment.

(d) While the Letter of Credit is in effect, or if any amount is owed to the Letter of Credit Issuer pursuant to the Letter of Credit Agreement, and the Letter of Credit Issuer is not in default with respect to the Letter of Credit, without the prior written consent of the Letter of Credit Issuer, moneys in the TIF Account shall be used only for payment of (i) costs of issuance of the Bonds, (ii) the principal of and interest on the Bonds, (iii) amounts payable to the Letter of Credit Issuer pursuant to the Letter of Credit Agreement, including, but not limited to, reimbursement of amounts drawn under the Letter of Credit, (iv) amounts payable to the Developer to reimburse the Developer for amounts paid by the Developer to the Letter of Credit Issuer pursuant to the Letter of Credit Agreement, but excluding amounts constituting drawing fees or commitment fees, which are provided for in the Project Acquisition Agreement, (v) amounts payable to the Remarketing Agent pursuant to the Remarketing Agent Agreement and to the Tender Agent pursuant to the Tender Agent Agreement, (vi) any other amounts payable to the Developer pursuant to the Project Acquisition Agreement, and (vii) any arbitrage rebate required to be paid under the Code. Investment earnings allocable to moneys credited to the Project Fund or the TIF Account shall be credited to the TIF Account.

(e) Any interest on any 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 Bondholder on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the Bondholder in whose name the 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 its 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 Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

(f) Subject to the foregoing provisions of this Section 9, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

SECTION 10. Registration; Transfer

(a) So long as any of the Bonds remain outstanding, the Municipality will cause the Bond Register to be maintained and kept by the Bond Registrar at the office of the Bond Registrar. Subject to the provisions of Section 9 of this Ordinance, the person in whose name any Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes, and payment of or on account of the Bond Service Charges on any 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 Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

(b) Any Bond, upon presentation and surrender at the 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 Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

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

(d) In all cases in which Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver 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 Bonds. All 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 Bonds surrendered upon that transfer or exchange.

SECTION 11. Book Entry System

(a) The 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 Bond of each maturity, (ii) those 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 Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any 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 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.

(b) If any Depository determines not to continue to act as a depository for the 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 Bonds from the Depository, and authenticate and deliver 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 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.

(c) Notwithstanding anything in this Ordinance to the contrary, so long as the Bonds are held under a book entry system, Bonds will not be delivered in connection with the provisions of this Ordinance relating to the tender or deemed tender of Bonds; rather, transfer of beneficial ownership of Bonds tendered or deemed tendered pursuant to this Ordinance shall be effected pursuant to the rules and procedures established by the Depository.

SECTION 12. Sale of Bonds; Certificate of Award; Official Statement

(a) The sale and award of the Bonds shall be evidenced by the Certificate of Award signed by the Director of Finance or the Fiscal Officer. The Certificate of Award shall identify the Original Purchaser, the Remarketing Agent, and the Tender Agent, and shall state, among other things, the Purchase Price, the Original Issuance Date, the Initial Interest Rate and the Wednesday that is the last day of the first Interest Period, the first Interest Payment Date, the Mandatory Redemption Dates, if any, and the Maturity Date for the Bonds.

(b) The Bonds shall be awarded and sold to the Original Purchaser, in accordance with the Bond Purchase Contract, at the Purchase Price. The Bond Purchase Contract shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance and permitted by applicable law as shall be approved by the Director of Finance. The approval of the Bond Purchase Contract shall be conclusively evidenced by the execution of the Bond Purchase Contract by the Director of Finance. It is hereby determined that the Purchase Price, the provisions for the determination of the interest rates and the Conversion Date for the Bonds, the manner of sale and the terms of the Bonds, all as provided in this Ordinance and in the Bond Purchase Contract, will be in the best interests of the Municipality and consistent with all legal requirements.

(c) The Director of Finance, the Fiscal Officer and the Clerk are directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Bonds under the terms of this Ordinance and the Bond Purchase Contract. Moneys in the TIF Account and proceeds of the sale of the Bonds may be used to pay the cost of issuance of the Bonds. All moneys necessary to carry out the purpose of this ordinance, including costs of issuance of the Bonds and all Bond Service Charges for the Bonds, are hereby deemed appropriated.

(d) The distribution of an Official Statement of the Municipality relating to the original issuance of the Bonds is hereby authorized, and the Director of Finance is hereby authorized and directed to 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 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 Bonds as he deems necessary or appropriate to protect the interests of the Municipality.

SECTION 13. Establishment of Capitalized Interest Subaccount; Application of Proceeds

There is hereby established and ordered to be maintained in the City Treasury a subaccount of the TIF Account, to be designated the "Capitalized Interest Subaccount". The proceeds from the sale of the Bonds shall be deposited in the City Treasury. The Certificate of Award shall designate the portion of the proceeds of the sale of the Bonds that shall be credited to the Project Fund and the portion that shall be credited to the Capitalized Interest Subaccount. Moneys in the Project Fund shall be applied to the payment or reimbursement of costs of the Public Improvements in accordance with the provisions of the Project Acquisition Agreement. If any balance remains in the Project Fund after all amounts payable pursuant to the provisions of the Project Acquisition Agreement have been paid, that balance shall be transferred to the credit of the TIF Account.

SECTION 14. Letter of Credit; Alternate Letter of Credit; Release of Letter of Credit

(a) The Developer shall cause the Letter of Credit to be delivered to the Tender Agent, with a copy to the Bond Registrar, at or prior to the initial authentication and delivery of the Bonds to the Original Purchaser.

(b) The Developer may arrange for the extension of the Expiration Date for any integral multiples of one year periods, provided that written evidence of any such extension is furnished by the Letter of Credit Issuer to the Bond Registrar, the Tender Agent and the Remarketing Agent at least 45 days prior to the Expiration Date then in effect.

(c) At any time the Developer may deliver, and the Bond Registrar and the Tender Agent shall accept, an Alternate Letter of Credit for an existing Letter of Credit, subject to the limitations set forth in this Section 14. Any Alternate Letter of Credit must be effective on the Expiration Date of the Letter of Credit then in effect, and the stated Expiration Date of the Alternate Letter of Credit must be no earlier than the first anniversary of its effective date.

(d) The Developer shall notify the Municipality, the Bond Registrar, the Tender Agent and the Remarketing Agent of its intention to deliver an Alternate Letter of Credit at least 45 days prior to the effective date of the Alternate Letter of Credit. The notice shall be accompanied by (i) a written opinion of nationally recognized bond counsel selected by the Municipality stating that delivery of the Alternate Letter of Credit will not adversely affect the exemption from federal income taxation of the interest on the outstanding Bonds, and (ii) a written opinion of counsel to the issuer of the Alternate Letter of Credit to the effect that, upon its delivery to the Tender Agent, the Alternate Letter of Credit will be a valid and binding obligation of the issuer thereof, enforceable in accordance with its terms, subject to customary exceptions relating to bankruptcy and insolvency. The Developer shall cause any Alternate Letter of Credit to be delivered to the Bond Registrar and the Tender Agent not less than 20 days prior to the effective date of that Alternate Letter of Credit.

(e) The Letter of Credit shall be delivered to the Letter of Credit Issuer for cancellation after the Bonds have been converted to the Fixed Rate Mode.

SECTION 15. Remarketing Agent

(a) The Remarketing Agent shall be identified in the Certificate of Award. The Director of Finance and the Fiscal Officer, and either of them acting alone, are authorized and directed to execute and deliver, as may be appropriate, in the name and on behalf of the Municipality, the Remarketing Agent Agreement. The Remarketing Agent Agreement shall be in such form and contain such terms, covenants and conditions not inconsistent with this Ordinance, including but not limited to, the agreements of the Remarketing Agent:

(i) to keep such books and records as shall be consistent with prudent industry practice and to make such books and records available for inspection by the Municipality and the Tender Agent at all reasonable times;

(ii) to deliver to the Municipality and the Tender Agent, within one Business Day of the receipt thereof by the Remarketing Agent, advice of each notice delivered to it in accordance with subsection (a) of Section 7 of this Ordinance;

(iii) not later than 4:00 p.m., Columbus, Ohio time, on the Business Day immediately preceding any day on which Bonds are tendered or deemed tendered pursuant to subsection (a) or (b) of Section 7 of this Ordinance, to give notice, by telecopy, telegraph, telex, facsimile transmission or other similar means of communication, to the Municipality, the Developer, the Letter of Credit Issuer, and the Tender Agent specifying the principal amount of such Bonds, if any, not remarketed by it as of such day pursuant to subsection (c) of Section 7 of this Ordinance;

(iv) not later than the close of business on each Interest Determination Date, to give notice, by telecopy, telegraph, telex, facsimile transmission or other similar means of communication, to the Municipality, the Developer, and the Letter of Credit Issuer, if any, specifying the interest rate for the Bonds for the next Interest Period, determined pursuant to and in accordance with Section 6 of this Ordinance; and

(v) to deliver any Bonds delivered to it pursuant to this Ordinance to the persons to whom the same are to be delivered in accordance with subsection (i) of Section 7 of this Ordinance.

(b) The Remarketing Agent may at any time resign and be discharged of the duties and obligations created by this Ordinance by giving at least ninety (90) days' notice to the Municipality, the Developer, the Tender Agent and the Letter of Credit Issuer. The Remarketing Agent may be removed at any time upon ten (10) days written notice, at the direction of the Municipality, by an instrument signed by the Executive Officer, the Director of Finance or the Fiscal Officer, filed with the Remarketing Agent, the Tender Agent, the Developer, and the Letter of Credit Issuer. Subject to the provisions of the Letter of Credit Agreement, if any, a successor Remarketing Agent shall be selected by the Municipality and shall have a capitalization of at least

\$5,000,000, shall be a member of the National Association of Securities Dealers, Inc. and be authorized by law to perform all the duties imposed upon it by this Ordinance.

(c) In the event that the Remarketing Agent shall resign or be removed, or be dissolved, or if the property or affairs of the Remarketing Agent shall be taken under the control of any state or federal court or administrative body because of bankruptcy or insolvency, or for any other reason, and the Municipality shall not have appointed a successor Remarketing Agent, the Bond Registrar shall, to the extent permitted by law, be deemed to be the Remarketing Agent for all purposes of this Ordinance until the appointment by the Municipality of a successor Remarketing Agent; provided, however, that the Bond Registrar acting in the capacity of Remarketing Agent shall not be obligated to (i) offer for sale any Bonds delivered to the Tender Agent pursuant to Section 7 of this Ordinance or (ii) determine an interest rate for the Bonds pursuant to Section 6 or Section 8 of this Ordinance.

SECTION 16. Tender Agent

(a) The Tender Agent shall be identified in the Certificate of Award. The Director of Finance and the Fiscal Officer, and either of them acting alone, are authorized and directed to execute and deliver, as may be appropriate, in the name and on behalf of the Municipality, the Tender Agent Agreement. The Tender Agent Agreement shall be in such form and contain such terms, covenants and conditions not inconsistent with this Ordinance, including but not limited to, the agreements of the Tender Agent:

(i) to hold all Bonds delivered to it pursuant to this Ordinance in trust for the benefit of the respective Bondholders who shall have so delivered such Bonds until moneys representing the purchase price of such Bonds shall have been delivered to or for the account of or to the order of such Bondholders;

(ii) to hold all moneys delivered to it for the purchase of Bonds in trust for the benefit of the person who shall have so delivered such moneys until the Bonds purchased with such moneys shall have been delivered to or for the account of such person;

(iii) to keep such books and records as shall be consistent with prudent industry practice and to make such books and records available for inspection by the Municipality, the Bond Registrar, the Developer, and the Remarketing Agent; and

(iv) not later than the close of business on any day on which Bonds are deemed tendered pursuant to subsections (a) or (b) of Section 7 of this Ordinance, to notify the Municipality of any failure of delivery of such Bonds.

(b) The Tender Agent may at any time resign and be discharged of the duties and obligations created by this Ordinance by giving at least sixty (60) days' notice to the Municipality, the Bond Registrar, the Letter of Credit Issuer, if any, the Developer, and the Remarketing Agent. The Tender Agent may be removed at any time upon ten (10) days' written notice, at the direction of the Municipality, by an instrument signed by the Executive Officer, the Director of Finance or the Fiscal Officer, filed with the Tender Agent, the Bond Registrar, the Letter of Credit Issuer, if any, the Developer, and the Remarketing Agent. Subject to the provisions of the Letter of Credit Agreement, if any, a successor Tender Agent shall be appointed by the Municipality and shall be a bank or trust company having an aggregate of capital, paid in surplus and retained earnings of not less than \$15,000,000. If the Tender Agent resigns or is removed, the Bond Registrar shall assume the duties and responsibilities of Tender Agent for all purposes of this ordinance and the Bonds until a successor Tender Agent is appointed. If the Bonds have been withdrawn from a book entry system and delivered in certificated form, any successor Tender Agent shall have its Principal Office in New York, New York.

SECTION 17. Federal Income Tax Compliance

(a) 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 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 Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Code. The Municipality further covenants that it will restrict the use of the proceeds of the 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 the Code.

(b) The Fiscal Officer and the Director of Finance, and each of them acting alone, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Municipality with respect to the 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 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 Fiscal Officer or the Director of Finance, which action shall be in writing and signed by the Fiscal Officer or the Director of Finance; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the Municipality, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the Municipality for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the Municipality pertaining to the representations, warranties and covenants of the Municipality regarding compliance by the Municipality with Sections 141 through 150 of the Code.

(c) The Fiscal Officer shall keep and maintain adequate records pertaining to investment of all proceeds of the 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 Bonds which limits the amount of Bond proceeds which may be invested at an unrestricted yield or requires the Municipality to rebate arbitrage profits to the United States Department of the Treasury. The Fiscal Officer 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 Bonds requires any such reports or rebates.

SECTION 18. Valid and Binding Obligations

It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding special obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

SECTION 19. Open Meeting Compliance

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 20. Effective Date

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.

Legislation Number: 017X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To honor and recognize The Community of Holy Rosary and St. John the Evangelist for hosting their 20th annual Dr. Martin Luther King, Jr. celebration

Body

WHEREAS, The Community of Holy Rosary and St. John the Evangelist, under the guidance of Father Dennis Dillion, S. J. Pastor, hosts one of the oldest commemorations of Dr. King held in the City of Columbus; and

WHEREAS, This commemoration honors Dr. King's legacy by bringing together a wide and diverse congregation of people, regardless of race, creed or religion, who all gather to celebrate the life of Dr. King and the legacy he has left for us; and

WHEREAS, The Community of Holy Rosary and St. John the Evangelist has further honored the legacy of Dr. Martin Luther King Jr. by hosting a mass that is symbolic of the kind of world that Dr. King dreamed about and worked to achieve during his life time; now, therefore,

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

That this Council does hereby recognize and congratulate The Community of Holy Rosary and St. John the Evangelist, on this 19th day of January 2004.

Legislation Number: 0180-2004

Drafting Date: 01/16/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

To authorize the issuance and sale of not to exceed \$70,000,000 tax increment financing bonds of the City of Columbus for the purpose of providing (i) a portion of the funds necessary to advance refund the Issuer's Tax Increment Financing Bonds, Series 1999 (Easton Project) (the "1999 Bonds"), and (ii) funds to pay the costs of certain Public Improvements; authorizing a Trust Agreement to secure the Bonds hereafter authorized; authorizing Bond Purchase Contracts and Official Statements appropriate for the offering and sale of the Bonds; authorizing the acquisition of municipal bond insurance, letters of credit, and other credit facilities to secure the Bonds or portions of the Bonds; and providing for the redemption and defeasance of the 1999 Bonds.

Title

An ordinance providing for the issuance and sale of not to exceed \$70,000,000 tax increment financing bonds of the City of Columbus, Ohio (the "Issuer"), in two or more series (collectively, the "Bonds"), for the purpose of providing (i) a portion of the funds necessary to advance refund the Issuer's Tax Increment Financing Bonds, Series 1999 (Easton Project) (the "1999 Bonds"), and (ii) funds to pay the costs of certain Public Improvements; authorizing a Trust Agreement to secure the Bonds hereafter authorized; authorizing Bond Purchase Contracts and Official Statements appropriate for the offering and sale of the Bonds; authorizing the acquisition of municipal bond insurance, letters of credit, and other credit facilities to secure the Bonds or portions of the Bonds; and providing for the redemption and defeasance of the 1999 Bonds. (\$70,000,000)

Section 55(B) of the City Charter.

Body

WHEREAS, pursuant to Section 5709.40, Ohio Revised Code, and Ordinance No. 1704-96 of this Council (the "Legislative Authority"), duly enacted on July 22, 1996 (the "Original TIF Ordinance"), as amended by Ordinance No. 0709-03 (the "Amending TIF Ordinance" and, together with the Original TIF Ordinance, the "TIF Ordinance"), duly enacted on May 19, 2003 and passed pursuant to both Section 5709.40, Ohio Revised Code and Section 32.01 of H.B. 675 (enacted by the 124th General Assembly, signed by the Governor on December 12, 2002, and effective March 13, 2003), the City of Columbus, Ohio (the "Issuer") has determined 100% of the increase in true value of certain parcels of real property (as described in the TIF Ordinance and defined therein as the "Property") to be a public purpose; and

WHEREAS, pursuant to Ordinance No. 222-99 of the Legislative Authority duly enacted on February 8, 1999, the Issuer authorized the issuance and sale of \$30,050,000 Tax Increment Financing Bonds, Series 1999 (Easton Project) (the "1999 Bonds") to provide funds to pay a portion of the costs of constructing and improving certain roads, highways, streets, bridges, sidewalks, bikeways and viaducts which directly benefit the Property; and

WHEREAS, pursuant to the Amending TIF Ordinance, the Issuer has determined to make additional public improvements that will directly benefit the Property and make other public improvements in support of urban redevelopment, all as specified therein, and to pay the costs of such public improvements from the proceeds of the bonds herein authorized; and

WHEREAS, in order to facilitate the issuance of indebtedness for the purpose of providing funds to pay the costs of such public improvements, the Issuer has determined that it is necessary to advance refund the 1999 Bonds;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Columbus, Ohio:

Section 1. Definitions. When used in this ordinance and the Indenture, and in addition to the words and terms elsewhere defined in this ordinance and the Indenture, the following words and terms as used in this ordinance and the Indenture shall have the following meanings unless the context or use indicates another or different meaning or intent, and such definitions shall be equally applicable to both the singular and plural forms of any of the words and terms herein defined:

"Additional Bonds" means Deferred Bonds and Subsequent Indebtedness.

"Alternate Credit Facility" means a letter of credit, surety bond, guaranty or other instrument of credit enhancement issued by a Credit Facility Provider other than a Credit Facility delivered to the Trustee or a Tender Agent on the Original Issuance Date of a series of Bonds issued by a Credit Facility Provider and delivered in accordance with the Indenture, which provides for payment to the Trustee upon request of the Trustee up to an amount stated therein for application as provided in the Indenture. In the case of an Alternate Credit Facility that is an irrevocable letter of credit, such letter of credit shall provide for payment of (i) principal of that series of Bonds, (ii) interest on that series of Bonds for not less than 45 days at the Maximum Interest Rate, and (iii) the purchase price of that series of Bonds in the Weekly Mode tendered or deemed tendered for purchase pursuant to the Indenture and not remarketed.

"Authorized Denomination" means (i) when Bonds are in the Weekly Mode, \$100,000 or any integral multiple of \$5,000 in excess thereof, and (ii) when Bonds are in the Fixed Rate Mode, \$5,000 or any integral multiple thereof.

"Amending TIF Ordinance" means Ordinance No. 0709-03 of the Legislative Authority duly enacted on May 19, 2003.

"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 a series of Bonds may be transferred only through a book entry and (ii) physical Bonds of that series in fully registered form are issued only to a Depository or its nominee as registered owner, with those Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

"Bond Fund" or "City of Columbus, Ohio - Easton TIF Bond Fund" means the fund of that name created by Section 8 of this ordinance, and includes the Senior Payment Account and the Subordinated Payment Account therein.

"Bond Legislation" means, when used in connection with the Series 2004A Bonds or the Deferred Bonds, this ordinance, including the Certificates of Award relating to each series of Bonds and, when used in connection with Subsequent Indebtedness or to relate to Bonds when Subsequent Indebtedness is outstanding, shall mean or include, as the case may be, this ordinance to the extent applicable and the ordinance or other legislation, including any related certificate of award, providing for the issuance of such Subsequent Indebtedness, all as the same may be amended, modified or supplemented by any amendments or modifications thereof and supplements thereto entered into in accordance with the provisions of the Indenture.

"Bond Purchase Contract" means, as to a series of Bonds, the Bond Purchase Contract between the Issuer and the Original Purchaser of that series of Bonds, providing for the sale of that series of Bonds to the Original Purchaser.

"Bond Reserve Fund" means the "City of Columbus, Ohio Easton TIF Bond Reserve Fund" established by Section 8 of this ordinance and any accounts therein.

"Bond Reserve Requirement" means, with respect to a series of Bonds, as of the date of any calculation, an amount specified in the Certificate of Award and not to exceed the lesser of (i) the maximum amount of Bond Service Charges required to be paid with respect to such Bonds during any future Fiscal Year; (ii) 125% of the average annual Bond Service Charges on such Bonds; or (iii) 10% of the proceeds of such Bonds, computed for this purpose as the "issue price" of such Bonds within the meaning of Section 1273 of the Code, less accrued interest.

"Bond Service Charges" means, for any period of time, the principal of (including Mandatory Sinking Fund Requirements) and interest and any premium due on the Bonds for that period or payable at that time, as the case may be.

"Bonds" means the Series 2004A Bonds and any Additional Bonds.

"Business Day" means any day of the year other than: (a) a Saturday; (b) a Sunday; (c) a day on which banks in any city in which the Principal Office of the Trustee, the Principal Office of a Tender Agent or the Principal Office of a Credit Facility Provider is located are required or authorized by law to remain closed; (d) a legal holiday in the Issuer; or (e) a day on which The New York Stock Exchange is closed.

"Capitalized Interest Account" means the Capitalized Interest Account of the Public Improvements Fund created by Section 8 of this ordinance and any subaccounts therein.

"Certificate of Award" means the Series 2004A Certificate of Award or the Certificate of Award for a series of Deferred Bonds, as applicable.

"Clerk" means the Clerk of the Legislative Authority.

"Code" means the Internal Revenue Code of 1986, as amended, and references to the Code and Sections of the Code shall include relevant regulations and proposed regulations thereunder, and any successor provisions to such Sections, regulations or proposed regulations.

"Conversion Date" means the Interest Payment Date upon which a series of Deferred Bonds issued in the Weekly Mode are converted in accordance with a Supplemental Indenture.

"Credit Facility" means a letter of credit, surety bond, guaranty or other instrument of credit enhancement issued by a Credit Facility Provider delivered in accordance with the Indenture, which letter of credit, surety bond, guaranty or other instrument provides for payment to the Trustee upon request of the Trustee up to an amount stated therein for application as provided in the Indenture. In the case of a Credit Facility that is a letter of credit, such letter of credit shall be an irrevocable letter of credit issued by a Credit Facility Provider that provides for payment of (i) principal of a series of Bonds, (ii) interest on those Bonds for not less than 45 days at the Maximum Interest Rate, and (iii) the purchase price of those Bonds in the Weekly Mode tendered or deemed tendered for purchase pursuant to Indenture and not remarketed. After the delivery of an Alternate Credit Facility, the Alternate Credit Facility shall become the Credit Facility.

"Credit Facility Agreement" means an agreement between the Issuer or another Person and the Credit Facility Provider providing for the issuance of a Credit Facility to secure a series of Bonds, and upon the delivery of an Alternate Credit Facility, means the agreement between the Issuer or another Person and the issuer of the Alternate Credit Facility providing for the Alternate Credit Facility.

"Credit Facility Event" means (a) an Expiration Date, or (b) the effective date of an Alternate Credit Facility delivered to the Tender Agent pursuant to the Indenture.

"Credit Facility Notice of Default" means a written notice from a Credit Facility Provider to the City and the Tender Agent stating that (i) an Event of Default, as defined in the related Credit Facility Agreement, has occurred; and (ii) that the Credit Facility will terminate on the date set forth in the notice.

"Credit Facility Provider" means an insurance company, commercial bank, or bank holding company or other entity designated by the Issuer, subject to regulation by a federal or state regulatory authority and as to which Moody's or S&P has stated that debt insured or enhanced by such entity will be rated by such rating agency not lower than the third highest long term debt category (without regard to any distinguishing symbol or number within a rating category) that issues a Credit Facility held by the Trustee in accordance with the Indenture.

"Credit Facility Tender Date" means the date on which a series of Bonds secured by a Credit Facility are to be purchased as a result of the delivery of a Credit Facility Notice of Default.

"Deferred Bonds" means Bonds, other than the Series 2004A Bonds and any Subsequent Indebtedness, authorized, issued and sold pursuant to this ordinance, which may be either Parity Bonds or Subordinate Indebtedness.

"Deferred Bonds Issuance Expense Fund" or "City of Columbus, Ohio - Easton Deferred Bonds Issuance Expense Fund" means the fund of that name created by Section 8 of this ordinance.

"Depository" means The Depository Trust Company (a limited purpose trust company), New York, New York, its successors and their assigns, and any successor depository appointed in accordance with Section 4(e) of this ordinance. Any successor depository shall be a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of obligations such as the Bonds, and to effect transfers of obligations such as the Bonds in book entry form.

"Escrow Fund" or "City of Columbus, Ohio - 1999 Bonds Escrow Fund" means the fund of that name created by Section 8 of this ordinance.

"Executive" means the Mayor or the Director of Finance of the Issuer.

"Expiration Date" means the date established in a Credit Facility for the expiration thereof in accordance with its terms, and in the event such date is extended, such date as extended; or such earlier date, if any, on which the Credit Facility terminates pursuant to a Credit Facility Notice of Default.

"Federal Income Tax Compliance Certificate" means, with respect to a series of Bonds, the Federal Income Tax Compliance Certificate, dated the Original Issuance Date of those Bonds, signed by the Executive or the Fiscal Officer.

"Fiscal Officer" means the City Auditor of the Issuer.

"Fixed Interest Rates" means fixed non-adjustable interest rates on a series of Bonds to be borne by those Bonds while those Bonds are in the Fixed Rate Mode.

"Fixed Rate Mode" means that Interest Rate Mode in which the Bonds of a series bear interest at Fixed Interest Rates either from the Original Issuance Date for such Bonds or from the Conversion Date to the Maturity Date for such Bonds.

"Holder" or "Holder of a Bond" means the person in whose name a Bond is registered on the Register maintained by the Registrar.

"Improvements" means the increase in value of the Property, as provided in the TIF Ordinance.

"Indenture" means the Trust Agreement between the Issuer and the Trustee relating to the Bonds, as the same may be amended, modified, or supplemented.

"Interest Determination Date" means, with respect to Bonds in the Weekly Mode, the Wednesday immediately preceding the commencement of an Interest Period, except that (i) if such day is not a Business Day, then the Interest Determination Date shall be the next preceding Business Day, and (ii) there shall be no Interest Determination Date for the Interest Period beginning on the Original Issuance Date of a series of Deferred Bonds.

"Interest Payment Date" means, as to a series of Bonds initially issued in the Fixed Rate Mode, the dates for the payment of interest specified in the Certificate of Award relating to those Bonds, and as to a series of Bonds initially issued in the Weekly Mode, (i) the first Business Day of each month, commencing in the month immediately following the Original Issuance Date of those Bonds while those Bonds are in the Weekly Mode, and (ii) the dates specified in the Certificate of Award relating to those Bonds after those Bonds have been converted to the Fixed Rate Mode.

"Interest Period" means, with respect to Bonds in the Weekly Mode, a period from and including the Thursday in each calendar week to and including the Wednesday in the following week, except that the first Interest Period shall be the period from and including the Original Issuance Date to and including the Wednesday identified in the Certificate of Award as the last day of the first Interest Period.

"Interest Rate Mode" means the Weekly Mode and the Fixed Rate Mode.

"Issuer" means the City of Columbus, Ohio.

"Legal Officer" means the City Attorney of the Issuer.

"Legislative Authority" means this Council and any officer, board, commission or other body which hereafter succeeds, by operation of law, to the powers and duties of such Council.

"Mandatory Redemption Dates" means the first day of month and years to be specified in the Certificate of Award for a series of Bonds in which the Bonds of that series that are designated as Term Bonds are to be redeemed pursuant to the Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Bonds of a series maturing on Term Maturity Dates, amounts sufficient to redeem those Bonds (less the amount of credit as provided in the Indenture) on each Mandatory Redemption Date, as set forth in the Certificate of Award relating to those Bonds.

"Maximum Interest Rate" means with respect to a series of Bonds in the Weekly Rate Mode, the maximum interest rate as set forth in the Credit Facility securing those Bonds, which shall not be less than ten per cent (10%) per annum.

"Moody's" means Moody's Investors Service, Inc., a corporation organized and existing under the laws of the State of Delaware, its successors and their assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, "Moody's" shall be deemed to refer to any other nationally recognized securities rating agency designated by the Legislative Authority by notice to the Trustee.

"1999 Bonds" means the Issuer's Tax Increment Financing Bonds, Series 1999 (Easton Project) in the original principal amount of \$30,050,000, of which \$29,900,000 remains outstanding.

"Optional Earliest Redemption Date" means the date specified in the Certificate of Award for a series of Bonds as the earliest date on which Bonds of that series may be called for redemption at the option of the Issuer.

"Optional Redemption Prices" shall be as set forth in the Certificate of Award for a series of Bonds, but shall not exceed 102% nor be less than 100% of the principal amount of Bonds of that series to be optionally redeemed.

"Original Issuance Date" means as to a series of Bonds, the date on which such Bonds are first authenticated and delivered to the Original Purchaser thereof against payment therefor.

"Original Purchaser" means (i) as to the Series 2004A Bonds, A.G. Edwards & Sons, Inc., NatCity Investments, Inc., and Apex Pryor Securities, (ii) as to each series of Deferred Bonds, the person or persons identified in the Certificate of Award relating to such series of Bonds, and (iii) as to any Subsequent Indebtedness, the person or persons identified in the Bond Legislation authorizing the issuance of such Subsequent Indebtedness.

"Original TIF Ordinance" means Ordinance No. 1704-96 of the Legislative Authority duly enacted on July 22, 1996.

"Parity Bonds" means notes, bonds or other obligations of the Issuer issued on a parity with the Series 2004A Bonds pursuant to the Indenture.

"Person" means one or more natural persons, firms, associations, partnerships, corporations or public bodies.

"Principal Retirement Dates" means the day and month in the years in which a series of Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award relating to that series of Bonds, provided that with respect to the Series 2004A Bonds and the Deferred Bonds, no such date shall be later than December 15, 2027.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of a series of 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 relating to that series of Bonds.

"Property" means, collectively, the real property described in Exhibit A to the Original TIF Ordinance and Exhibit A-1 to the Amending TIF Ordinance.

"Public Improvements" means, collectively, the public improvements and the remote public improvements as defined and described in Exhibit B-1 to the Amending TIF Ordinance.

"Public Improvements Fund" or "City of Columbus, Ohio - Easton TIF Public Improvements Fund No. 769" means the fund of that name created by Section 8 of this ordinance and any accounts therein.

"Purchase Price" means the purchase price to be paid by the Original Purchaser of a series of Bonds for those Bonds, which price shall be set forth in the Certificate of Award relating to that series of Bonds, but such price shall not be less than the sum of 96% of the principal amount of that series of Bonds and accrued interest thereon from their dated date to the Original Issuance Date for those Bonds.

"Rebate Fund" or "City of Columbus, Ohio - Easton TIF Rebate Fund" means the Rebate Fund created by Section 8 of this ordinance and any accounts therein.

"Registrar" means the Trustee, until a successor Registrar shall have become such pursuant to applicable provisions of the Indenture. Any Registrar designated under the Indenture shall be a transfer agent registered in accordance with Section 17A(c) of the Securities Exchange Act of 1934.

"Remarketing Agent" means, for a series of Bonds initially issued in the Weekly Mode, the Remarketing Agent identified in the Certificate of Award for those Bonds, and any successor Remarketing Agent appointed in accordance with the Indenture. "Principal Office" of the Remarketing Agent means the office or offices designated from time to time as such by the Remarketing Agent in writing to the City, the Trustee and the Tender Agent.

"S&P" means Standard & Poor's Ratings Services, a division of The McGraw-Hill Companies, a corporation organized and existing under the laws of the State of New York, its successors and their assigns, and, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, "S&P" shall be deemed to refer to any other nationally recognized securities rating agency designated by the Legislative Authority by notice to the Trustee.

"Series 2004A Bonds" means the Tax Increment Financing Bonds, Series 2004A (Easton Project) of the Issuer authorized and issued pursuant to this ordinance.

"Series 2004A Bonds Issuance Expense Fund" or "City of Columbus, Ohio - Easton Series 2004A Bonds Issuance Expense Fund" means the fund of that name created by Section 8 of this ordinance and any accounts therein.

"Series 2004A Certificate of Award" means the Certificate of Award relating to the Series 2004A Bonds provided for in Section 5 of this ordinance.

"Special Funds" means the Bond Fund, the Bond Reserve Fund, the TIF Fund, and the Public Improvements Fund.

"Specified Interest Rates" means, (A) with respect to a series of Bonds in the Fixed Interest Rate Mode from the Original Issuance Date of those Bonds, the interest rate or rates at which those Bonds will bear interest, which rates shall be set forth in the Certificate of Award relating to those Bonds, and (B) with respect to a series of Bonds converted to the Fixed Rate Mode after the Original Issuance Date for such Bonds, the interest rate or rates at which those Bonds will bear interest, which rates shall be set forth in a certificate of the Fiscal Officer relating to those Bonds dated as of the Conversion Date for such Bonds; provided, however, that in no case shall the true interest cost of Bonds in the Fixed Rate Mode exceed six per cent (6.0%) per annum.

"State" means the State of Ohio.

"Subordinated Indebtedness" means notes, bonds or other obligations of the Issuer containing the provisions set forth in Exhibit A attached to the Indenture and issued pursuant to the Indenture.

"Subsequent Indebtedness" means any Additional Bonds, other than the Deferred Bonds, the issuance of which will be authorized by a separate ordinance of the Legislative Authority.

"Supplemental Indenture" means a Supplemental Indenture between the Issuer and the Trustee, entered into in accordance with the terms of the Indenture.

"Tender Agent" means, for a series of Bonds initially issued in the Weekly Mode, the Tender Agent identified in the Certificate of Award relating to those Bonds, and any successor Tender Agent appointed in accordance with the Indenture, or if no such Tender Agent is identified, the Trustee. "Principal Office" of the Tender Agent means the office or offices designated from time to time as such by the Tender Agent in writing to the Issuer, the Trustee and the Remarketing Agent.

"Term Bonds" means Bonds of a series identified in the Certificate of Award relating to those Bonds that are stated to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the day and month in the year or years in which 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 relating to those Bonds, provided that with respect to the Series 2004A Bonds and the Deferred Bonds, no such date shall be later than December 15, 2027.

"TIF Fund" means Easton Project Municipal Public Improvement Tax Increment Equivalent Fund No. 401, as established in Section 4 of the Original TIF Ordinance and any accounts or subaccounts therein.

"TIF Ordinance" means the Original TIF Ordinance, as amended by the Amending TIF Ordinance, as the same may be amended from time to time in accordance with Ohio law.

"TIF Revenues" means the service payments in lieu of property taxes received by the Issuer with respect to the Improvements.

"Trustee" means J.P. Morgan Trust Company, National Association, Columbus, Ohio, and its successors and any corporation or national banking association resulting from or surviving any consolidation or merger to which it or its successors may be a party and any successor trustee at the time serving as successor trustee under the Indenture. "Principal Office" of the Trustee means the office or offices designated from time to time as such by the Trustee in writing to the Issuer, the Tender Agent, and the Remarketing Agent.

"Weekly Mode" means that Interest Rate Mode in which Bonds bear interest at an interest rate that is adjusted weekly in accordance with the provisions of this Ordinance and the Indenture.

The captions and headings in this ordinance are solely for convenience of reference and do not define, limit or describe the scope or intent of any provisions or Sections of this ordinance.

Section 2. Determination of Legislative Authority. This Legislative Authority hereby finds and determines that:

- (a) It is necessary and proper and in the best interest of the Issuer to, and the Issuer shall, issue, sell and deliver the Series 2004A Bonds and the Deferred Bonds in two or more series, in an aggregate principal amount of not to exceed \$70,000,000 for the purposes set forth in the recitals to this ordinance and to pay the costs of issuance of those Bonds; and
- (b) The Issuer shall have the right as necessary from time to time in the future to issue other Additional Bonds for the purposes authorized in the Indenture, upon satisfaction of the conditions and in the manner provided in the Indenture.

Section 3. Series 2004A Bonds; Deferred Bonds. The Bonds authorized by this ordinance shall be issued in two or more series. The Series 2004A Bonds shall be issued in the Fixed Rate Mode and shall be in an aggregate principal amount not to exceed \$45,000,000. The Deferred Bonds shall be issued in one or more series and shall be, collectively, in an aggregate principal amount which, when added to the original principal amount of the Series 2004A Bonds, does not exceed \$70,000,000. Each series of Deferred Bonds shall be issued pursuant to this ordinance and a Supplemental Indenture between the Issuer and the Trustee. Each series of Deferred Bonds shall be designated "[Adjustable/Fixed] Rate [Subordinated/Senior] Tax Increment Financing Bonds, Series 200XY (Easton Project)", with the "X" to be the year of the Original Issuance Date of the series of Deferred Bonds and the "Y" to be an identifier for the series of Deferred Bonds issued in that year, beginning with "A" and proceeding through the alphabet, as necessary. Except for the portion of proceeds of a series of Bonds used to pay the cost of issuance of that series of Bonds: (i) proceeds of the Series 2004A Bonds shall be used, as set forth in this ordinance, the Series 2004A Certificate of Award, and in the Indenture, (A) to advance refund the 1999 Bonds, and (B) to the extent designated in the Series 2004A Certificate of Award, to pay the costs of Public Improvements, and (ii) proceeds of the Deferred Bonds shall be used to pay the costs of Public Improvements. As provided in the Amending TIF Ordinance and the amended Tax Increment Financing Agreement entered into pursuant thereto, the Series 2004A Bonds and te Deferred Bonds shall be issued in an aggregate principal amount sufficient, after providing for any other deposits into any other fund or accounts, to provide: (i) \$5,000,000 for deposit into the Downtown Development Account of the Public Improvements Fund, and (ii) \$15,000,000 for deposit into the Easton Infrastructure Account of the Public Improvements Fund.

Section 4. Terms and Provisions of the Series 2004A Bonds and the Deferred Bonds.

- (a) Generally. The Series 2004A Bonds and each series of Deferred Bonds (i) shall be issued only in fully registered form, substantially as set forth in an exhibit to the Indenture, or, in the case of a series of Deferred Bonds, the form set forth in the Supplemental Indenture relating to that series of Bonds; (ii) shall be exchangeable for Bonds of the same series, as provided in the Indenture; (iii) shall be numbered in such manner as to distinguish each Bond of a series from any other Bond of that series; (iv) shall be in an Authorized Denomination but not to exceed the principal amount of Bonds of that series maturing on any one date; (v) shall be subject to redemption prior to maturity in the amounts, upon the conditions, and at the times and prices set forth in the Certificate of Award relating to that series of Bonds; and (vi) shall be dated as of the date stated in the related Certificate of Award, provided (i) that the Series 2004A Bonds shall not be issued after December 31, 2004 and no series of Deferred Bonds shall be issued after December 31, 2009 unless otherwise extended by action of the Legislative Authority. Each Series 2004A Bond and Deferred Bond shall bear interest, in accordance with the Indenture, from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from its Original Issuance Date.
- (b) Interest Rate and Principal Maturities. The Series 2004A Bonds shall bear interest at the Specified Interest Rates per annum, payable on each Interest Payment Date, and shall mature on the Principal Retirement Dates and in the principal amounts set forth in the Principal Retirement Schedule. Upon initial issuance, each series of Deferred Bonds shall bear interest in either the Fixed Rate Mode or the Weekly Mode, as specified in the Certificate of Award for such series of Deferred Bonds. With respect to any series of Deferred Bonds issued in the Weekly Mode, for the first Interest Period such series of Deferred Bonds shall bear interest at a rate per annum set forth in the Certificate of Award relating to such series of Deferred Bonds. Thereafter, for each Interest Period while such Deferred Bonds are in the Weekly Mode, the interest rate on each such series of Deferred Bonds shall be

a rate determined by the Remarketing Agent for those Deferred Bonds, in its discretion, to be that rate which, if borne by all Deferred Bonds of that series, would, in the judgment of that Remarketing Agent, having due regard to prevailing financial market conditions, be the interest rate necessary (but not in excess of the interest rate necessary) to enable the Remarketing Agent to remarket all outstanding Deferred Bonds of that series on the first day of such Interest Period at a price equal to 100% of the principal amount thereof, provided, that the interest rate shall not exceed the Maximum Interest Rate applicable to that series of Deferred Bonds. The Interest Rate Mode of any series of Deferred Bonds initially issued in the Weekly Mode may be converted to the Fixed Rate Mode in accordance with the provisions of the Supplemental Indenture relating to that series of Deferred Bonds. Each series of Deferred Bonds shall mature on the Principal Retirement Dates and in the principal amounts set forth in the Principal Retirement Schedule for such series. Each series of Deferred Bonds originally issued in or converted to the Fixed Rate Mode shall bear interest at the Specified Interest Rates per annum, payable on each Interest Payment Date.

(c) **Mandatory Redemption.** Any Series 2004A Bonds and Deferred Bonds which are Term Bonds and which mature on the Term Maturity Dates are subject to mandatory redemption on the Mandatory Redemption Dates pursuant to the Mandatory Sinking Fund Requirements. The procedures and conditions for the satisfaction of the Mandatory Sinking Fund Requirements with respect to the Series 2004A Bonds shall be set forth in the Indenture. The procedures and conditions for the satisfaction of the Mandatory Sinking Fund Requirements for a series of Deferred Bonds shall be set forth in the Supplemental Indenture related to that series of Deferred Bonds.

(d) **Purchase of Deferred Bonds.** Any Deferred Bond in the Weekly Mode shall be purchased on the demand of the holder thereof, on any Business Day at a purchase price equal to the principal amount thereof plus accrued interest, if any, to the date of purchase, in accordance with the terms and provisions contained in the Indenture and the related Supplemental Indenture.

Each series of Deferred Bonds in a Weekly Mode shall be purchased (i) on the Conversion Date with respect to that series of Deferred Bonds, (ii) on the Interest Payment Date immediately preceding each Credit Facility Event with respect to that series of Deferred Bonds, and (iii) on the Credit Facility Tender Date with respect to that series of Deferred Bonds at a purchase price equal to the principal amount thereof plus accrued interest, if any, to the date of purchase, in accordance with the terms and provisions contained in the Indenture and the related Supplemental Indenture.

(e) **Book Entry System.** The Series 2004A Bonds and each series of Deferred 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 Bond of each maturity, (ii) those 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 Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any 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 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 Issuer.

If any Depository determines not to continue to act as a depository for a series of Bonds for use in a book entry system, the Issuer and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this ordinance. If the Issuer and the Bond Registrar do not or are unable to do so, the Issuer 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 Bonds of that series from the Depository, and authenticate and deliver 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 Bonds), if the event is not the result of action or inaction by the Issuer or the Bond Registrar, of those persons requesting such issuance.

Notwithstanding anything in this ordinance to the contrary, so long as a series of Deferred Bonds are held under a book entry system, those Bonds will not be delivered in connection with the provisions of this ordinance, the Indenture and the related Supplemental Indenture relating to the tender or deemed tender of those Bonds; rather, transfer of beneficial ownership of those Bonds tendered or deemed tendered shall be effected pursuant to the rules and procedures established by the Depository.

(f) **Execution.** The Series 2004A Bonds and the Deferred Bonds shall be signed by the Mayor of the Issuer and Fiscal Officer, provided that either or both of such signatures may be a facsimile.

Section 5. Sale of the Series 2004A Bonds and the Deferred Bonds; Bond Purchase Contract; Credit Facilities; and Official Statement. The sale and award of the Series 2004A Bonds and each series of Deferred Bonds shall be evidenced by a Certificate of Award signed by the Executive or the Fiscal Officer. The Certificate of Award with respect to a series of Bonds shall set forth the aggregate principal amount of that series of Bonds, the date of that series of Bonds, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, the Mandatory Redemption Dates, the Mandatory Sinking Fund Requirements, the Term Bonds, the Term Maturity Dates, the Optional Earliest Redemption Date the Optional Redemption Prices, any amounts to be deposited into the Capitalized Interest Account (or subaccount thereof), and any amounts to be deposited in the Bond Reserve Fund (or any account thereof), together with such additional information as shall be required by the terms of this ordinance and the Bond Purchase Contract. With respect to a series of Deferred Bonds initially issued in the Weekly Mode, the Certificate of Award for such series of Deferred Bonds shall set forth the Wednesday constituting the last day of the first Interest Period for that series of Deferred Bonds and the Interest Payment Dates for that series of Deferred Bonds after those Deferred Bonds are converted to bear interest in the Fixed Rate Mode, and shall identify the Remarketing Agent and the Tender Agent, if other than the Trustee, for those Deferred Bonds. The Certificate of Award for each series of Deferred Bonds shall identify the Original Purchaser of that series of Bonds.

The Series 2004A Bonds and each series of Deferred Bonds are awarded and sold to the Original Purchaser thereof, in accordance with the Bond Purchase Contract relating thereto, at the Purchase Price. Each Bond Purchase Contract shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this ordinance and permitted by applicable law as shall be approved by the Executive and the Legal Officer. The approval of such Bond Purchase Contract shall be conclusively evidenced by the execution of the Bond Purchase Contract by such officers. It is hereby determined that the Purchase Price and the Specified Interest Rates, the manner of sale and the terms of the Series 2004A Bonds and the Deferred Bonds, all as provided herein and in the Bond Purchase Contracts, will be in the best interests of the Issuer and consistent with all legal requirements.

The Executive and the Fiscal Officer, and either acting alone, are hereby authorized to make appropriate arrangements, if either of such officers deems it in the best interest of the Issuer, for the issuance of one or more Credit Facilities to secure a series of Bonds, including executing and delivering one or more Credit Facility Agreements or commitments with respect thereto and other documents in connection therewith, each containing such terms, covenants and conditions not inconsistent with this ordinance and permitted by applicable law as shall be approved by the Executive or the Fiscal Officer, as the case may be, and the Legal Officer. The approval of such Credit Facility Agreements shall be conclusively evidenced by the execution of such agreements by such officers. The premium for any municipal bond insurance policy purchased as security for a series of Bonds will be paid only from the proceeds of sale of such Bonds as a cost of issuance, and no other funds of the Issuer shall be used to pay such premium.

The Executive, the Fiscal Officer and the Clerk are directed to make the necessary arrangements on behalf of the Issuer to establish the dates, locations, procedures and conditions for the delivery of the Series 2004A Bonds and each series of Deferred Bonds to the Original Purchasers thereof. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Series 2004A Bonds and each series of Deferred Bonds under the terms of this ordinance, the Bond Purchase Contracts, the Indenture and any related Supplemental Indentures.

The distribution of a separate Official Statement of the Issuer relating to the original issuance of the Series 2004A Bonds and each series of Deferred Bonds is hereby authorized, and the Executive and the Fiscal Officer, with the approval of the Legal Officer, are each hereby authorized and directed to negotiate, prepare and execute, on behalf of the Issuer and in their official capacities, the Official Statements and any supplements thereto as so executed, and are each authorized and directed to advise the Original Purchaser of a series of Bonds in writing regarding limitations on the use of the Official Statement relating to that series of Bonds and any supplements thereto for purposes of marketing or reoffering those Bonds as the officer acting deems necessary or appropriate to protect the interests of the Issuer. The Executive, the Fiscal Officer, the Legal Officer and any other official of the Issuer are each authorized to execute and deliver, on behalf of the Issuer and in their official capacities, such certificates in connection with the accuracy of the Official Statements, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

This Legislative Authority hereby declares that the Series 2004A Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Series 2004A Certificate of Award shall identify the annual financial information and operating data that will constitute the "annual information" for purposes of said Section 323.07.

Section 6. Application of Proceeds of Series 2004A Bonds and the Deferred Bonds.

(a) The proceeds of sale of the Series 2004A Bonds shall be allocated and deposited as follows:

- (I) to the Trustee for deposit to the credit of the Senior Payment Account in the Bond Fund, any accrued interest paid by the Original Purchaser;
- (II) to the Trustee for deposit to the credit of the Series 2004A Bonds Issuance Expense Fund, that amount set forth in the Series 2004A Certificate of Award, which shall be the amount required to pay the costs of issuance of the Series 2004A Bonds;
- (III) to the Trustee for deposit to the credit of the Escrow Fund, the amount designated in the Series 2004A Certificate of Award as being necessary to cause the defeasance of the 1999 Bonds;
- (IV) to the Bond Reserve Fund, or account therein, the amount, if any, designated in the Series 2004A Certificate of Award as necessary to satisfy the Bond Reserve Requirement for the Series 2004A Bonds; and
- (V) to the Public Improvements Fund, or accounts therein, the balance, if any, of the proceeds of sale of the Series 2004A Bonds.

(b) The proceeds of sale of each series of Deferred Bonds shall be allocated and deposited as follows:

- (I) to the Trustee for deposit to the credit of the account in the Deferred Bonds Issuance Expense Fund established for those Bonds, that amount set forth in the Certificate of Award for those Bonds, which shall be the amount required to pay the costs of issuance of the those Bonds; and
- (II) to the Trustee for deposit to the credit of the account in the Bond Fund established for those Bonds, any accrued interest paid by the Original Purchaser of such Deferred Bonds;
- (III) to the Bond Reserve Fund, or account therein, the amount, if any, designated in the Certificate of Award for those Bonds as necessary to satisfy the Bond Reserve Requirement for such Bonds;
- (IV) to the Capitalized Interest Account, or subaccount therein, the amount, if any, designated in the Certificate of Award for those Bonds as capitalized interest on such Bonds; and
- (V) to the Public Improvements Fund, or accounts therein, the balance of those proceeds.

All moneys necessary to carry out the purpose of this ordinance, including costs of issuance of the Series 2004A Bonds and the Deferred Bonds, and all Bond Service Charges for the Series 2004A Bonds and the Deferred Bonds, are hereby deemed appropriated.

Section 7. Security for the Series 2004A Bonds and the Deferred Bonds. As provided in the Indenture, the Series 2004A Bonds and the Deferred Bonds shall be secured by and payable from the TIF Revenues and the Special Funds; provided however, the Deferred Bonds may be secured by, and payable from the Credit Facilities applicable to those Bonds; and, provided further, that any lien on or pledge of any fund, account, revenues or money not in the custody of the Trustee shall be valid and enforceable only to the extent permitted by law and by the Indenture. Nothing in the Bond Legislation, the Series 2004A Bonds, the Deferred Bonds, the Indenture or any Supplemental Indenture shall constitute a general obligation, debt or bonded indebtedness of the Issuer; neither the general resources of the Issuer shall be required to be used, nor the general credit of the Issuer pledged for the performance of any duty under the Bond Legislation, the Series 2004A Bonds, the Deferred Bonds, the Indenture or any Supplemental Indenture; and nothing herein or therein shall give the Holders of any Bonds, and they shall not have, the right to have excises or taxes levied by the Legislative Authority, or by the State or the taxing authority of any other political subdivision, for the payment of Bond Service Charges on any series of Bonds; and each Bond shall contain on the face thereof a statement to that effect; provided, however, that nothing herein shall be deemed to prohibit the Issuer, of its own volition, from using to the extent it is lawfully authorized to do so, any other resources or revenues for the fulfillment of any of the terms, conditions or obligations of the Indenture, any Supplemental Indenture, the Bond Legislation or the Bonds.

Section 8. Creation of Funds: Application of Revenues. The funds and accounts described in this Section are created hereby and are designated as indicated. Each fund is to be maintained in the custody of the Issuer or the Trustee, as indicated below, as a separate account (except when invested in Eligible Investments, as defined in the Indenture). The funds and accounts are:

- (a) the Bond Fund designated the "City of Columbus, Ohio - Easton TIF Bond Fund", and the "Senior Payment Account" and the "Subordinated Payment Account" therein;
- (b) the Rebate Fund designated the "City of Columbus, Ohio - Easton TIF Rebate Fund";
- (c) the Series 2004A Bonds Issuance Expense Fund designated the "City of Columbus, Ohio - Easton Series 2004A Bonds Issuance Expense Fund";
- (d) the Bond Reserve Fund designated the "City of Columbus, Ohio Easton TIF Bond Reserve Fund";
- (e) the Deferred Bonds Issuance Expense Fund designated the "City of Columbus, Ohio - Easton Deferred Bonds Issuance Expense Fund", and a separate account therein for each series of Deferred Bonds;
- (f) the Public Improvements Fund designated the "City of Columbus, Ohio - Easton TIF Public Improvements Fund No. 769", and the "Easton Infrastructure Account," the "Downtown Development Account," and the "Capitalized Interest Account" therein; and
- (g) the Escrow Fund designated the "City of Columbus, Ohio - 1999 Bonds Escrow Fund"

The Bond Fund shall be maintained in the custody of the Trustee as a trust fund. Moneys in the Senior Payment Account of the Bond Fund shall be used solely for the payment of Bond Service Charges on the Series 2004A Bonds and Parity Bonds and the payment of any amounts due to Persons

who have provided Credit Facilities for one or more Series of Parity Bonds, and to the extent provided in the Indenture, for the purchase for cancellation or redemption of Series 2004A Bonds or Parity Bonds. Moneys in the Subordinated Payment Account of the Bond Fund shall be used for the payment of Bond Service Charges on any series of Deferred Bonds that constitute Subordinated Indebtedness and the payment of any amounts due to Persons who have provided Credit Facilities for one or more series of Subordinated Indebtedness, provided, however, that if the balance in the Senior Payment Account on any date on which payment of Bond Service Charges on the Series 2004A Bonds or a series of Parity Bonds is due is insufficient to pay such Bond Service Charges, the Trustee shall transfer moneys from the Subordinated Payment Account to the Senior Payment Account to the extent of such deficiency, or to the extent of the balance in the Subordinated Payment Account if such balance is less than that deficiency, prior to payment of any Bond Service Charges on Subordinated Indebtedness which may be due and payable on that date. If at any time the Trustee shall have moneys and investments then on deposit in the Senior Payment Account of the Bond Fund sufficient to purchase for cancellation or redeem on the next available redemption date any outstanding Series 2004A Bonds or Parity Bonds, without thereby reducing the balance thereafter remaining in the Senior Payment Account of the Bond Fund below the amount which on such redemption date would be required by the Indenture to be on hand therein with respect to the Series 2004A Bonds or Parity Bonds not to be so purchased or redeemed, the Trustee, at the request of the Issuer, shall cause such moneys to be used out of the Senior Payment Account of the Bond Fund in the amounts required, together with any other moneys provided by the Issuer, to accomplish such purchase or redemption.

The Rebate Fund shall be maintained in the custody of the Issuer as a trust fund separate and distinct from all other funds of the Issuer. Any provision of this ordinance or the Indenture to the contrary notwithstanding, amounts deposited into the Rebate Fund shall be free and clear of any lien created by the Bond Legislation or the Indenture.

The Series 2004A Bonds Issuance Expense Fund and the Deferred Bonds Issuance Expense Fund shall be maintained in the custody of the Trustee as trust funds separate and distinct from all other funds of the Issuer. Moneys in the Series 2004A Bonds Issuance Expense Fund and each account of the Deferred Bonds Issuance Expense Fund shall be disbursed, at the written direction of the Executive or the Fiscal Officer, to pay the costs of issuance of the Series 2004A Bonds and the related series of Deferred Bonds, respectively. Any balance remaining in the Series 2004A Bonds Issuance Expense Fund or an account in the Deferred Bonds Issuance Expense Fund on the ninetieth (90th) day following the Original Issuance Date of the related series of Bonds shall be transferred to the Senior Payment Account of the Bond Fund.

The Bond Reserve Fund shall be maintained in the custody of the Trustee as a trust fund separate and distinct from all other funds of the Issuer. The Indenture shall create separate accounts within the Bond Reserve Fund for any series of Bonds for which the Certificate of Award for that series of Bonds specifies a Bond Reserve Requirement. Moneys in an account of the Bond Reserve Fund shall be used solely for the payment of Bond Service Charges on the series of Bonds for which that account is created and, to the extent provided in the Indenture, for the purchase for cancellation or redemption of such series of Bonds.

The Public Improvements Fund shall be maintained in the custody of the Issuer as a separate account. Bond proceeds intended to pay for the costs of Public Improvements directly benefiting the Property shall be deposited into the Easton Infrastructure Account of the Public Improvements Fund. Bond proceeds intended to pay for the costs of Public Improvements in support of urban redevelopment shall be deposited into the Downtown Development Account of the Public Improvements Fund. The Issuer may create other separate accounts within the Public Improvements Fund as necessary to allocate Bond proceeds for separate Public Improvement projects and shall apply moneys in the Public Improvements Fund only to pay for the costs of Public Improvements.

The Escrow Fund shall be maintained in the custody of the Trustee as a trust fund separate and distinct from all other funds of the Issuer. Moneys and investments in the Escrow Fund shall be applied as provided in the Indenture to defease and redeem the 1999 Bonds.

So long as any Bonds secured by the Indenture remain outstanding, all TIF Revenues shall be deposited in, or constitute a part of, as the case may be, the TIF Fund and shall be applied as provided in the Indenture.

Section 9. Covenants of Issuer. The Issuer, by issuance of the Series 2004A Bonds and the Deferred Bonds covenants and agrees with the holders of the Bonds that:

- (a) The Issuer will use the proceeds (other than proceeds used to pay costs of issuance) (i) of the Series 2004A Bonds, together with moneys transferred from the TIF Fund, (A) to pay principal of and interest on the 1999 Bonds due and payable through June 1, 2009 and to pay principal, interest and redemption premium, if any, due and payable on June 1, 2009, which is the earliest optional redemption date for the 1999 Bonds, and (B) to the extent designated in the Series 2004A Certificate of Award, to pay the cost of Public Improvements, and (ii) of the Deferred Bonds to pay the cost of Public Improvements.
- (b) The Issuer will segregate, for accounting purposes, the TIF Revenues and the funds established herein and under the Indenture that are held by the Issuer from all other revenues and funds of the Issuer.
- (c) The Clerk, or other appropriate officer of the Issuer, will furnish to the Original Purchaser and to the Trustee a true transcript of proceedings, certified by the Clerk or other officer, of all proceedings had with reference to the issuance of the Series 2004A Bonds and the Deferred Bonds, respectively, together with such information from the Issuer's records as is necessary to determine the regularity and validity of such issuance.
- (d) The Issuer will, at any and all times, cause to be done all such further acts and things and cause to be executed and delivered all such further instruments as may be necessary to carry out the purpose of the Bonds and any Bond Legislation authorizing the same.
- (e) The Issuer will observe and perform all its agreements and obligations provided for by the Bonds, the Indenture, any Supplemental Indenture or the Bond Legislation.

All of the obligations under this ordinance and the Indenture are hereby established as duties specifically enjoined by law and resulting from an office, trust or station of the Issuer, and each officer or employee of the Issuer having authority to perform such duty, within the meaning of Ohio Revised Code Section 2731.01.

Section 10. Indenture; Supplemental Indentures. To secure the payment of the Bond Service Charges on the Bonds as the same shall become due and payable and the performance of the Issuer as provided in the Bond Legislation, the Bonds and the Indenture, the Executive and the Fiscal Officer and either of them, acting alone, are hereby authorized and directed, for and in the name of the Issuer and on its behalf, (i) to execute and deliver to the

Trustee the Indenture, and (ii) to execute and deliver a Supplemental Indenture with respect to each series of Deferred Bonds. The Indenture and each Supplemental Indenture shall be in such form and shall contain such terms, covenants and conditions not inconsistent with the Bond Legislation and permitted by applicable law as shall be approved by the official executing the same and the Legal Officer. The approval of such Indenture shall be conclusively evidenced by the execution of the Indenture by those officials.

Section 11. Federal Income Tax Compliance Certificate. The Issuer covenants that it (i) will take or cause to be taken such actions which may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (ii) will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (B) restrict the yield on investment property acquired with those proceeds, if required by the Code, (C) make timely rebate payments to the federal government if any such payments are required, (D) maintain books and records and make calculations and reports, (E) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Executive and the Fiscal Officer and each of them, acting alone, are hereby authorized and directed, for and in the name of the Issuer and on Its behalf, to execute and deliver to the Trustee a Federal Income Tax Compliance Certificate with respect to each series of Bonds. The Federal Income Tax Compliance Certificate shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this ordinance as shall be approved by the official executing the same. The approval of the Federal Income Tax Compliance Certificate shall be conclusively evidenced by the execution thereof by those officials.

Section 12. Redemption and Defeasance of the 1999 Bonds. The Executive and the Fiscal Officer and each of them, acting alone, are hereby authorized and directed, for and in the name of the Issuer and on its behalf, to give such notices as may be required in order to effect the defeasance of the 1999 Bonds on the Original Issuance Date of the Series 2004A Bonds and the redemption of the 1999 Bonds on June 1, 2009. On the Original Issuance Date of the Series 2004A Bonds, the Issuer shall deliver to the Trustee for deposit to the Escrow Fund, from moneys in the TIF Fund, an amount equal to the difference between (i) the amount required to defease the 1999 Bonds on that Original Issuance Date, and (ii) the amount of Series 2004A Bond proceeds deposited to the Escrow Fund pursuant to Section 6(c) of this ordinance.

Section 13. Severability and Conflicts. Each section of this ordinance and each subdivision or paragraph of any section thereof is hereby declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section thereof to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this ordinance. If any provisions of this ordinance conflict with the provisions of Ordinance No. 222-99 authorizing the issuance and sale of the 1999 Bonds, the provisions of this ordinance shall control.

Section 14. Compliance with Open Meeting Law. This Legislative Authority hereby finds and determines that all formal actions taken relative to the adoption of this ordinance were taken in an open meeting of this Legislative Authority, and that all deliberations of this Legislative Authority and of its committees, if any, which resulted in formal action, were taken in meetings open to the public; in full compliance with applicable legal requirements.

Section 15. Effective Date. 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.

Legislation Number: 018X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To recognize Columbus State Community College on their 40th Anniversary.

Body

WHEREAS, it all began on September 20, 1963, when the forerunner to Columbus State, the Columbus Area Technician School (CATS), held its first class in the basement of the old Central High School with 67 students enrolled at CATS; and

WHEREAS, Over the past four decades, Columbus State has grown into an educational and economic powerhouse dedicated to serving the job training, workforce development, and higher education needs of central Ohio; and

WHEREAS, Columbus State now ranks as one of the premier institutions of higher learning within the State of Ohio and one of the largest community colleges with all-time record enrollment of 23,297 this past Autumn quarter; and

WHEREAS, over 350,000 people have walked through Columbus State's doors to take classes, 25,000 have received their college degrees, each represents a life forever changed; now, therefore

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

That this Council does hereby recognize Columbus State Community College on their celebration of their 40th Anniversary.

Legislation Number: 019X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

[enter background and fiscal impact text here]

Title

To recognize and congratulate Marvin and Ola Bibb on their dedicated and exemplary service to the Hosack Street Baptist Church.

Body

WHEREAS, on Saturday, January 24, 2004, members and friends of the Hosack Street Baptist Church will celebrate the dedication of the Marvin and Ola Bibb "Sharing Our Blessings" Food Pantry; and

WHEREAS, Marvin and Ola Bibb have dedicated over 35 years of faithful service to our community through their tremendous efforts in helping those less fortunate; and

WHEREAS, Marvin and Ola Bibb have been a guiding light to Hosack Street Baptist Church and have given so much to our community by spreading God's love through good deeds; and

WHEREAS, Marvin and Ola have been married 53 years and have 5 living children, 13 grandchildren and 7 great-grandchildren; now therefore

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

That this Council does hereby recognize and applaud Marvin and Ola Bibb for years of faithful service to the Hosack Street Baptist Church and for being leaders to both their church and the City of Columbus.

Legislation Number: 020X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To honor and recognize The Open Shelter on their 20th Anniversary.

Body

WHEREAS, The Open Shelter, Inc. opened on December 6, 1983, as the first 24-hour emergency walk-in shelter in Ohio; and

WHEREAS, there are citizens in this community who do not have a place to call home due to socioeconomic factors such as limited availability of Single Room Occupancy housing, the high cost of rental housing, the prevalence of mental illness, substance abuse and unemployment; and

WHEREAS, The Open Shelter has made significant strides in an effort to eliminate homelessness and has served over 20,000 different men since 1983; and

WHEREAS, The Open Shelter has remained steadfast and committed to its mission of providing emergency shelter and assistance for homeless and marginally housed persons in Central Ohio, especially the most vulnerable among them; now, therefore,

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

That this Council does hereby honor and recognize The Open Shelter on their 20th Anniversary and we encourage the community to learn more about homelessness and the factors which cause and perpetuate it.

Legislation Number: 021X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To offer the support of The Council of the City of Columbus for the application being submitted by the Recreation and Parks Department to the Ohio Department of Natural Resources for a Clean Ohio Trail Funds grant in the amount of \$148,000.

Body

Whereas, the Ohio Department of Natural Resources is accepting applications for grant funding from the Clean Ohio Trails Fund; and

Whereas, the Recreation and Parks Department wishes to apply for said funding for development of the Alum Creek Trail---Nelson Park to Fifth Avenue; and

Whereas, its in the best interest of the Recreation and Parks Department to apply for said grant for the preservation of public health, peace, property, and safety; now, therefore

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

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to submit a grant application in the amount of \$ 148,000 to the Ohio Department of Natural Resources for the Clean Ohio Trail Funds and that the Recreation and Parks Department would provide matching funds in the amount of \$164,000 from the voted bond package.

Section 2. That this resolution of support is for an application only and is not a commitment to expend City funds. Future legislation to authorize and accept the grant is required before the City will obligate its funds.

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

Legislation Number: 022X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

Title

To honor and recognize Cynthia Lee on her retirement and for her 31 years of service to the City of Columbus Recreation and Parks Department

WHEREAS, Cynthia Lee began her service with the Columbus Recreation and Parks Department in October 1972; and,

WHEREAS, Cynthia has worked in a variety of roles with the department including Recreation Leader, Recreation Center Director, and Recreation Administrative Manager; and,

WHEREAS, In her many roles with the department, she has been responsible for teaching activities which included aerobics, gymnastics, arts and crafts, track and field, basketball, softball, modern dance, group games, table games and she was a certified boxing judge. She also was instrumental in developing the Cracker Jack "Children's Run for Fun" in conjunction with the Columbus Marathon which involved over 1100 participants. In addition, she administered the city-wide gymnastics committee and the cheer and dance committee; and,

WHEREAS, Cynthia created the "Kids Discover Fitness" which is now known as the "School's Out" Program for which she provides all registration, staff training and program implementation during Columbus Public Schools' Spring, Summer and Winter breaks; and,

WHEREAS, Cyntia has been the Recreation and Parks "Employee of the Month" three times throughout her career. In 1991, under her leadership the Recreation and Parks Department increased the previous year's donation goal to Operation Feed by 100 percent; and,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: That this Council does hereby honor and recognize Cynthia Lee on her retirement and for her 31 years of service to the City of Columbus Recreation and Parks Department.

BE IT FURTHER RESOLVED: That a copy of this resolution be presented to Cynthia Lee as a token of our esteem.

Legislation Number: 023X-2004

Drafting Date: 01/23/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

Title

To honor and recognize Rick Ewing on his retirement and for his 36 years of service to the City of Columbus Recreation and Parks Department

Body

WHEREAS, Rick Ewing began his service with the Columbus Recreation and Parks Department in June of 1968; and,

WHEREAS, Rick has worked as a Playground Leader I and as a Recreation Center Director; and

WHEREAS, throughout the years, Rick has always loved working at the "grassroots" level within the communities he has served; and,

WHEREAS, during his tenure with the department, he also served as the Director of the Columbus Marathon Children's Run for Fun and Assistant Director of the Ohio Hershey Youth Track Program; and,

WHEREAS, throughout his career, Rick, also coordinated special programs in track, the Hershey state and international meets, Junior Nationals, International Junior Games and the Columbus Gus Macker 3-on-3 basketball tournament and the city-wide youth baseball program; and,

WHEREAS, the City of Columbus and the staff of the Recreation and Parks Department will miss the commitment to its citizens that Rick has shown over the years; and,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: That this Council does hereby honor and recognize Rick Ewing on his retirement and for his 36 years of service to the City of Columbus Recreation and Parks Department

BE IT FURTHER RESOLVED: that a copy of this Resolution be presented to Rick Ewing as a token of our esteem.

Legislation Number: 024X-2004

Drafting Date: 01/26/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To honor and recognize Connie Coughenour on her retirement and for her 31 years of service to the City of Columbus Recreation and Parks Department

WHEREAS, Connie Coughenour began her service with the Columbus Recreation and Parks Department in the summer of 1972; and,

WHEREAS, Connie began her career life guarding at the Columbus Swim Center and Sunshine Pool. She also worked at the marina, in special events, adult sports and community recreation; and,

WHEREAS, During her career with the Recreation and Parks Department, Connie began an aquatic exercise program; organized a fitness camp during spring break; secured thousands in grant dollars for fitness equipment at Beatty Recreation center; began a teen program and teen council and developed a teen success work training program; and,

WHEREAS, the City of Columbus and the staff of the Recreation and Parks Department will miss the commitment to its citizens that Connie has shown over the years; and,

WHEREAS, the Columbus City Council hereby wishes to extend its sincere thanks and appreciation for a job well done; and,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: That this Council does hereby recognize Connie Coughenour on her retirement and for her 31 years of service to the City of Columbus Recreation Department.

BE IT FURTHER RESOLVED: that a copy of this Resolution be presented to Connie as a token of our esteem.

Legislation Number: 025X-2004

Drafting Date: 01/26/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To honor and recognize Sam Greer on his retirement and for his 26 years of service to the City of Columbus and the Recreation and Parks Department

Body

WHEREAS, Sam Greer began his service with the City of Columbus in 1977 with the Facilities Management Department; and,

WHEREAS, Sam began his service with Recreation and Parks in 1986 and worked in a variety of roles from Community Recreation to the Davis Center; and,

WHEREAS, Sam taught silk screen classes for teens, created dozens of posters for Park Playhouse, Davis Dance Ensemble and Children's Drama Company productions and designed the class catalog covers as well as being a camp leader; and,

WHEREAS, the City of Columbus and the staff of the Recreation and Parks Department will miss the commitment to its citizens that Sam has shown over the years; and,

WHEREAS, the Columbus City Council hereby wishes to extend its sincere thanks and appreciation for a job well done; and,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: That this Council does hereby recognize Sam Greer on his retirement and for his 18 years of service to the City of Columbus Recreation Department.

BE IT FURTHER RESOLVED: that a copy of this Resolution be presented to Sam as a token of our esteem.

Legislation Number: 026X-2004

Drafting Date: 01/26/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To honor and recognize Robert O. Smith on his retirement and for his 32 years of service to the City of Columbus Recreation and Parks Department

Body

WHEREAS, Robert began his service with the Columbus Recreation and Parks Department in October 1971; and,

WHEREAS, Robert has worked in many capacities throughout his career with the Recreation and Parks Department; and,

WHEREAS, throughout the years Robert has coordinated a variety of community-wide programs ranging from the gymnastics program in Community Recreation to the Gus Macker tournaments, 50 plus and 60 plus basketball programs and the Creative Arts event; and,

WHEREAS, Robert has worked with a variety of staff and community groups and brought out the best in all. His smile, energy and warmth will be missed; and,

WHEREAS, the City of Columbus and the staff of the Recreation and Parks Department will miss the commitment to its citizens that Rick has shown over the years; and,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: that this Council does hereby honor and recognize Robert O. Smith on his retirement and for his 32 years of service to the City of Columbus Recreation and Parks Department.

BE IT FURTHER RESOLVED: that a copy of this Resolution be presented to Robert O. Smith as a token of our esteem.

Legislation Number: 2308-2003

Drafting Date: 10/06/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This Ordinance grants an exception from the street lighting requirements of Chapter 1165 of the Columbus City Codes, 1959, to The Ohio State University for street lighting improvements for Lane Avenue from Pearl Alley to the east side of the Lane Avenue/Olentangy bridge structure; and from the west side of the Lane Avenue/Olentangy bridge structure to approximately 900' west. The Ohio State University agrees to comply with the requirements of Chapter 1165 of the Columbus City Codes, 1959, except for the style of streetlights.

This ordinance also authorizes the Director of Public Utilities to enter into a maintenance agreement with The Ohio State University. The Ohio State University has agreed to maintain a supply of poles, light fixtures and related material for the use of the Division of Electricity at no cost to the City of Columbus.

FISCAL IMPACT: Not applicable

Title

To grant an exception from the street lighting requirements of Chapter 1165 of the Columbus City Codes, 1959, to The Ohio State University for Lane Avenue from Pearl Alley to the east side of the Lane Avenue/Olentangy bridge structure and from the west side of the Lane Avenue/Olentangy bridge structure to approximately 900' west; and to authorize the Director of Public Utilities to enter into an agreement with The Ohio State University for the maintenance of said lighting. (\$0)

Body

WHEREAS, Chapter 1165 of the Columbus City Codes, 1959, requires the developer of commercial and residential property to install streetlights along the public right-of-ways at locations to be determined by the Division of Electricity; and

WHEREAS, The Ohio State University has requested that the streetlights installed on Lane Avenue from Pearl Alley to the east side of the Lane Avenue/Olentangy bridge structure and from the west side of the Lane Avenue/Olentangy bridge structure to approximately 900' west be of the same pole and light fixture style as the area lights within the Ohio State campus; and

WHEREAS, The Ohio State University has agreed to the purchase and storage of extra "OSU Style" poles, lights and associated material for the use of the Division of Electricity to perform maintenance per a signed maintenance agreement between the Ohio State University and the City of Columbus, Department of Public Utilities; and

WHEREAS, the granting of this exception will not adversely affect the surrounding properties of the surrounding neighborhoods; and

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Ohio State University is hereby granted an exception allowing the "OSU Style" streetlight pole to be installed in the public right-of-way of Lane Avenue from Pearl Alley to the east side of the Lane Avenue/Olentangy bridge structure and from the west side of the Lane Avenue/Olentangy bridge structure to approximately 900' west; without compliance with the requirements of installation of street lighting as set forth in Chapter 1165 of the Columbus city Codes, 1959.

SECTION 2. That this Ordinance is conditioned upon The Ohio State University signing a Maintenance Agreement with the City of Columbus, Department of Public Utilities agreeing to the purchase and storage of extra "OSU Style" poles, light fixtures and associated materials for the use of the Division of Electricity for maintenance and at no cost to the City of Columbus.

SECTION 3. That this Ordinance is further conditioned upon The Ohio State University complying with the requirements of 1165 of the Columbus City Codes, 1959, except for the style of streetlight.

SECTION 4. That the Director of Public Utilities is hereby authorized to enter into an agreement with The Ohio State University for the Division of Electricity to perform maintenance of the "OSU Style" streetlighting on Lane Avenue with materials to be provided and stored by The Ohio State University.

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

Legislation Number: 2538-2003

Drafting Date: 11/13/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health has been awarded funds from the Ohio Department of Health for the TB Control/Prevention Program grant for the period January 1, 2004 through December 31, 2004. The TB Control/Prevention Program identifies persons with active TB disease to ensure that they complete an appropriate regimen of anti-TB medications; and identifies contacts to persons with active TB to ensure that they receive appropriate follow-up evaluation with treatment for identified disease or latent TB infection. This ordinance will authorize the acceptance and appropriation of \$121,214 in grant money to fund the TB Control/Prevention Program. Emergency action is requested to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

FISCAL IMPACT: This program is entirely funded by the Ohio Department of Health and is budgeted in the 2004 Health Department Grants Fund. This grant will not generate revenue or require a City match.

Title

To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$121,214; to authorize the appropriation of \$121,214 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$121,214)

Body

WHEREAS, \$121,214 in grant funds have been made available through the Ohio Department of Health for the TB Control/Prevention Program; and,

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

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept 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 \$121,214 from the Ohio Department of Health for the TB Control/Prevention Program for the period January 1, 2004 through December 31, 2004.

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 twelve months ending December 31, 2004, the sum of \$121,214 is hereby appropriated to the Health Department, Department No. 50-01, as follows:

Object			
Level One	OCA Code	Purpose	Amount
01	504004	Personal Services	\$120,704.00
02	504004	Supplies	510.00
Total for Grant No. 504004			\$121,214.00

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

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

Legislation Number: 2557-2003

Drafting Date: 11/14/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN03-029BACKGROUND: This ordinance is submitted to present to Council the transcript of proceedings and papers relating to Annexation AN03-029 a certain petition for annexation as described in the ordinance and transcript which is attached hereto. More than sixty days have elapsed since October 27, 2003, the date of receipt from the Board of County Commissioners of Franklin County. These are submitted in accordance with the Ohio Revised Code. **FISCAL IMPACT:** Provision of municipal services for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

Title

To accept the application (AN03-029) of Ruth Ames for the annexation of certain territory containing 4.794 ± Acres in Franklin & Jackson Townships.

Body

WHEREAS, a petition for the annexation of certain territory in Franklin & Jackson Townships was duly filed by Ruth Ames on September 17, 2003; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated October 21, 2003; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on October 27, 2003; and

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

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Ruth Ames being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio September 17, 2003 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated October 21, 2003, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Townships of Franklin and Jackson, being in Virginia Military Survey No. 1389 and 2442 and being all of the 4.794 acre residue of that 5 acre tract of land described in Exhibit AA@ in the deed to Ruth Ames, of record in Official Record 32197A06, Recorder=s Office, Franklin County, Ohio, said 4.794 acre area of land being more particularly described as follows:

Beginning at a southwesterly corner of the existing City of Columbus Corporation boundary as established by City of Columbus Ordinance No. 0665-01 and described in Instrument No. 200104040069563, the same being in the northerly existing City of Columbus Corporation Line as the same was established by City of Columbus, Ohio Ordinance No. 15-00 and described in Instrument No. 200003170052270, said beginning point being in the northerly line of Lot 96 as the same is numbered and delineated upon the recorded plat of Alkire Place Section Two, of record in Plat Book 100, Pages 22 and 23, all being of record in the Recorder=s Office, Franklin County, Ohio, and being the southeasterly corner of said 4.794 acre residue tract;

Thence westwardly, with said existing City of Columbus Corporation Line (Ordinance No. 15-00), with the southerly line of said 4.794 acre residue tract and with the northerly line of said Alkire Place Section Two, a distance of 117 feet, more or less, to the southwesterly corner of said 4.794 acre residue tract;

Thence northwardly, with the westerly line of said 4.794 acre residue tract, a distance of 1777 feet, more or less, to a point in a curve in the southerly right-of-way line of Alkire Road at the southwesterly corner of that 0.207 acre tract of land designated as PARCEL NO. 27WD and described in the deed to the County of Franklin, of record in Deed Book 3449, Page 344, Recorder=s Office, Franklin County, Ohio;

Thence eastwardly, with a southerly right-of-way line of said Alkire Road and with the southerly line of said 0.207 acre tract, the same being the arc of a curve to the right, having a radius of 1392.39 feet, a chord distance of 119 feet, more or less, to the southeasterly corner of said 0.207 acre tract in the easterly line of said 4.794 acre residue tract;

Thence southwardly, with the easterly line of said 4.794 acre tract, crossing a northwesterly corner of said City of Columbus Corporation Line (Ordinance No. 0065-01) at a distance of 352 feet, more or less, a total distance of 1803 feet, more or less, to the point of beginning and containing 4.794 acres of land, more or less, of which 0.9 acre, more or less, is in Franklin County and 3.8 acres, more or less, are in Jackson Township.

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

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

Legislation Number: 2572-2003

Drafting Date: 11/17/2003

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to modify contracts with the Superior Electric Company and Camp, Dresser and McKee, Inc., in connection with the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project. This legislation will additionally amend the 2003 Capital Improvements Budget; authorize the appropriation, transfer and expenditure of funds from the Sewerage System Reserve Fund to the Ohio Water Pollution Control Loan Fund.

This project is one of the largest and most comprehensive upgrades to the City's Southerly and Jackson Pike Wastewater Treatment Plants. When completed, this project will provide a centralized monitoring, control, energy management, and data collection system in each of these plants. Due to the age and complexity of the plants existing electrical and control systems, it has become necessary to adjust the scope of the work to address these changes in order to effectively continue the project.

2. CONSTRUCTION CONTRACT MODIFICATION:

The Superior Electric Company modification amount requested under this ordinance is \$1,723,000.00. The contract total including this modification is \$10,628,600.00. These additional funds are necessary to provide for the additional expenses that have been incurred due to increased upgrades to existing electrical infrastructure; the addition of control systems to the Whittier St. Storm Tanks; training for Division network personnel; and miscellaneous services required to address identified deficiencies in existing electrical and control systems. Due to the complex and comprehensive nature of this project, this additional work could not be foreseen, and it is not practical or feasible to undertake a new procurement to deliver these services.

3. PROFESSIONAL ENGINEERING SERVICES CONTRACT MODIFICATION:

The Camp, Dresser and McKee modification amount requested under this ordinance is \$565,711.00. The contract total including this modification is \$11,895,124.00. The purpose of their original contract was to provide engineering services for the overall design and implementation of the comprehensive instrumentation and control system for the Jackson Pike and the Southerly Wastewater Treatment Plants. The Division has determined that these services cannot be performed by city personnel at this time, and has planned for the procurement of these services on a routine basis. The cost of these services is consistent with those provided for under the existing agreement.

Title

To authorize the Director of Public Utilities to modify contracts with the Superior Electric Company and Camp Dresser and McKee, Inc. in connection with the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project; to authorize the appropriation, transfer and expenditure of \$2,288,711.00 from the Sewerage System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to amend the 2003 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$2,288,711.00)

Body

WHEREAS, Contract No. EL001712 was authorized by Ordinance No. 1698-01, as passed by Columbus City Council on October 15, 2001, for purposes of authorizing the Director of Public Utilities to execute a construction contract with the Superior Electric Company for purposes of providing the construction services associated with the plant wide process control system, system start-up, testing, commissioning, and operation instruction and training at both the Jackson Pike Wastewater Treatment Plant and the Southerly Wastewater Treatment Plant, in connection with the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project; and

WHEREAS, Contract No. CT17992 was authorized by Ordinance No. 250-97, as passed by Columbus City Council on February 10, 1997, for purposes of providing engineering services in connection with the aforementioned project; and

WHEREAS, Division of Sewerage and Drainage engineering personnel have determined it necessary to modify the contract with the Superior Electric Company, Inc., in order to provide for the payment of additional services related to increased expenses incurred due to extensive electrical evaluation of existing infrastructure and for additional design and installation services that are necessitated to ensure the successful completion of the process control system improvements phase of the aforementioned wastewater treatment plants capital improvements project; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have further determined it necessary to modify the professional engineering services contract with Camp Dresser and McKee, Inc., in order to provide the additional design and engineering services that were required as a direct result of the increased electrical work performed under the separate contract with the Superior Electric Company as referenced above; and

WHEREAS, it is immediately necessary to amend the 2003 Capital Improvements to provide sufficient authority for increasing a capital project account; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting this Council to authorize modifications to the contracts with the Superior Electric Company, and Camp Dresser and McKee, which are necessary to ensure the continuation of the services required to successfully complete the process control system upgrades of both the Jackson Pike and Southerly Wastewater Treatment Plants, at the earliest practicable date; now, therefore,

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

Section 1. That from the unappropriated monies in the Sewerage System Reserve Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2003, the sum of \$2,288,711.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05, Object Level One 10, Object Level Three 5502, OCA Code 901553.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$2,288,711.00 to the Ohio Water Pollution Control Loan Fund No. 666, into the WWTF Instrumentation & Control System Upgrade Project No. 650348, at such time as deemed necessary by him, and to expend said funds, or

so much thereof as may be necessary.

Section 3. That the expenditure of \$2,288,711.00 is hereby appropriated for the WWTF Instrumentation & Control System Upgrade Project| Project No. 650348; within the Ohio Water Pollution Control Loan Fund No. 666| Division 60-05| OCA Code No. 651348| \$2,288,711.00.

Section 4. That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewerage System Fund the amount transferred under Section 2, above, and said funds are hereby deemed appropriated for such purpose.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds transferred under Section 2, above.

Section 6. That the Director of Public Utilities be and hereby is, authorized to execute a construction contract modification in the amount of \$1,723,000.00, with the Superior Electric Company, 1025 Dublin Road, Columbus, Ohio 43215, in connection with the for construction of the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project, in order to provide for additional issues and services that have been identified in accordance with the terms and conditions as shown on the Modification on file in the office of the Division of Sewerage and Drainage.

Section 7. That the Director of Public Utilities be and hereby is authorized execute a contract modification for professional engineering services in the amount of \$565,711.00, with Camp, Dresser & McKee, 8800 Lyra Drive, Columbus, Ohio 43240, for the Wastewater Treatment Facilities Instrumentation and Control System Upgrade Project, in accordance with the terms and conditions as shown in the modification agreement on file in the General Engineering Section of the Division of Sewerage and Drainage.

Section 8. That for the purpose of paying the cost of the construction contract modification and the professional engineering services contract modification, the expenditure of \$2,288,711.00, or as much thereof as may be needed, is hereby authorized to as follows from the Ohio Water Pollution Control Loan Fund No. 666; Division 60-05; OCA Code 651348:
Superior Electric Company, Inc.| \$1,723,000.00| Obj. Level 3: 6624
Camp Dresser and McKee, Inc.| \$565,711.00| Obj. Level 3: 6678

Section 9. That the 2003 Capital Improvements Budget Ordinance No. 1943-03 is hereby amended as follows, in order to provide sufficient budget authority for the execution of the construction and professional engineering services contract modifications referenced in the preamble hereto:

CURRENT:
650348| WWTF Instrumentation and Control System Upgrade-\$328,197
650491| Big Walnut Augmentation-Rickenbacker Interceptor-\$118,402,067

TO:
650348 WWTF Instrumentation and Control System Upgrade-\$2,452,979
650491| Big Walnut Augmentation-Rickenbacker Interceptor-\$116,277,285 (-\$2,124,782)

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 2575-2003

Drafting Date: 11/17/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health has been awarded a grant from the Ohio Department of Health. This ordinance is needed to accept and appropriate \$338,165 in grant money to fund the Immunization Action Plan grant program. The IAP program will enable the Columbus Health Department to ensure that critical elements of vaccine provided and the vaccine delivery system are adequate; to establish and maintain a high level of awareness and demand for immunizations by parents, particularly racial/ethnic minority parents and other under-served population groups; and to accurately measure the ability of local vaccine providers to raise immunizations levels in children under the age of two toward the goal of 90% coverage. This grant is for the period January 1, 2004 through December 31, 2004. Emergency action is requested to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

FISCAL IMPACT: This program is entirely funded by the Ohio Department of Health and is budgeted in the 2004 Health Department Grants Fund. This grant will not generate revenue or require a City match.

Title

To authorize and direct the Board of Health to accept a grant from the Ohio Department of Health in the amount of \$338,165; to authorize the appropriation of \$338,165 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$338,165.00)

Body

WHEREAS, \$338,165 in grant funds have been made available through the Ohio Department of Health for the Immunization Action Plan (IAP) grant program; and,

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

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant from the 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 \$338,165 from the Ohio Department of Health for the IAP program for the period January 1, 2004 through December 31, 2004.

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, 2004, the sum of \$338,165 is hereby appropriated to the Health Department, Department No. 50-01, as follows:

Object	Level One OCA Code	Purpose	Amount
01	504006	Personnel Services	\$315,165
02	504006	Supplies-Operation & Maintenance	\$ 8,000
03	504006	Services-Operation & Maintenance	\$ 15,000
Total for Grant No. 504006			\$338,165

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

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

Legislation Number: 2585-2003

Drafting Date: 11/18/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN03-036BACKGROUND: This ordinance is submitted to present to Council the transcript of proceedings and papers relating to Annexation AN03-036 a certain petition for annexation as described in the ordinance and transcript which is attached hereto. More than sixty days have elapsed since November 10, 2003, the date of receipt from the Board of County Commissioners of Franklin County. These are submitted in accordance with the Ohio Revised Code. FISCAL IMPACT: Provision of municipal services for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

Title

To accept the application (AN03-036) of Community Housing Network, Inc. for the annexation of certain territory containing 2.904 ± Acres in Franklin Township.

Body

WHEREAS, a petition for the annexation of certain territory in Franklin Township was duly filed by Community Housing Network, Inc. on September 25, 2003; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated November 4, 2003; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on November 10, 2003; and

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

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Community Housing Network, Inc. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio September 25, 2003 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated November 4, 2003, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, being part of Virginia Military Survey No.'s 717 and 971, part of the 2.359 and 0.775 Acre tracts conveyed to the Community Housing Network, Inc (Instr. No. 200309160296016), Recorder's Office, Franklin County, Ohio (all references made are of said Recorder's Office, unless otherwise noted) and being more particularly described as follows:

Beginning at the northeast corner of said 2.359 Acre tract, the southeast corner of the Donald Green 0.5 Acre tract, in the west line Lot 42 of Autumn Village Section II (Plat Book 78, Page 85) and in an existing City of Columbus Corporation Line, as established by Ordinance Number 371-72, of record in Miscellaneous Record 138, Page 617;

Thence, along an easterly line of said 2.359 Acre tract, part of the west line of said Lot 42, the west line of Lot 43 of said Autumn Village Section II, the west line of Lot 61 of Autumn Village Section III (Plat Book 81, Page 65), the westerly lines of Lot 62, 63 and part of 64 of said Autumn Village Section III, along said Corporation Line, the following three (3) courses;

1. South 13° 50' 26" West, approximately 154.26 feet;
2. South 67° 32' 38" West, approximately 30.40 feet;
3. South 13° 50' 26" West, approximately 137.52 feet, to the southeast corner of said 2.359 Acre tract, the northeast corner of the Cindy S. Hunter 1.041 Acre tract;

Thence, along part of the south line of said 2.359 Acre tract, the north line of said 1.041 Acre tract, North 59° 01' 41" West, approximately 455.59 feet to a point in the east Right of Way of Harrisburg Pike (60 feet wide);

Thence, along the east Right of Way of said Harrisburg Pike, across said 2.359 Acre tract and said 0.775 Acre tract, North 32° 55' 00" East, approximately 303.33 feet to a point in the north line of said 0.775 Acre tract and the south line of said 0.5 Acre tract;

Thence, along part of the north line of said 0.775 Acre tract, the north line of said 2.359 Acre tract, part of the south line of said 0.5 Acre tract, South 59° 02' 31" East, approximately 377.46 feet, to the place of beginning CONTAINING APPROXIMATELY 2.904 ACRES.

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

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

Legislation Number: 2593-2003

Drafting Date: 11/19/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN03-026BACKGROUND: This ordinance is submitted to present to Council the transcript of proceedings and papers relating to Annexation AN03-026 a certain petition for annexation as described in the ordinance and transcript which is attached hereto. More than sixty days have elapsed since October 24, 2003, the date of receipt from the Board of County Commissioners of Delaware County. These are submitted in accordance with the Ohio Revised Code.FISCAL IMPACT:Provision of municipal services for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

Title

To accept the application (AN03-026) of Sharon L. Goodburn, et al. for the annexation of certain territory containing 10.912 ± Acres in Orange Township.

Body

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed by Sharon L. Goodburn, et al. on September 2, 2003;

and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Delaware County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated October 6, 2003; and

WHEREAS, the Board of County Commissioners of Delaware County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on October 24, 2003; and

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

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Sharon L. Goodburn, et al. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Delaware County, Ohio September 2, 2003 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated October 6, 2003, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Delaware, Township of Orange, being located in Farm Lots 15 and 21, Section 4, Township 3, Range 18, United States Military Lands and being all out of those tracts as conveyed to Sharon L. Goodburn by deed of record in Official Record 73, Page 1330, Gary Lee and Kimberly Lyn Ward by deed of record in Official Record 74, Page 729 and Jeffrey D. Jordan by deed of record in Deed Book 559, Page 670 (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and described as follows:

Beginning at a point marking the intersection of the southerly right-of-way line of East Powell Road with the easterly line of that subdivision entitled "Prestwick Green Section 1" of record in Plat Cabinet 2, Slides 531, 531A and 531B, being in the existing City of Columbus Corporation Line as established by Ordinance Number 1036-00 and of record in Cabinet 2, Slide 402;

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

South 88° 19' 25" East, a distance of 83.60 feet to a point;

South 02° 41' 06" West, a distance of 15.25 feet to a point on the arc of a curve to the right; and

southeasterly, with the arc of said curve (Delta = 12° 02' 32", Radius 1592.02 feet) a chord bearing and distance of South 81° 17' 37" East, 333.99 feet to a point in the westerly line of that 8.290 acre tract as conveyed to Powell Road South, Ltd. by deed of record in Official Record 240, Page 2401, being in the existing City of Columbus Corporation Line as established by Ordinance Number 819-01 and of record in Cabinet 3, Slide 9;

thence South 01° 12' 38" West, with said corporation line (Ordinance Number 819-01) being the westerly line of said 8.290 acre tract, a distance of 917.88 feet to a point in the common line of said Farm Lots 15 and 21;

thence South 00° 03' 15" West, continuing with said corporation line being said westerly line, a distance of 196.07 feet to the northeasterly corner of that 27.985 acre tract as conveyed to Powell Road South, Ltd. by deed of record in Official Record 24, Page 2003, being in the existing City of Columbus Corporation Line (Ordinance Number 1036-00);

thence North 88° 19' 25" West, with said corporation line (Ordinance Number 1036-00) being the northerly line of said 27.985 acre tract, a distance of 418.31 feet to a southeasterly corner of that subdivision entitled "Prestwick Green Section 2, Part 1" of record in Plat Cabinet 2, Slides 649 and 649A;

thence North 01° 12' 38" East, continuing with said corporation line (Ordinance Number 1036-00), being the easterly line of said "Prestwick Green Section 2, Part 1" and the easterly line of said "Prestwick Green Section 1," a distance of 1170.00 feet to the Point of Beginning, and containing 10.912 acres of land, more or less.

The total perimeter of annexation for this description is 3135.7 feet, of which 2702.2 feet is contiguous with the City of Columbus Municipality (Ordinance Numbers 819-01 and 1036-00) giving 86% perimeter contiguity. This annexation does not create any unincorporated islands.

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

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

Legislation Number: 2633-2003

Drafting Date: 11/24/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

November 24, 2003

TO THE HONORABLE MEMBERS OF CITY COUNCIL:

Background: Passage of this Ordinance will enable the Municipal Court Clerk to pay the Court receivables collections manager from the Clerk Collection Fee Special Revenue Fund, thus eliminating a potential staff lay-off in 2004. This manager had been previously paid from the General Fund. Emergency declaration is requested.

Fiscal Impact: Sufficient funds are available in the cash balance of the Collection Fee Fund.

Title

To authorize an appropriation from the unappropriated balance of the Clerk's Collection Fee Special Revenue Fund and from all monies estimated to come into said fund during the 12 months ending December 31, 2004 in an amount of \$73,650.00 and to declare an emergency. (\$73,650.00)

Body

Whereas, in order to relieve General Fund costs it is necessary to pay the Court receivables collections manager from the Clerk Collection Fee Special Revenue Fund, and

Whereas, it is necessary to appropriate funds for this purpose, and

Whereas, an emergency exists in the usual daily operation of the Court in that it is immediately necessary to appropriate these funds for use by the Court Clerk 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 sum of \$73,650.00 is hereby authorized and directed to be appropriated from the unappropriated balance in the Clerk Collection Fee Special Revenue Fund, Fund 295, SubFund 02, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, to the Municipal Court Clerk, Department 2601, OCA Code 261295, Object Level One 01, Object Level Three as follows:

1101	\$49,500.00
1104	650.00
1105	1,670.00
1121	4,350.00
1150	6,655.00
1160	6,950.00
1171	775.00
1173	3,100.00

Section 2. That the monies appropriated in the foregoing Section I shall be paid upon the order of the Municipal Court Clerk and that no order shall be drawn or money paid except upon voucher, the form of which shall be approved by the City Auditor.

Section 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 affect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 2634-2003

Drafting Date: 11/24/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Division of Water entered into a contract with Darby Creek Excavating Inc., for Fire Hydrant Upgrades - 2002 on July 29, 2002 under the authority of Ordinance No. 0840-02 passed June 10, 2002.

CONTRACT AMOUNT:	Original Contract Amount	\$408,831.33
First Modification		\$180,000.00
This Modification		\$140,000.00
New Contract Amount		\$728,831.33

CONTRACT COMPLIANCE NUMBER: 31-1345111

EXPLANATION:

1. Amount of additional funds to be expended under this modification: \$ 140,000.00
2. Reasons additional goods/services could not be foreseen initially: This modification provides for the replacement of additional fire hydrants not initially identified as requiring replacement.
3. Reasons other procurement processes are not used: The Standard Construction and Material Specifications of the City of Columbus (C.M.S.C.) provides for alterations in the Contract or character of work as specified in Section 104.02 of the C.M.S.C.
4. How cost increase was determined: The cost of this modification was determined as specified in Section 104.03 (Extra Work) and Section 104.04 (Modification of Contract) of the C.M.S.C.

The original contract provided for Fire Hydrant Upgrades - 2002.

This modification provides for the replacement of additional fire hydrants.

TOTAL AMOUNT OF MODIFICATION NO. 2	INCREASE	\$140,00.00
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FISCAL IMPACT: This project is included in the 2003 C.I.B. and funds are being transferred to provide the monies needed for this project.

Title

To authorize the Director of Public Utilities to modify the contract with Darby Creek Excavating Inc., for Fire Hydrant Upgrades - 2002 for the Division of Water, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the expenditure of \$140,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund. (\$140,000.00)

Body

WHEREAS, Contract No. EA025152-002 was authorized by Ordinance No. 0840-02, passed June 10, 2002, was executed on July 29, 2002 and was approved by the City Attorney on August 12, 2002, and

WHEREAS, it is necessary to modify Contract No. EA025152-002 to provide monies for changes in construction necessitated by actual number of fire hydrants that need to be replaced, and

WHEREAS, in the usual daily operation of the Division of Water, Department of Public Utilities in that it is necessary to authorize the Director of Public Utilities to modify Contract No. EA025152-002 in order to provide for the proper completion of Fire Hydrant Upgrades - 2002 for the preservation of the public health, peace, property, safety and welfare, Now, Therefore;

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

Section 1. That the Director of Public Utilities be and she is hereby authorized to modify Contract No. EA025152-002 with Darby Creek Excavating Inc., 945 Werner Way, Columbus, Ohio 43085 for Fire Hydrant Upgrades - 2002, Division of Water, Contract No. 1011, Project 690236 in accordance with the terms and conditions as shown on the modification on file in the office of the Division of Water.

Section 2. That this contract modification is in accordance with the requirements of Section 329.13 of the Columbus City Code.

Section 3. That any modification made under the provisions of this ordinance must first be authorized by the Director of Public Utilities and a contract modification properly submitted to the City Auditor for certification of funds.

Section 4. That the City Auditor is hereby authorized and directed to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Water, as follows:

From:	690006 Hoover Reservoir Erosion Control, OCA Code 642900	\$140,000.00
To:	690236 Water Main Rehabilitation, OCA Code 642900	\$140,000.00

Section 5. That for the purpose expressed above, the expenditure of \$140,000.00 or as much thereof as may be needed be and the same is authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 642900, Object Level Three 6621, Object Level One 06, Project 690236.

Section 6. 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 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 2681-2003

Drafting Date: 11/28/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

NEED: This legislation authorizes the Director of Public Utilities to modify the contract for construction administration services with Benatec Associates for the East Stanton Avenue Stormwater System Improvements project; to transfer monies within the Storm Sewer Bonds Fund, \$14,483.12; and to amend the 2003 Capital Improvements Budget.

CONSTRUCTION ADMINISTRATION SERVICES MODIFICATION: Construction inspection and administration services are an integral, planned part of the construction process for this project. The services by this consultant were required due to the discontinuation of these services by the Division of Construction Inspection. Only after construction neared completion was it possible to determine the exact cost of these services.

EMERGENCY DESIGNATION: This ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible and to allow for final payment to the consultant.

FISCAL IMPACT: The project for which this legislation requests fund transfer currently has an insufficient balance to allow for the aforementioned expenditure. This transfer does not reflect any changes to the project planned in the 2003 Capital Improvements Budget (CIB). The change is a temporary measure for the project that is being designed or constructed to maintain efficient cash flow within the Stormwater CIB. Funds will be made available for all approved projects as needed.

TRANSFER FROM: 610910, Clintonville Drainage Improvements, \$14,483.12

TRANSFER TO: 610701, East Stanton, \$14,483.12

Current 2003 Capital Improvements Budget Authority
610946, Trentwood/Shadyhill Stormwater System Improvements, \$23,189.00
610701, East Stanton, \$59,069.00

Revised 2003 Capital Improvements Budget Authority
610946, Trentwood/Shadyhill Stormwater System Improvements, \$8,354.00
610701, East Stanton, \$73,904.00

CONTRACT AMOUNT: The new contract amount including this modification is \$260,983.12

Title

To authorize the Director of Public Utilities to modify the contract for construction administration services with Benatec Associates for the East Stanton Avenue Stormwater Systems Improvements project; to authorize an intra-subfund transfer of monies within the Storm Sewer Bonds Fund; to amend the Capital Improvements Budget to accommodate this transaction for the Division of Sewerage and Drainage; to authorize the expenditure of \$14,483.12; and to declare an emergency. (\$14,483.12)

Body

WHEREAS, it is necessary to modify Contract No. EL003173 to authorize the funds required to allow for payment to Benatec Associates for construction administration services for the East Stanton Avenue Stormwater System Improvements project; and

WHEREAS, it is necessary to transfer funds within the Storm Sewer Bonds Fund for the aforementioned costs; and

WHEREAS, this transfer does not adversely affect any project in the 2003 Capital Improvements Budget; 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 funds within the Storm Sewer Bonds Fund and to authorize the Director of Public Utilities to modify the 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 City Auditor is hereby authorized and directed to transfer monies within the Storm Sewer Bonds Fund, Fund 685, Division of Sewerage and Drainage, Division 60-15, as follows:

TRANSFER FROM: 610910, Clintonville Drainage Improvements, \$14,483.12

TRANSFER TO: 610701, East Stanton, \$14,483.12

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

Section 3. That the 2003 Capital Improvements Budget is hereby amended as follows, in order to establish sufficient funding authority:

Current 2003 Capital Improvements Budget Authority
610946, Trentwood/Shadyhill Stormwater System Improvements, \$23,189.00
610701, East Stanton, \$59,069.00

Revised 2003 Capital Improvements Budget Authority
610946, Trentwood/Shadyhill Stormwater System Improvements, \$8,354.00
610701, East Stanton, \$73,904.00

Section 4. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. EL003173 with Benatec Associates, 119 Dillmont Drive, Columbus, Ohio 43235 for construction administration services for the East Stanton Avenue Stormwater System Improvements project in accordance with the terms and conditions of 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 contract modification, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Fund 685, Project 610701, Object Level Three 6682, OCA Code 685701, Amount \$14,483.12.

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

Legislation Number: 2723-2003

Drafting Date: 12/05/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Oaklawn/Piedmont Road Drainage Improvement Project.

Fiscal Impact: Funding for this project is from the Department of Public Utilities, Division of Sewerage and Drainage. Justification:

Emergency action is requested to allow the acquisition of real property necessary to the City project referenced in the background of this ordinance to proceed without delay.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of construction and permanent easements in and to real estate necessary for the Oaklawn/Piedmont Road Drainage Improvement Project, to authorize the expenditure of \$2,065.00 from the Storm Sewer Bonds Fund and to declare an emergency. (\$2,065.00).

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Oaklawn/Piedmont Road Drainage Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 353X-2003, on the 6th day of October, 2003, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That construction and permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Oaklawn/Piedmont Road Drainage Improvement Project, #610840, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the

Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 12-S
PERMANENT STORM SEWER EASEMENT
CONSOLIDATED UTILITIES RAILROAD CORPORATION

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in 1st Quarter of the 1st Township and the 18th Range of the United States Military Lands and being part of a 6.996 acre tract of land conveyed to Consolidated Utilities Railroad Corporation by deed of record in Instrument Number 199806290161477, and being more particularly shown in Exhibit A, attached hereto and made a part hereof, and being more particularly described as follows:

Beginning at a railroad spike found at the intersection of Piedmont Road and Cleveland Avenue, said railroad spike being North 04 degrees 13 minutes 57 seconds East, a distance of 566.05 feet from Franklin County Engineers Monument 5321 found at the intersection of Oakland Park Avenue and said Cleveland Avenue;

- thence South 04 degrees 13 minutes 57 seconds West, with the centerline of Cleveland Avenue, a distance of 42.63 feet to a point on the centerline of Dunbar Drive;
- thence South 86 degrees 28 minutes 16 seconds East, leaving the centerline of Cleveland Avenue and with the centerline of Dunbar Drive, a distance of 1,404.55 feet to a point;
- thence North 66 degrees 48 minutes 02 seconds East, leaving the said centerline of Dunbar Drive, a distance of 25.27 feet to a point on the easterly existing right-of-way of a 20' alley and the westerly existing right-of-way line of an abandoned railroad, said point also being on the grantor's westerly property line and the TRUE POINT OF BEGINNING of the parcel herein described;
- thence North 14 degrees 24 minutes 44 seconds East, with the westerly existing right-of-way of an abandoned railroad and the grantor's westerly property line, a distance of 273.41 feet to a point;
- thence South 75 degrees 35 minutes 16 seconds East, leaving the said northerly existing right-of-way line and the grantor's westerly property line and through the grantor's land, a distance of 5.00 feet to a point;
- thence South 14 degrees 24 minutes 44 seconds West, continuing through the grantor's land, a distance of 273.41 feet to a point;
- thence North 75 degrees 35 minutes 16 seconds West for a distance of 5.00 feet to the TRUE POINT OF BEGINNING.

Containing 1,367.0 square feet or 0.031 acres, more or less, within the Franklin County Auditors' Parcel No. 130-000075.
All references herein are to records in the Recorders' Office, Franklin County, Ohio.

The bearings in this description are based on the State Plane Coordinate System, Ohio South Zone, NAD 83 (1986 Adjustment), which were determined by GPS observations conducted by the Franklin County Engineer's Office and by occupying Franklin County Geodetic Survey monuments 5321 and Frank 164.

Steven L. Lamphear, Registered Surveyor Number 7876, and is based upon a field survey of front R/W pins found, found centerline of the existing roadway monuments, and recorded deed descriptions.

PARCEL 12-T
TEMPORARY CONSTRUCTION EASEMENT
CONSOLIDATED UTILITIES RAILROAD CORPORATION

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in 1st Quarter of the 1st Township and the 18th Range of the United States Military Lands and being part of a 6.996 acre tract of land conveyed to Consolidated Utilities Railroad Corporation by deed of record in Instrument Number 199806290161477, and being more particularly shown in Exhibit A, attached hereto and made a part hereof, and being more particularly described as follows:

Beginning at a railroad spike found at the intersection of Piedmont Road and Cleveland Avenue, said railroad spike being North 04 degrees 13 minutes 57 seconds East, a distance of 566.05 feet from Franklin County Engineers Monument 5321 found at the intersection of Oakland Park Avenue and said Cleveland Avenue;

- thence South 04 degrees 13 minutes 57 seconds West, with the centerline of Cleveland Avenue, a distance of 42.63 feet to a point on the centerline of Dunbar Drive;
- thence South 86 degrees 28 minutes 16 seconds East, leaving the centerline of Cleveland Avenue and with the centerline of Dunbar Drive, a distance of 1,404.55 feet to a point;
- thence North 66 degrees 48 minutes 02 seconds East, leaving the said centerline of Dunbar Drive, a distance of 25.27 feet to a point on the easterly existing right-of-way of a 20' alley, on the westerly existing right-of-way line of an abandoned railroad and on the grantor's westerly property line;
- thence South 75 degrees 35 minutes 16 seconds East, a distance of 5.00 feet to a point, said point being the TRUE POINT OF BEGINNING of the parcel herein described;
- thence North 14 degrees 24 minutes 44 seconds East, through the grantor's land, a distance of 273.41 feet to a point;
- thence North 75 degrees 35 minutes 16 seconds West, a distance of 5.00 feet to a point, said point being on the said existing right-of-way line and the said westerly property line;
- thence North 14 degrees 24 minutes 44 seconds East, with the said existing right-of-way line and the said westerly property line, a distance of 40.00 feet to a point;
- thence South 75 degrees 35 minutes 16 seconds East, leaving the said existing right-of-way line and the said westerly property line, a distance of 35.00 feet to a point;
- thence South 14 degrees 24 minutes 44 seconds West, a distance of 49.81 feet to a point;
- thence South 75 degrees 35 minutes 16 seconds East, a distance of 31.01 feet to a point on the easterly existing right-of-way of said abandoned railroad and the grantor's easterly property line;
- thence South 14 degrees 24 minutes 44 seconds West, with the easterly existing right-of-way line and the easterly property line, a distance of 263.60 feet to a point;
- thence North 75 degrees 35 minutes 16 seconds West, a distance of 61.01 feet to the TRUE POINT OF BEGINNING.

Containing 17,776.7 square feet or 0.408 acres, more or less, within the Franklin County Auditors' Parcel No. 130-000075.
All references herein are to records in the Recorders' Office, Franklin County, Ohio.

Steven L. Lamphear Registered Surveyor No. 7876

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

Section 3. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be Two Thousand Sixty Five Dollars (\$2,065.00).

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 5. That the expenditure of \$2,065.00, or so much thereof as may be necessary for the Oaklawn/Piedmont Road Drainage Improvement Project, #610840, from the Storm Sewer Bonds Fund, Fund #685, OCA Code 685001, Object Level Three, 6601, Auditor's Certificate No. 020488, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

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

Legislation Number: 2739-2003

Drafting Date: 12/16/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the employee insurance programs in accordance with the negotiated labor contracts, appropriation is necessary for the continuation of all employee benefits programs. To determine the amounts necessary for the annual appropriation, current utilization and projected future claims were analyzed and trended on the basis of a three-year average of actual city utilization in conjunction with industry trends, as well as actuarial services. The appropriation included 2004 budgeted amounts, employee premium contributions and COBRA premium deposits.

FISCAL IMPACT: Claims costs and administrative fees for 2003 and are estimated at \$62,108,309. A total of \$62,937,818.00 is projected to be required for 2004.

These funds are needed to cover the costs of the City employee insurances.

Appropriation is being made to the following programs:

Medical Plan (including COBRA)	37,700,723
Dental Plan	7,120,952
Life Plan	831,811
Disability Plan	2,353,092
Vision Plan	1,062,401
Prescription Drug Plan	13,868,839
TOTAL	62,937,818.00

Title

To make appropriations for the 12 months ending January 31, 2005 for the funding of the City employee insurance programs, and to declare an emergency. (\$62,937,818.00)

Body

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to appropriate funds for the City's various employee insurance programs to ensure continued employee insurance coverage thereby preserving the public peace, property, health, safety and welfare;

Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO

SECTION 1. That from the monies in and from all monies estimated to come into the Employee Benefits Fund 502, from any and all sources during the 12 months ending January 31, 2005, the following appropriations are hereby authorized and directed:

SEE ATTACHMENT ORD2739-2003.XLS

SECTION 2. That from the monies appropriated in the foregoing Section 1 shall be paid on order of the Human Resources Director and 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 declared to be an emergency measure and shall take effect and be in force from and after its passage and approved by the Mayor or ten days after passage, if the Mayor neither approves nor vetoes the same.

Legislation Number: 2741-2003

Drafting Date: 12/16/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the insurance programs in accordance with the negotiated labor contracts, it is necessary to modify and extend the existing contract with Anthem Blue Cross Blue Shield and to provide additional funding for the dental insurance program. Cost estimates were based on 2002-2003 fund expenditures trended on the basis of a three-year average of actual City utilization in conjunction with industry trends, as well as input from actuarial services. The contract is for a three-year period renewable annually, subject to annual appropriation; this ordinance represents the final renewal option.

Contract compliance: 31-1440175

FISCAL IMPACT: To modify and extend the existing contract with Anthem Blue Cross Blue Shield to increase the maximum obligation liability, and to authorize the expenditure of \$7,120,952.00 for Anthem Blue Cross Blue Shield from February 1, 2004 through January 31, 2005. The dental administrative rate is \$3.18 per employee per month for February 1, 2004 through January 31, 2005; and \$3.49 for PPO rate PEPM. Funding is available in the 2004 budget for this modification. This ordinance is an emergency measure to ensure continued insurance coverage as negotiated by union contracts.

Title

To authorize the Human Resources Director to modify and extend the contract with Anthem Blue Cross Blue Shield to provide all eligible employees dental insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$7,120,952.00, from the Employee Benefits Insurance Fund or so much thereof as may be necessary to pay the cost of said contract; and to declare an emergency. (\$7,120,952.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to modify and extend the contract with Anthem Blue Cross Blue Shield to provide all eligible employees dental insurance from February 1, 2004 through January 31, 2005; and

WHEREAS, it is necessary to authorize the expenditure of \$7,120,952.00, or so much thereof as may be necessary to pay contract costs for group dental coverage; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that is necessary to modify and extend the contract to ensure continued employee insurance coverage and to pay the associated contract costs for the preservation of the public health, peace, property, safety and welfare;

Now, Therefore,

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

SECTION 1. That the Director of the Department of Human Resources is hereby authorized to modify and extend the contract with Anthem Blue Cross Blue Shield to provide all eligible employees dental insurance coverage from February 1, 2004 through January 31, 2005.

SECTION 2. That the expenditure of \$7,120,952.00, or so much thereof as may be necessary for coverage from the Employee Benefits Insurance Fund, Fund 502, Department of Human Resources, is hereby authorized and directed as follows:

SEE ATTACHMENT ORD2741-2003 Dental insurances.xls

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

Legislation Number: 2742-2003

Drafting Date: 12/16/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the insurance programs in accordance with the negotiated labor contracts, it is necessary to modify and extend the existing contract with Ceridian Benefits Service, and to provide additional funding for the continuation of the COBRA insurance program. Cost estimates were based on 2002-2003 trust fund expenditures trended on the basis of a three-year average of actual City utilization in conjunction with industry trends. The contract was awarded in 2002 as a result of an extensive RFP process. This contract is for a three-year period renewable annually, subject to annual appropriation; this ordinance represents the final renewal option.

Contract Compliance: 59-3424469

FISCAL IMPACT: To modify and extend the existing contract with Ceridian Benefits Services increase the maximum obligation liability, and to authorize the expenditure of \$24,040.00 for Ceridian Benefits Services from February 1, 2004 through January 31, 2005. Rates are \$32 per qualifying event and \$1,000 annual renewal. Funding is available in the 2004 budget for this modification. This ordinance is an emergency measure to ensure continued insurance coverage as negotiated by union contracts.

Title

To authorize the Human Resources Director to modify and extend the contract with Ceridian Benefits Services to provide all eligible employees COBRA continuation insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$24,040.00 from the Employee Benefits Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$ 24,040.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to modify and extend the contract with Ceridian Benefits Services to provide all eligible employees COBRA continuation insurance from February 1, 2004 through January 31, 2005; and

WHEREAS, it is necessary to authorize the expenditure of up to \$ 24,040.00 ,or so much thereof as may be necessary to pay contract costs for group COBRA continuation insurance services; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is necessary to modify and extend the contract to ensure continued employee insurance coverage and to pay the associated contract costs 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 Human Resources Director is hereby authorized to modify and extend the contract with Ceridian Benefits Services to provide COBRA continuation insurance to all eligible employees from February 1, 2004 through January 31, 2005.

SECTION 2. That the expenditure of up to \$24,040.00, or so much thereof as may be necessary for coverage from the Employee Benefits Funds 502, Department of Human Resources No. 46-01, Character 03, Minor Object 3362, Index No 461029, Subfund 208 is hereby authorized and directed.

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

Legislation Number: 2744-2003

Drafting Date: 12/16/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the insurance programs in accordance with the negotiated labor contracts, it is necessary to modify and extend the existing contract with C N A Financial Corporation and to provide additional funding for the continuation of the group life insurance program. Cost estimates were based on 2003 fund expenditures trended on the basis of a three-year average of actual City utilization in conjunction with industry trends, as well as actuarial services. The contract was awarded in 2002 as a result of an extensive RFP process. The contract is for a three-year period renewable annually; subject to annual appropriation; this ordinance represents the final renewal option.

Contract compliance number: 36-0947200

FISCAL IMPACT: To modify and extend the existing contract with C N A Financial Corporation to establish the maximum obligation liability, and to authorize the expenditure of \$831,811.00 for C N A Financial Corporation from February 1, 2004 through January 31, 2005. The rate of \$.197 per \$1,000 volume is renewable annually. Funding is available in the 2004 budget for this modification. This ordinance is an emergency measure to ensure continued insurance coverage as negotiated by union contracts.

Title

coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$831,811.00, from the Employee Benefits Insurance Fund or so much thereof as may be necessary to pay the cost of said contract; and to declare an emergency. (\$831,811.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to modify and extend the contract to provide all employees life insurance coverage from February 1, 2004 through January 31, 2005; and

WHEREAS, it is necessary to authorize the expenditure of \$831,811.00 or so much thereof as may be necessary to pay contract costs for group life insurance coverage; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that is necessary to modify and extend the contract to ensure continued employee insurance coverage and to pay the associated contract costs for the preservation of the public health, peace, property, safety and welfare;

Now, Therefore,

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

SECTION 1. That the Director of the Department of Human Resources is hereby authorized to modify and extend the contract with C N A Financial Corporation to provide all employees life insurance coverage from February 1, 2004 through January 31, 2005.

SECTION 2. That the expenditure of \$831,811.00 or so much thereof as may be necessary for coverage from the Employee Benefits Insurance Fund, Fund 502, Subfund 203, Department of Human Resources, Division No. 46-01, OL1 03, OL3 3362, OCA 461000, is hereby authorized and directed.

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

Legislation Number: 2745-2003

Drafting Date: 12/16/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the insurance programs in accordance with the negotiated labor contracts, it is necessary to modify and extend the existing contract with Anthem Life and to provide additional funding for the continuation of the short-term disability insurance program. Cost estimates were based on 2002-2003 trust fund expenditures using a three year average of actual city utilization, expected changes due to union negotiations, as well as input from insurance carriers and input from the City's employee benefits consultant. The contract was awarded in 2002 as a result of an extensive RFP process. The contract is for a three-year period renewable annually; subject to annual appropriation; this ordinance represents the final renewal option.

Contract compliance: 35-0980405

FISCAL IMPACT: To modify and extend the existing contract with Anthem Life to establish the maximum obligation liability, and to authorize the expenditure of \$2,353,092.00 for Anthem Life of Indiana from February 1, 2004 through January 31, 2005. Funding is available in the 2004 budget for this modification. This ordinance is an emergency measure to ensure insurance coverage as negotiated by union contracts.

Title

To authorize the Human Resources Director to modify and extend the contract with Anthem Life to provide all eligible employees short-term disability insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$2,353,092.00 from the Employee Benefits Insurance Fund or so much thereof as may be necessary to pay the cost of said contract; and to declare an emergency. (\$2,353,092.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to modify and extend the contract to provide all eligible employees short term disability insurance from February 1, 2004 through January 31, 2005; and

WHEREAS, it is necessary to authorize the expenditure of \$2,353,092.00 or so much thereof as may be necessary to pay contract costs for group short term disability insurance coverage; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that is necessary to modify and extend the contract to ensure continued employee insurance coverage and to pay the associated contract costs 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 Human Resources Director is hereby authorized to modify and extend the contract with Anthem Life to provide all eligible employees short term disability insurance coverage from February 1, 2004 through January 31, 2005.

SECTION 2. That the expenditure of \$2,353,092.00 or so much thereof as may be necessary for coverage from the Employee Benefits Insurance Fund, Fund 502, Human Resources Department, is hereby authorized and directed: Division Number 46-01, OL 1 3, OL3 3363, OCA 461042, Subfund 211, Amount \$2,353,092.00

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

Legislation Number: 2752-2003

Drafting Date: 12/17/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the insurance programs in accordance with the negotiated labor contracts, it is necessary to modify and extend the existing contract with United Health Care Services, Inc. (Medco) and to provide additional funding for the continuation of the employee prescription drug insurance program. Cost estimates were based on 2002-2003 trust fund expenditures using a three year average of actual city utilization, expected changes due to union negotiations, as well as input from insurance carriers and input from the City's employee benefits consultant. The contract was awarded in 2002 as a result of an extensive RFP process. The contract is for a three-year period renewable annually, subject to annual appropriation; this ordinance represents the final renewal option.

Contract compliance number is 31-1142815.

FISCAL IMPACT: To modify and extend the existing contract with United Health Care Services, Inc., to establish the maximum obligation liability, and to authorize the expenditure of \$13,868,839.00 for prescription drug plan administration services from February 1, 2004 through January 31, 2005. Funding is available in the 2004 budget for this contract. This ordinance is an emergency measure to ensure continued insurance coverage as negotiated by union contracts.

Title

To authorize the Human Resources Director to modify and extend the contract with United Health Care Services Inc. to provide all eligible employees prescription drug insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$13,868,839.00 from the Employee Benefits Insurance Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$13,868,839.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to modify and extend the contract with United Health Care Services, Inc. (Medco) to provide all eligible employees prescription drug insurance from February 1, 2004 through January 31, 2005; and

WHEREAS, it is necessary to authorize the expenditure of up to \$13,868,839.00 or so much thereof as may be necessary to pay contract costs for prescription drug insurance services; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is necessary to modify and extend the existing contract to ensure continued employee insurance coverage and to pay the associated contract costs 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 Human Resources Director is hereby authorized to modify and extend the contract with United Health Care Services, Inc. to provide prescription drug insurance to all eligible employees from February 1, 2004 through January 31, 2005.

SECTION 2. That the expenditure of up to \$13,868,839.00 or so much thereof as may be necessary for coverage from the Employee Benefits Fund 502, Department of Human Resources is hereby authorized and directed.

SEE ATTACHMENT ORD 2752-2003 UHC-PRESCRIPTION DRUG

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency

measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage, if the Mayor neither approves nor vetoes the same.

Legislation Number: 2753-2003

Drafting Date: 12/17/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the insurance programs in accordance with the negotiated labor contracts, it is necessary to modify and extend the existing contract with United Health Care Services, Inc. and to provide additional funding for the continuation of the employee medical insurance program. Cost estimates were based on 2002-2003 trust fund expenditures using a three year average of actual city utilization, expected changes due to union negotiations, as well as input from insurance carriers and input from the City's employee benefits consultant. The contract was awarded in 2002 as a result of an extensive RFP process. The contract is for a three-year period renewable annually, subject to annual appropriation; this ordinance represents the final renewal option.

Contract compliance number is 31-1142815.

FISCAL IMPACT: To modify and extend the existing contract with United Health Care Services, Inc., to establish the maximum obligation liability, and to authorize the expenditure of \$37,676,683.00 for medical plan administration services from February 1, 2004 through January 31, 2005. Funding is available in the 2004 budget for this contract. This ordinance is an emergency measure to ensure continued insurance coverage as negotiated by union contracts.

Title

To authorize the Human Resources Director to modify and extend the contract with United Health Care Services Inc. to provide all eligible employees medical insurance coverage from February 1, 2004 through January 31, 2005 and to authorize the expenditure of \$37,676,683.00 from the Employee Benefits Insurance Fund, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency.
(\$37,676,683.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to modify and extend the contract with United Health Care Services, Inc. to provide all eligible employees medical insurance from February 1, 2004 through January 31, 2005; and

WHEREAS, it is necessary to authorize the expenditure of up to \$37,676,683.00 , or so much thereof as may be necessary to pay contract costs for group medical insurance services; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is necessary to modify and extend the existing contract to ensure continued employee insurance coverage and to pay the associated contract costs 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 Human Resources Director is hereby authorized to modify and extend the contract with United Health Care Services, Inc. to provide medical insurance to all eligible employees from February 1, 2004 through January 31, 2005.

SECTION 2. That the expenditure of up to \$37,676,683.00 or so much thereof as may be necessary for coverage from the Employee Benefits Insurance Fund, Fund 502, Department of Human Resources NO. 46-01, is hereby authorized and directed.

SEE ATTACHMENT ORD2753-2003 UHC-MEDICAL INSURANCE

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

Legislation Number: 2754-2003

Drafting Date: 12/17/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To maintain the Employee Benefits Consulting Services; it is necessary to modify and extend the existing contract with Mercer Human Resources Consulting and to provide additional funding for the Employee Benefits Consulting Services.

The consultant services will assist Employee Benefits Risk Management with general consulting services and in the selection of the employee health care plan administrators. This contract established with Mercer HR Consulting is for a three-year period renewable annually; subject to annual appropriation and funding; this ordinance represents the second renewal.

Contract Compliance number is 13-2834414.

FISCAL IMPACT: To modify and extend the existing contract with Mercer HR Consulting to increase the maximum obligation liability, and to authorize the expenditure of \$151,000.00 from February 1, 2004 through January 31, 2005. Funding is available for this contract in the 2004 Employee Benefits Insurance Fund. This ordinance is an emergency measure to continue the on-going employee benefits consulting services.

Title

To authorize the Human Resources Director to modify and extend the contract with Mercer Human Resource Consulting, to provide professional employee benefits consulting services from February 1, 2004 through January 31, 2005; and to authorize the expenditure of \$ 151,000.00, or so much thereof as may be necessary to pay the costs of said contract; and to declare an emergency. (\$151,000.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to modify and extend the contract with Mercer Human Resource Consulting, to provide professional employee benefits consulting services from February 1, 2004 through January 31, 2005; and

WHEREAS, it is necessary to authorize the expenditure of \$151,000.00, or so much thereof as may be necessary to pay contract costs for employee benefits consulting services; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is necessary to modify and extend the contract to continue the on-going employee benefits consulting services and to pay the associated contract costs 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 Human Resources Director is hereby authorized to modify and extend the contract with Mercer Human Resource Consulting from February 1, 2004 through January 31, 2005.

SECTION 2. That the expenditure of \$151,000.00 or so much thereof as may be necessary for coverage from the Employee Benefits Insurance Fund 502, Department of Human Resources, Department 46-01, OL1 - 03, OL3 - 3336, OCA 450882, Subfund 001, is hereby authorized and directed.

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

Legislation Number: 2755-2003

Drafting Date: 12/17/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Division of Water is an active participant of the American Water Works Association Research Foundation. It is a necessity for the Division to participate in this program in order to take advantage of any advanced and cost effective solutions to perennial concerns of the industry, which may be discovered in their research. All subscribers are members of the AWWA Research Foundation and share in the responsibility of establishing an Independent Water Industry Research Program. For these reasons, the Division of Water would like to participate in the AWWA Research Foundation based on sole source provisions of the Columbus City Code. The Contract Compliance Number for the AWWA Research Foundation is 13-6211834. They do not have MBE/FBE status.

It is requested that this Ordinance be handled in an emergency manner as the Division of Water has received the invoice for payment to this foundation, and we would like to prevent as much delay in payment as possible.

FISCAL IMPACT: This is an annual expenditure and the Division of Water has allocated \$91,483.00 for this subscription in the 2004 budget.

\$ 87,592.00 was expended for this purpose during 2003.

\$ 82,634.00 was expended for this purpose during 2002.

Title

To authorize the Director of Public Utilities to establish an encumbrance, for participation in the AWWA Research Foundation, in accordance with the sole source provisions of the Columbus City Code, to authorize the expenditure of \$87,592.00 from Water Systems Operating Fund, and to declare an emergency. (\$87,592.00)

Body

WHEREAS, the primary function of the American Water Works Association Research Foundation is to address operational problems of utilities, using expertise of utilities, universities, consultants, etc., in order to find more advanced and cost effective solutions to perennial concerns, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to establish an encumbrance, for participation in the 2003 AWWA Research Foundation, in order to receive the benefit of an independent water industry research effort, for the immediate preservation of public health, peace, property and safety; now, therefore,

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

Section 1. That the Director of Public Utilities be and is hereby authorized to establish an encumbrance with AWWA Research Foundation, in accordance with the sole source provisions of Section 329.07(C) of the Columbus City Code, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$87,592.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 601849, Object Level One 03, Object Level Three 3332, to pay the cost thereof.

Section 3. 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.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

**CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:
<http://finance.ci.columbus.oh.us/purchasing/openbids/sabids.html>**

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts EXCEPT PROFESSIONAL SERVICE CONTRACTS: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$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 PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - February 2, 2004 3:00 pm

SA000591 - Technology Master Plan RFP-DPU

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Request for Proposal
Technology Master Plan
Department of Public Utilities
City of Columbus, Ohio

The city of Columbus, Ohio is soliciting Request for Proposal (RFP) pursuant to Columbus City Code 329.14 from experienced professional consulting/engineering firms to provide a technology master plan for the City's Department of Public Utilities (DPU). In doing so, we wish to openly invite firms to submit their RFP for consideration during our review and selection process.

The Department of Public Utilities currently supports a wide variety of technology projects each serving customer's throughout the divisions. Many of these projects have overlapping data, users, technical criteria, and purposes. This technology master plan will identify the most effective approach to leverage existing systems along with potential new investment to help DPU achieve identified business objectives.

Proposal packages for this submittal are available beginning Monday, December 15, 2003 in the Department of Public Utilities Office, 4th floor, Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215.

Selection of professional services shall be in accordance with Section 329.14 of Columbus City Codes, 1959. Any agreement or contract entered into will be in accordance with the provisions of Chapter 329, of Columbus City Codes, 1959, the standard agreements for professional services of the Department of Public Utilities, and all other applicable rules and regulations. The contractor awarded the contract resulting from this RFP will be precluded from participating as a prime contractor or subcontractor for future phases of the project. The consultant shall be precluded, for a period of one (1) year after the delivery and acceptance of the Technology Master Plan, from bidding on or participating in any subsequent RFP or competitive bid developed as a result of the recommendations made in the Technology Master Plan. The consultant's services may be retained after delivery of the Technology Master Plan to assist the department of Public Utilities at the sole discretion of the Director of the department.

CONTRACT COMPLIANCE NUMBER

All offerors, and their proposed subcontractors, shall have valid City of Columbus Contract Compliance Numbers (CCCN). Applications for certification may be obtained from the City of Columbus website (www.columbus.gov), or from:

City of Columbus
Equal Business Opportunity Commission Office
109 North Front Street, 4th Floor
Columbus, Ohio 43215-9020
(614-645-4764)

PRE-BID CONFERENCE

A Pre-bid Conference will be held Tuesday, January 6, 2004 at 1:00 p.m. at Department of Public Utilities of the City of Columbus, Ohio, at its office at 910 Dublin Road. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

CONTACT

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

All questions shall be submitted in writing to David E. Hupp, CBCP, Information Systems Manager, Department of Public Utilities, 4th floor, Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215, or by fax (614-724-0233), or by e-mail (dehupp@columbus.gov).

There is NO additional information package for this request.

Seven (7) copies of the proposal documents shall be submitted in a sealed envelope (or envelopes) to David E. Hupp, CBCP, Information Systems Manager, 4th floor, Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215. The envelopes shall be clearly marked on the exterior to denote both the names of the submitting firm and the particular professional services contract for which the proposals are offered.

SUBMISSION DEADLINE

Final date for submission of proposal documents will be no later than 3:00 p.m. February 02, 2004. Any submittals received after that time will not be considered.

EVALUATION CRITERIA

Submissions will be evaluated by the Evaluation Committee based on the following criteria and rating values:

1. 20 Points - Specific qualifications of the primary staff who will manage, supervise and provide services, including past experience on similar projects; general current workload and availability of necessary personnel.
2. 20 Points - Specialized experience required for the work, along with the ability to manage, control and schedule sub-consultants (if applicable).
3. 20 Points - Past performance on similar projects
4. 10 Points - Project Approach.
5. 10 Points - Demonstrated abilities to meet schedules and budgets.
6. 10 Points - Professional qualifications of the firm.
7. 10 Points - Location of the staff that will perform this work (including sub-consultants, if applicable).

Total 100 Points

PURPOSE AND GENERAL INFORMATION:

The purpose of this RFP is to solicit proposals to establish a contract through the competitive bid process for the procurement of professional consulting services for the development of a Technology Master Plan for the Department of Public Utilities. The City of Columbus is the largest city in the State of Ohio. The Department of Public Utilities is an agency within the City of Columbus providing water, sewer, and electricity services for Columbus and surrounding areas.

The Department of Public Utilities, in conjunction with the Department of Technology, desires to select a consultant to develop a professional Technology Master Plan. The intent of this plan is to create a comprehensive strategy that integrates the business and technology of all the Department of Public Utilities'

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

organizational divisions. This plan shall include a review of the Department's current business and technology practices in order to develop a comprehensive strategy to improve decision making at all levels of the Department.

The Department is comprised of three separate Divisions-Water, Sewerage and Drainage, and Electricity, which are supported by four separate enterprise funds. The Department is responsible for providing an ample supply of safe drinking water to roughly one million people throughout Columbus metropolitan area. Additionally, the Department operates a sanitary sewer system that serves the approximate same population. Both customer bases continue to grow. Further, a Stormwater section is housed in the Department and is responsible for creating and managing projects that minimize flooding and mitigate water quality impacts of run-off in Columbus. Finally, the Department's Electricity Division is charged with providing streetlights to city residents through the sale of electricity to its more than 13,000 customers.

In addition to the internal management of technology needs by Department of Public Utilities personnel, the Department of Technology, within the City of Columbus, provides technology support to the Department of Public Utilities. In collaboration with the Department of Technology, the Department of Public Utilities' current and future technology projects include the following (although not all inclusive):

- A. Upgrade of Customer Information and Billing system
- B. Mobile Computing, Automated Vehicle Tracking, Scheduling, wireless data communications, computerized dispatching.
- C. GIS/AutoCAD
- D. LIMS/PIMS laboratory and pre-treatment information systems
- E. Automated Meter Reading
- F. Computerized Maintenance Management System
- G. Document Imaging
- H. Water Modeling Application
- I. SCADA
- J. MVRs, MV90 Meter Reading Software
- K. Process Control Software
- L. Meter Reading
- M. Internet and Intranet Web sites
- N. Other systems as discovered through this process

SCOPE OF SERVICES

The successful consultant shall furnish all labor, materials, equipment and supervision necessary. The

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following provides a general outline of the desired deliverables of the Technology Master Plan that will be provided to the Department of Public Utilities:

1. Prepare a schedule that includes meetings, workshops, presentations, and deliverables.
2. Project shall be no longer than 12 weeks.
3. Inventory and assess the technology systems within the Department that are currently in production, being deployed, or in the planning/design/development stage whether currently managed by Departmental personnel or supported by the Department of Technology.
4. Complete an audit and review of the systems identified from the inventory, including hardware and software platforms and network connectivity, to include an analysis of the existing skills and capabilities currently available to the Department to support such hardware and software.
5. Analyze business process and IT gaps/opportunities
6. Identify work processes and recommend required modifications to optimize workflow processes and data integration/sharing instances.
7. Develop and prioritize options to:
 - 7a Better leverage and integrate current systems
 - 7b Reduce IT life cycle costs and risk
 - 7c. Improve business performance and decision making
8. Recommend data sharing and coordination opportunities needed within DPU and with other city agencies.
9. Inventory and asses software and hardware maintenance and support requirements including an effective organizational structure for providing this support.
10. Identify elements/components/projects necessary to implement the Technology Master Plan. The Plan shall define each project's scope, anticipated benefits, Return on Investment/Business Case, timetable for implementing and an estimated cost of each project.
11. Recommend method for seamless integration of systems and/or migration of current CMMS application to the ColumStat application.

CHERYL ROBERTO
Department of Public Utilities
ORIGINAL PUBLISHING DATE: January 28, 2004

BID OPENING DATE - February 4, 2004 3:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001024 - FOSTER ST. STORMWATER IMPROVEMENTS

ADVERTISEMENT FOR BIDS

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, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time, on Wednesday, February 4, 2004 and publicly opened and read at that hour and place for the following project:

FOSTER STREET STORMWATER SYSTEM IMPROVEMENTS
C.I.P. NO. 703

The work for which proposals are invited consists of the construction of new storm sewer systems along Foster Street and Indian Springs Drive, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents, which include Bid Books in paper format and the Construction Plans (CC-12904) on compact discs, are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3044, 910 Dublin Road, Columbus, Ohio 43215-9053. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released. Full-size Construction Plan sets in paper format are not available.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked:

FOSTER STREET STORMWATER SYSTEM IMPROVEMENTS
C.I.P. NO. 703

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. The bond must have the AMOUNT EXPRESSED IN DOLLARS AND CENTS in order to be responsive. 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 that 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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; and at the office of the Director of Public Utilities, 910 Dublin Road, 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.

QUALITY FACTORS INFORMATION FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit, with its bid, a completed Quality Factors Information Form and Affidavit of Bidder, completed and notarized.

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 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

SUBSURFACE DATA

Subsurface data was not obtained for design purposes and, therefore, is not available.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 90 calendar days after the effective date of the Notice to Proceed.

SPECIAL REQUIREMENTS

1. 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. To minimize conflicts between off-street student parking adjacent to Bishop Watterson High School and construction work for CIP 703, the Notice to Proceed will be issued to coincide with the end of the 2003-2004 school year for Bishop Watterson High School. Classes for Bishop Watterson High School will not be in session from June 6, 2004 to August 23, 2004. All street work and work in off-street parking areas must be completed by August 18, 2004.

ORIGINAL PUBLISHING DATE: January 16, 2004

BID OPENING DATE - February 5, 2004 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001016 - PSYCHOLOGICAL FORENSIC EVALUATIONS

SCOPE AND CLASSIFICATION

The Franklin County Municipal Court Judges intend to contract with a qualified contractor who can provide forensic evaluations for criminal defendants requiring mental competency and other evaluations. The Court intends to award a contract to comply with the requirement in the Ohio Revised Code (O.R.C.) section 2945.37 that competency to stand trial evaluations must be conducted within 30 days of the entry of the court order for the evaluation.

The competency evaluations must be made by an examiner, defined in O.R.C. section 2945.37(A)(2) as either a psychiatrist or a clinical psychologist who must satisfy state licensing and educational requirements set forth in O.R.C. section O.R.C. 5122.01(I).

CONTRACT TERM

The initial contract term will, commence on April 1, 2004 and expire on March 31, 2005. Upon the agreement of both parties and subject to the approval of appropriations, the contract may be extended for three additional one-year periods, on a year-by-year basis.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: January 10, 2004

SA001019 - PERFORMANCE MGT SOFTWARE FINANCE R

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The City of Columbus Finance Department intends to purchase Performance Management Tracking software that can meet the City's specific functional needs as presented herein. The Finance Department expects the offeror to install their software, train the appropriate personnel on the use of the software and to integrate that solution with the City's existing applications. Upon identifying a product, the City will negotiate a contract and the specific terms and conditions.

Purpose: The City intends to purchase a performance management application that will provide the necessary tools for the City to manage its overall performance in relation to its strategic objectives. The primary objective of this initiative is to acquire a software package that allows for the storage, tracking and reporting of the City's performance data.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: January 16, 2004

SA001002 - R&P: NORTHBANK PARK ISSUE "J"

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 2:00 p.m. on Thursday, February 05, 2004, and publicly opened and read immediately thereafter for:

North Bank Park - Issue J

The work for which proposals are invited consists of a single prime contractor bid for the project called North Bank Park Issue J - Right of way improvements in Spring Street, Long Street and the Neil Ave Intersection. The work involved consists of Curb Replacement, Sidewalk Replacement, Electrical Work, Minor Utility Work, Handicapped Ramps, and Brick Pavers.

Copies of the Project Manual/Specifications and the plans will be on file and available to prospective bidders on Wednesday, January 15th, 2004 at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$50.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/ Specifications containing the Proposal must be submitted in a sealed envelope marked "North Bank Park Issue J."

PRE-BID CONFERENCE

A Pre-bid Conference will be held Thursday, January 22, 2004 at 2:00 p.m. at Recreation and Parks Department of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

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 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. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements 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 will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation & Parks Department

ORIGINAL PUBLISHING DATE: January 07, 2004

SA001003 - R&P: NORTH BANK PARK ISSUE F, G, AND H

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 2:00 p.m. on Thursday, February 05, 2004, and publicly opened and read immediately thereafter for:
North Bank Park - Issue F, G and H

The work for which proposals are invited consists of a single prime contractor bid for the project called North Bank Park Issue F (Hardscape), G (Irrigation Systems) and H (Landscaping). The work involved consists of Waterproofing, Brick Pavers, Flagstone, Crushed Granite Paving, Landscape Irrigation System, Trees, Shrubs, Seed, Sod, Site Furnishings.

Copies of the Project Manual/Specifications and the plans will be on file and available to prospective bidders on Thursday, January 15th, 2004 at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$50.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/ Specifications containing the Proposal must be submitted in a sealed envelope marked "North Bank Park Issue F, and/or G, and/or H." (as appropriate)

PRE-BID CONFERENCE

A Pre-bid Conference will be held Thursday, January 22, 2004 at 3:30 p.m. at Recreation and Parks Department of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

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 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. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements 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 will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation & Parks Department

ORIGINAL PUBLISHING DATE: January 07, 2004

SA001017 - NON-MEMBRANE DISSOLVED OXYGEN PROBES/S&D

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to establish a Universal Term Contract for the purchase of Non-Membrane Dissolved Oxygen Probes, Components and Spare Parts for a period of two (2) years. The D.O. probes are used to measure the oxygen content in the aeration tanks in the aeration sections of the Southerly Wastewater Treatment Plant operated by the City of Columbus. The wastewater treatment plant is mailing and delivery address is: Southerly Wastewater Treatment Plant, 6977 S. High St., Lockbourne, Ohio 43137.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of D.O. Probes, components for D.O. probes and repair parts for same, as specified herein, only. All installation requirements will be provided by the City of Columbus

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: January 14, 2004

SA001022 - GUARDRAIL AND FENCE REPAIR 2004

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street, 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on February 5, 2004, for GUARDRAIL AND FENCE REPAIR - 2004, 1548 DR. A. The work for which proposals are invited consists of installing, repairing, or replacing guardrail and fence at accident locations along the City's streets and highways, 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 Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$10.00. A prospective bidder must verify that their name is added to an electronic log sheet upon receiving a copy of contract documents and plans. Your addition to the log is verified when you receive a computer generated receipt. The City of Columbus will use this log sheet in order to advise prospective bidders of any addendums to the contract and/or plans. Failure to be entered onto the electronic log sheet will result in rejection of any proposal and failure to refer to any addendum in a proposal will be considered non-responsive.

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 GUARDRAIL AND FENCE REPAIR - 2004.

All materials submitted in response to this advertisement for bids will become the property of the City and will not be returned. All materials submitted in response to this advertisement for bids will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. All materials received will be open to the public once the sealed proposals are publicly opened and read.

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 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

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.

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, 2002 edition, will be required to assure the faithful performance of the work.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SUBSURFACE DATA

Subsurface data was not obtained for project design purposes.

PRE-BID CONFERENCE

There will not be a pre-bid conference for this project.

CONTRACT COMPLETION

The city will issue a notice to proceed on or about April 30, 2004. All work is to be complete by April 29, 2005.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in the Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, 2002 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 Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and 109 N. Front St, 3rd Floor, Columbus, Ohio 43215 (614) 645-5660, 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 their 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 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 interests of the City.

PLANS ARE AVAILABLE ON:

January 16, 2004

ORIGINAL PUBLISHING DATE: January 15, 2004

BID OPENING DATE - February 6, 2004 3:00 pm

SA001023 - CRPD--OLENTANGY TRAIL BRIDGE PID #75891

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Professional Services
REQUEST FOR PROPOSAL
Columbus Recreation & Parks Department

Proposals will be received at the Columbus Recreation and Parks Department Administrative Annex, 200 Greenlawn Avenue, Columbus, OH 43223, until 3:00 P.M., Friday, February 6, 2004, for professional design services for:

Olentangy Trail Bridge
PID #75891

Six (6) copies of each proposal are required for submittal.

The scope of work shall be to provide complete design services to prepare construction plans and specifications for the construction of a pedestrian/bikeway bridge across the Olentangy River near the Antrim Park area. Preparation of plans will be in accordance with ODOT and City bikeway standards. The work will also include connector path alignment.

The format for procurement of these services will be per Section 329.12 of the Columbus City Code. Evaluation criteria shall include, but need not be limited to, the following: (1) the competence of the offeror to perform the required service as indicated by the technical training, education and experience of the offeror's personnel who would be assigned to perform the work; (2) the quality and feasibility of the offeror's technical proposal; (3) the ability of the offeror to perform the required service competently and expeditiously as indicated by the offeror's workload and the availability of necessary personnel, equipment and facilities; (4) past performance of the offeror as reflected by the evaluations of the City agency, other City agencies and other previous clients of the offeror with respect to such factors as quality of work, success in controlling costs, and success in meeting deadlines; and (5) the cost or pricing structure of the offeror's proposal.

Request For Proposal Information Packet for this project is available from 8 A.M. to 5 P.M., Monday through Friday, beginning Thursday, January 15, 2004 at 200 Greenlawn Avenue, Columbus, OH 43223.

All design questions regarding the submittal should be directed to Brad Westall, 614-645-2441, E-Mail: brwestall@columbus.gov .

All consultants will be subject to the provisions of the City of Columbus, Contract Compliance Program regarding equal employment opportunity.

Tom Kaplin, President
Recreation and Parks Commission
ORIGINAL PUBLISHING DATE: January 14, 2004

Wayne A. Roberts, Director
Recreation and Parks Department

BID OPENING DATE - February 10, 2004 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001021 - R&P: EXT. POOL PAINTING (10 LOCATIONS)

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, 2/10, 2004, and publicly opened and read immediately thereafter for:

Exterior Swimming Pool Painting- (10) Locations

The work for which proposals are invited consists of swimming pool cleaning, concrete repair, caulking, painting and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$10.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/ Specifications containing the Proposal must be submitted in a sealed envelope marked "Exterior Swimming Pool Painting."

PRE-BID CONFERENCE

A Pre-bid Conference will be held:

- Thursday, January 29th, 2004, at 8a.m. at 200 Greenlawn Ave. Site tour of (5) swimming pool locations. Transportation will be provided.

- Friday, January 30th, 2004, at 8a.m. at 200 Greenlawn Ave. Site tour of remaining (5) swimming pool locations. Transportation will be provided.

Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

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 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. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: January 14, 2004

BID OPENING DATE - February 11, 2004 3:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001028 - DUBLIN ROAD CHLORINE STORAGE FACILITY

ADVERTISEMENT FOR BIDS

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, Room 4105, 910 Dublin Road, 4th Floor, until 3:00 p.m. local time, on February 11, 2004 and publicly opened and read at the hour and place for DUBLIN ROAD WATER PLANT, CHLORINE STORAGE FACILITY, CONTRACT NO. 966, PROJECT 690379. The work for which proposals are invited consists of preconstruction planning and scheduling, a complete new chlorine storage and feed facility, repair of basins concrete, butterfly valve seat replacement, demolition of the existing chlorine facilities and miscellaneous improvements to the existing facilities at the City of Columbus Dublin Road Water Plant, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. The Work is divided into two phases, Planning and Scheduling and Construction. Satisfactory completion of the Planning and Scheduling work is required before commencing the Construction work. Copies of the Contract Documents may be purchased by prospective bidders from Key Companies, 195 East Livingston Avenue, Columbus, Ohio 43215 at (614) 228-3285 or via Plankey at Plankey.com upon payment of \$175.00 per set. No refunds will be made. Checks shall be payable to Malcolm Pirnie, Inc. The Bidding Documents packet will include one full size set of Drawings with printed Project Manual. 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:

DUBLIN ROAD WATER PLANT, CHLORINE STORAGE FACILITY
CONTRACT NO. 966, PROJECT 690379

CONTACT PERSON

The City of Columbus Contact Person for this project is Roger C. Huff, P.E. 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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 Public Service Department, 90 W. Broad St., Room 301, Columbus, Ohio 43215 (614) 645-8290, at the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182 or 109 N. Front St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8376, and at the Public Utilities Department, 910 Dublin Rd., 3rd and 4th Floors, Columbus, Ohio 43215 (614) 645-7175.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a valid City of Columbus Contract Compliance Certification Number or a copy of the completed, submitted application for certification. Applications for certification can be obtained by calling (614) 645-4764 or downloaded from the City website at www.columbus.gov.

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.

CITY BULLETIN DATES

1) January 31, 2004

ORIGINAL PUBLISHING DATE: January 21, 2004

SA001029 - S.Fork Dry Run Flood Routing-Valleyview

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

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, 910 Dublin Road, Room 4002, until 3:00 p.m., Local Time, on Wednesday, February 11, 2004, and publicly opened and read at that hour and place for the following project:

SOUTH FORK DRY RUN FLOOD ROUTING AT VALLEYVIEW
C.I.P. NO. 824

The work for which proposals are invited consists of construction of approximately 1,500 lineal feet of open channel and appurtenances, including concrete retaining walls, an energy dissipating spillway structure, channel reinforcement, modifications to existing drainage structures, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents, which include Bid Books in paper format and the Construction Plans (CC-12777) IN CD (COMPACT DISC) FORMAT, are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3051, 910 Dublin Road, Columbus, Ohio 43215-9053. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released. Full-size Construction Plan sets are available to prospective bidders upon request, at a cost of \$25.00 per set.

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:

SOUTH FORK DRY RUN FLOOD ROUTING AT VALLEYVIEW
C.I.P. NO. 824

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. The bond must have the AMOUNT EXPRESSED IN DOLLARS AND CENTS in order to be responsive. 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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 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.

QUALIFICATION AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid, a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder

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 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

SUBSURFACE DATA

Soil boring information can be found on Sheet 3A of the construction plans.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 180 calendar days after the effective date of the Notice to Proceed.

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.

ORIGINAL PUBLISHING DATE: January 22, 2004

SA001030 - LELAND DITCH STORM SEWER

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

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, 910 Dublin Road, Room 4002, until 3:00 p.m., Local Time, on Wednesday, February 11, 2004, and publicly opened and read at that hour and place for the following project:

LELAND DITCH STORM SEWER
C.I.P. NO. 863

The work for which proposals are invited consists of constructing THE STORM SEWER IMPROVEMENTS AS SHOWN ON CC-13159 FROM STATION 9+80 (HW WITH ASSOCIATED OUTLET AND BANK PROTECTION) TO STATION 29+41 (MH 9) AND THE SANITARY SEWER IMPROVEMENTS AS SHOWN ON CC-13167 FROM STATION 0+00 (MH 3) TO STATION 6+36 (MH 6) (THE "WORK"), 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 (CC-13159 & CC-13167), are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3051, 910 Dublin Road, Columbus, Ohio 43215-9053. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

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:

LELAND DITCH STORM SEWER
C.I.P. NO. 863

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 Graceland Shoppers Limited Partnership. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. The bond must express the amount of the bond in dollars and cents in order to be considered responsive. 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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 Street, 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 Road, 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.

QUALIFICATION AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid, a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder

BID CANCELLATION AND REJECTIONS

The right is reserved by the Graceland Shoppers Limited Partnership to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the Graceland Shoppers Limited Partnership.

SUBSURFACE DATA

Subsurface data was not obtained.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to Graceland Shoppers Limited Partnership and the City of Columbus within 60 calendar days after the effective date of the Notice to Proceed.

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.

ORIGINAL PUBLISHING DATE: January 23, 2004

BID OPENING DATE - February 12, 2004 11:00 am

SA001026 - Sewerage Sludge Sampler Systems

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION

1.1 SCOPE The City of Columbus is obtaining bids to establish a Universal Term Contract to purchase Sampler Systems for Municipal Sludge/Slurry to be used in the monitoring of sewerage sludge in the wastewater treatment plants. The contract will expire 3/31/2006.

1.2 CLASSIFICATION The contract resulting from this bid will be for the purchase and delivery of an Isolok Samplers, Controls, Fittings, Attachments, Bottles, Line Adapters, Documents, and Accessories.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: January 16, 2004

BID OPENING DATE - February 18, 2004 3:00 pm

SA001020 - MARION FRANKLIN AREA W.L. IMPROVEMENTS

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

MARION FRANKLIN AREA WATERLINE IMPROVEMENTS

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, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, until 3:00 p.m. local time, on Wednesday, February 18, 2004 and publicly opened and read at that hour and place for the following project: MARION FRANKLIN AREA WATERLINE IMPROVEMENTS

The work for which proposals are invited consists of the installation of a water line 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 Burgess & Nipple, Inc., 5085 Reed Road, Columbus, Ohio 43220 on February 2, 2004. The cost of each set of Contract Documents is \$60.00 (Sixty 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 GROUP FOUR WATER LINE IMPROVEMENTS

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 percent (10%) 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 and 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 West Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; and at the offices of The Construction Inspection office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219 (614) 645-3182.

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.

QUALIFICATIONS AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER Each responsive bidder shall submit with its bid a completed Qualification and Resource Factors Form and a

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

completed and notarized Affidavit of Bidder.

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 interest of the City.

CONTRACT COMPLETION The work under this contract shall be completed in a manner acceptable to the City within 120 calendar days after the effective date of the Notice to Proceed.

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.

CITY BULLETIN DATES:

- 1) January 31, 2004
- 2) February 7, 2004

CONTACT PERSON: Charles M. Turner, P.E., Division of Water, Engineer's Office, 910 Dublin Road, 2nd Floor, Columbus, Ohio, 43215, (614) 645-7677.

ORIGINAL PUBLISHING DATE: January 14, 2004

BID OPENING DATE - February 20, 2004 11:00 am

SA001037 - R&P: Golf Course Irrigation Improvements

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Friday, February 20, 2004, and publicly opened and read immediately thereafter for:

Irrigation Improvements at Airport and Walnut Hill Golf Courses

The work for which proposals are invited consists of renovation and pump improvements to the 18 hole Airport Golf Course and installation of a completely new 9 hole irrigation system for Walnut Hill Golf Course and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$25.00 per package.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/ Specifications containing the Proposal must be submitted in a sealed envelope marked "Irrigation Improvements."

PRE-BID CONFERENCE

A Pre-bid Conference will be held February 10, 2004, at 10:00 a.m. at Airport Golf Course Clubhouse, 900 N. Hamilton Road. Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

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 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. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements 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 will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

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

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, 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. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, 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.

OSHA/EPA/ADA 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 requirement.

Thomas L. Kaplin, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation and Parks Department
ORIGINAL PUBLISHING DATE: January 28, 2004

BID OPENING DATE - February 26, 2004 11:00 am

SA001032 - REFUSE/TRUCK WASHING SERVICES

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a Term Contract for the purchase of Truck Washing Services for use through April 30, 2005.

1.2 Classification: Bidders will be required to participate in a performance demonstration prior to making an award. The demonstration will be at the bidder's expense. Refuse Collection will determine the location. The successful bidder will be required to post a performance bond.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: January 28, 2004

BID OPENING DATE - March 3, 2004 3:00 pm

SA000590 - ITALIAN VILLAGE SUB. TURNKEY CONTRACT

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, until 3:00 p.m. local time, on Wednesday, March 3, 2004 and publicly opened and read at that hour and place for the following project:

ITALIAN VILLAGE SUBSTATION TURNKEY CONTRACT

The work for which proposals are invited consists of the design, site grading, demolition, foundations, survey, building, conduit systems, fencing, transformers, switchgear/control building, capacitor banks, and 138kV GIS station equipment necessary to complete the contract in accordance with the plans and specifications. Due to the nature of this project and coordination with American Electric Power, only bids from 138kV GIS substation manufacturers will be accepted. Copies of the contract documents and the plans will be on file in the office of the Division of Electricity, 3568 Indianola Avenue, Columbus, Ohio 43214 on December 22, 2003. The cost for the package is \$100 per set (non-refundable).

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 ITALIAN VILLAGE SUBSTATION TURNKEY CONTRACT.

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 percent (10%) 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 and 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 West Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; and at the offices of The Construction Inspection Division, 1800 East 17th Avenue, Columbus, Ohio 43219 (614) 645-3182.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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.

QUALIFICATIONS AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder.

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 120 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 365 calendar days after the effective date of the Notice to Proceed.

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 subject will be held on January 13, 2004 at 10:00 a.m. at 3568 Indianola Avenue, Columbus, Ohio 43214. Attendance is mandatory by manufacturer's representative in order to bid.

CITY BULLETIN DATES:

- 1) December 20, 2003
- 2) December 27, 2003

ORIGINAL PUBLISHING DATE: January 23, 2004

Title: Records Commission Meeting Notice (for 2/2/04)

Contact Name: Thamie Freeze
Contact Telephone: 614-645-7293
Contact Email: tjfreeze@columbus.gov

CITY OF COLUMBUS - RECORDS COMMISSION -

TO: APPOINTED RECORDS COMMISSION OFFICERS
Mayor Michael Coleman, City Records Commission Chief Executive Officer
Attorney Richard Pfeiffer, City Records Commission Chief Legal Officer
Hugh Dorrian, City Records Commission Chief Fiscal Officer
Andrea Blevins, City Records Commission Secretary
Keith Shumate, City Records Commission Citizen Representative

FROM: Thamie Freeze, City Records Commission Coordinator

DATE: 01/20/04

SUBJECT: RECORDS COMMISSION AGENDA FOR 02/02/04 MEETING

Let this serve as NOTICE for the upcoming RECORDS COMMISSION MEETING on Monday, February 2, 2004 at 10:00 a.m. in the Mayor's Conference Room - 2nd floor, City Hall. The agenda is as noted below:

ROLL CALL
OLD BUSINESS
NEW BUSINESS

ITEM #1 - Division of Police - 9 Requests (Refer to separate letters within agenda packet)

ITEM #2 - Public Safety Department, Weights and Measures - 2 items to be added to the Public Safety Department, Weights and Measures Department Retention Schedule

ITEM #3 - Health Department - 1 item to be changed on the Health Department Retention Schedule

ITEM #4 - Citizen Representative Appointment - Recognize the appointment of the Citizen Representative to the Records Commission

ADJOURN MEETING

If you have an item on the agenda, please have a representative from your office present to answer any questions. As always, if you have any other record-related questions, don't hesitate to call me at 645-7293.

MARK YOUR CALENDARS: The remainder of the meetings for 2004 have been tentatively scheduled for Monday, May 10; and Monday, September 27.

The deadline for submitting Records Commission Agenda items for any meeting is 9:00 a.m. two weeks prior to the actual meeting date.

From: 1/31/04 To: 1/31/04

Title: Public Notice Department of Public Utilities --- Industrial Wastewater Discharge Permits

Contact Name: Daniel Rossi
Contact Telephone: 614/645-0360
Contact Email: dlr@smoc.cmhmetro.net

The Administrator of the Division of Sewerage and Drainage announces intent to issue a wastewater discharge permit to the below listed companies on or about February 16, 2004. The Draft permits will be available for review at: City of Columbus Pretreatment Section, 1250 Fairwood Ave. Room 186 FAX (614) 645-0227 Columbus, Ohio 43206-3372 on weekdays between the hours of 7:30 a.m. to 4:30 p.m. beginning Monday, February 2, 2004. The Administrator will accept written comments on the proposed Permits until 5:00 p.m., Sunday, February 15, 2004 at the above location. This Notice is made pursuant to specifications in the Columbus City Code, §1145.44(B). NAME and COMPANY ADDRESS: Central Ohio Oil, 795 Marion Road, Columbus, OH 43207. Franklin International, 2020 Bruck Street, Columbus, OH 43207. Inoveris, LLC, 7001 Metatec Blvd. Dublin, Ohio 43017.

From: 1/31/04 To: 1/31/04

Title: Zoning Agenda 2/2/2004

Contact Name: Mugsy Reynolds, Deputy City Clerk
Contact Telephone: 614-645-8539
Contact Email: mmreynolds@columbus.gov

Columbus City Council - Zoning Committee - Final Agenda
REGULAR MEETING #6 - COUNCIL CHAMBERS - 6:30 P.M.

ROLL CALL
READING AND DISPOSAL OF THE JOURNAL
EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MENTEL, CHR, BOYCE, HABASH, O'SHAUGHNESSY, SENSENBRENNER, TAVARES, THOMAS

0750-2003 - To rezone 3715 WEST DUBLIN-GRANVILLE ROAD (43017), being 0.71± acres located on the south side of West Dublin-Granville Road, 552± feet east of Sawmill Road, From: C-3, Commercial District, To: L-C-4, Limited Commercial District (Rezoning #Z02-071).

(Tabled 1/12/2004)

From: 1/24/04 To: 1/31/04

Title: Zoning Agenda for February 9, 2004
Contact Name: Mugsy Reynolds, Deputy City Clerk
Contact Telephone: 614-645-8539
Contact Email: mmreynolds@columbus.gov

Columbus City Council - Zoning Committee - Final Agenda
REGULAR MEETING NO. 8 OF CITY COUNCIL (ZONING), FEBRUARY 9, 2004 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL
READING AND DISPOSAL OF THE JOURNAL
EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MENTEL, CHR, BOYCE, HABASH, O'SHAUGHNESSY, SENSENBRENNER, TAVARES, THOMAS

2531-2003 To rezone 3541 REFUGEE ROAD (43232), being 1.87± acres located on the south side of Refugee Road, 440± feet east of Weyburn Road, From R, Rural District, To L-C-4, Limited Commercial District (Z03-067).

From: 1/31/04 To: 2/7/04

Title: Public Meeting Notice - Public Utilities Committee
Contact Name: Kathy Owens
Contact Telephone: 645-8559
Contact Email: kaowens@columbus.gov

Public Utilities Committee Meeting
Wednesday, February 11, 2004
5:30pm
City Council Chambers
Chair: Patsy A. Thomas

AGENDA

PowerPoint overview of each division

- Laura Young Mohr: Division of Sewers and Drains
- Ted Vollmuth: Division of Electricity
- Melissa Tucker: Division of Water
- Dir. Cheryl Roberto, Department of Public Utilities

Next Committee Meeting:
Wednesday, March 10, 2004

From: 1/31/04 To: 2/7/04

Title: Meeting Notice - Development Commission
Contact Name: Cheryl Fields
Contact Telephone: 645-4522
Contact Email: clfields@columbus.gov

The Development Commission Meeting is being rescheduled for the month of February only to Wednesday, February 11, 2004.

From: 1/31/04 To: 2/7/04

Title: Meeting Notice - Columbus Building Commission

Contact Name: Barbara Eastman
Contact Telephone: 645-6416
Contact Email: baeastman@columbus.gov

AGENDA
COLUMBUS BUILDING COMMISSION
FEBRUARY 17, 2004 - 1:00 p.m.
757 CAROLYN AVENUE
HEARING ROOM - LOWER LEVEL

1. APPROVAL OF JANUARY 20, 2004 MEETING MINUTES
Continuation:
2. A/O2004-001JFB – 4066-4118 WISTON DRIVE
(Winchester Crossing Condominiums)
Continuation:
3. DISCUSSION – BILL HATFIELD – Parkfield Insulation
“Use of a Vapor Barrier with Cellulose Insulation”
4. PROPOSED CODE CHANGE
Clarification as to when plumbing permits are required
5. 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.

From: 2/7/04 To: 2/14/04

Title: NOTICE OF PUBLIC HEARING - COMMUNITY ENTERTAINMENT DISTRICT FOR THE I-670 CAP

Contact Name: Paul Freedman
Contact Telephone: 645-0704
Contact Email: pmfreedman@columbus.gov

NOTICE OF PUBLIC HEARING COMMUNITY ENTERTAINMENT DISTRICT DESIGNATION FOR THE I-670 CAP AND SURROUNDING AREA
FEBRUARY 17, 2004 - 6:00 PM

The City of Columbus will hold a public hearing on Tuesday, February 17 at the CITY OF COLUMBUS I-71 NORTH COMPLEX, Lower Level Public Hearing Room, 757 Carolyn Avenue, Columbus, Ohio 43224. The meeting will begin at 6:00 P.M. The purpose of this hearing is to receive public input and comments on the following application for a Community Entertainment District. Additional information may be obtained by contacting Paul Freedman at 645-0704.

I-670 CAP AND SURROUNDING AREA

An area generally bounded by High Street and Third Street to the east; Nationwide Boulevard to the south; Park Avenue, High Street, and Park Street to the west; and Buttles Street, Lincoln Street, and I-670 to the north.

EXPLANATION OF A COMMUNITY ENTERTAINMENT DISTRICT

The Community Entertainment District (CED) was created by the General Assembly to facilitate the development of community entertainment and cultural districts in a city with a population exceeding 100,000. Once a CED is established, any subsequent liquor option questions relating to the CED would be decided by a community-wide referendum as opposed to a precinct level vote. In a CED, D5j liquor permits are limited to food service operations and can only be transferred within the CED. Additionally, a CED designation provides for up to 15 D5j permits (at the rate of 1 license for every 5 acres) to be issued within a CED of at least 20 acres.

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.

PARKING: Visitor parking is provided in the south parking lot.

From: 2/7/04 To: 2/14/04

Title: Recreation & Parks Commission Meetings

Contact Name: Molly Wilkinson
Contact Telephone: 614-645-8430
Contact Email: mewilkinson@columbus.gov

NOTICE OF REGULAR MEETINGS COLUMBUS RECREATION AND PARKS COMMISSION The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as

specified in Sections 112-1 and 112-2 of the Columbus City Charter. Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted): Wednesday, January 14, 2004 – Operations Complex, 420 W. Whittier Street, 43215 Wednesday, February 11, 2004 – Operations Complex, 420 W. Whittier Street, 43215 Wednesday, March 10, 2004 – Operations Complex, 420 W. Whittier Street, 43215 Wednesday, April 14, 2004 – Operations Complex, 420 W. Whittier Street, 43215 Wednesday, May 12, 2004 – Turnberry Golf Course, 1145 Clubhouse Road, Pickerington, 43247 Wednesday, June 9, 2004 – Beatty Recreation Center, 247 N. Ohio Avenue, 43203 Wednesday, July 14, 2004 – Gillie Recreation Center, 2100 Morse Road, 43229 August Recess – No meeting Wednesday, September 8, 2004 – Indian Village Camp, 3200 Indian Village Drive 43221 Wednesday, October 13, 2004 – Antrim Shelterhouse, 5800 Olentangy River Road, 43085 Wednesday, November 10, 2004 – Operations Complex, 420 W. Whittier Street, 43215 Wednesday, December 8, 2004 – Operations Complex, 420 W. Whittier Street, 43215 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).

From: 1/24/04 To: 11/27/04

Title: Meeting Notice

Contact Name: LINDA YOUNG, RECORDING SECRETARY
Contact Telephone: Telephone: (614) 645-7471 FAX: (614) 645-8912
Contact Email: LKYOUNG@COLUMBUS.GOV

2004 CALENDAR FOR THE COLUMBUS CHARITABLE SOLICITATIONS BOARD

November 13, 2003	June 17, 2004
December 11, 2003	July 15, 2004
January 15, 2004	August - NO MEETING
February 19, 2004	September 16, 2004
March 18, 2004	October 21, 2004
April 15, 2004	November 11, 2004 (tentative)
May 20, 2004	December 9, 2004 (tentative)

NOTICE: Meetings are scheduled for 10:00 a.m. in the License Section Conference Room B, 1555 Bryden Road, Columbus, OH 43205. Applications arriving less than 10 days prior to the scheduled meeting date will appear on the following month's agenda. If you have any questions, please feel free to contact us. Additional information may be obtained by visiting our website at:

www.publicsafety.ci.columbus.oh.us/license.htm

From: 12/20/03 To: 12/18/04

Title: Meeting Notice

Contact Name: Kimberlee A. Malone
Contact Telephone: (614) 645-8366
Contact Email: kamalone@columbus.gov

2004 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 B at 1555 Bryden Road, Columbus, OH 43205.

The Dates are as follows*:

January 29, 2004
February 26, 2004
March 25, 2004
April 29, 2004
May 27, 2004
June 24, 2004
July 29, 2004
August 26, 2004
September 30, 2004
October 28, 2004
November 25, 2004 (Tentative)
December 30, 2004 (Tentative)

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 The License Section Office:

Telephone: (614) 645-8366
Fax: (614) 645-8912

Vehicle For Hire Board
c/o License Section
1555 Bryden Rd.
Columbus, Ohio 43205

From: 12/20/03 To: 12/18/04

Title: Meeting Notice - Italian Village Commission

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620
Contact Email: bgmoore@columbus.gov

The 2004 regular meetings of the Italian Village Commission will be held on the dates listed below 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 645-8620 or by e-mail bgmoore@columbus.gov. 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 645-8620 or TDD 645-6802. All completed Certificate of Appropriateness applications and required supporting materials must be received in the City of Columbus Historic Preservation Office, 109 N. Front Street, by the specified Application Deadlines in order to be placed on the corresponding Hearing Dates.

Application Deadlines

January 6, 2004
February 3, 2004
March 2, 2004
April 6, 2004
May 4, 2004
June 1, 2004
July 6, 2004
August 3, 2004
September 7, 2004
October 5, 2004
November 2, 2004
December 7, 2004
January 4, 2005

Hearing Dates

January 20, 2004
February 17, 2004
March 16, 2004
April 20, 2004
May 18, 2004
June 15, 2004
July 20, 2004
August 17, 2004
September 21, 2004
October 19, 2004
November 16, 2004
December 21, 2004
January 18, 2005

From: 12/27/03 To: 12/25/04

Title: Brewery District Commission

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620
Contact Email: bgmoore@columbus.gov

The 2004 regular meetings of the Brewery District Commission will be held on the dates listed below 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 645-8620 or by e-mail bgmoore@columbus.gov. 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 645-8620 or TDD 645-6802.

Application Deadlines

December 26, 2003
January 22, 2004
February 19, 2004
March 18, 2004
April 22, 2004
May 20, 2004
June 17, 2004
July 22, 2004
August 19, 2004
September 23, 2004
October 21, 2004
November 18, 2004
December 23, 2004

January 8, 2004*
February 5, 2004
March 4, 2004
April 1, 2004
May 6, 2004
June 3, 2004
July 1, 2004
August 5, 2004
September 2, 2004
October 7, 2004
November 4, 2004
December 2, 2004
January 6, 2005

* Moved to the Second Thursday of the month due to a holiday

From: 12/27/03 To: 12/25/04

Title: Meeting Notice - Historic Resources Commission

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620

Contact Email: bgmoore@columbus.gov

The 2004 regular meetings of the Historic Resources Commission will be held on the dates listed below 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 645-8620 or by e-mail bgmoore@columbus.gov. 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 645-8620 or TDD 645-6802.

Application Deadlines

January 2, 2004
February 5, 2004
March 4, 2004
April 1, 2004
May 6, 2004
June 3, 2004
July 1, 2004
August 5, 2004
September 2, 2004
October 7, 2004
November 4, 2004
December 2, 2004
January 6, 2005

Hearing Dates

January 15, 2004
February 19, 2004
March 18, 2004
April 15, 2004
May 20, 2004
June 17, 2004
July 15, 2004
August 19, 2004
September 16, 2004
October 21, 2004
November 18, 2004
December 16, 2004
January 20, 2005

From: 12/27/03 To: 12/25/04

Title: Meeting Notice - Victorian Village Commission

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620
Contact Email: bgmoore@columbus.gov

The 2004 regular meetings of the Victorian Village Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street in the first floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. 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 645-8620 or TDD 645-6802.

Application Deadlines

December 26, 2003
January 29, 2004
February 26, 2004
March 25, 2004
April 29, 2004
May 27, 2004
June 24, 2004
July 29, 2004
August 26, 2004
September 30, 2004
October 28, 2004
November 26, 2004
December 30, 2004

Hearing Dates

January 8, 2004
February 12, 2004
March 11, 2004
April 8, 2004
May 13, 2004
June 10, 2004
July 8, 2004
August 12, 2004
September 9, 2004
October 14, 2004
November 11, 2004
December 9, 2004
January 13, 2005

From: 12/27/03 To: 12/25/04

Title: Meeting Notice - German Village Commission

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620
Contact Email: bgmoore@columbus.gov

The 2004 regular meetings of the German Village Commission will be held on the dates listed below at 4:00 p.m. at the German Village Meeting Haus, 588 S. Third Street. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. 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 645-8620 or TDD 645-6802.

Application Deadlines

December 23, 2003
January 20, 2004
*February 24, 2004
March 23, 2004
April 20, 2004

Hearing Dates

January 6, 2004
February 3, 2004
March 9, 2004
April 6, 2004
May 4, 2004

May 18, 2004
June 22, 2004
July 20, 2004
August 31, 2004
September 21, 2004
October 26, 2004
November 23, 2004
December 21, 2004

June 1, 2004
July 6, 2004
August 3, 2004
*September 14, 2004
October 5, 2004
*November 9, 2004
December 7, 2004
January 4, 2005

*Moved to the second Tuesday of the month due to a holiday or election day.

From: 12/27/03 To: 12/25/04

Title: Official Notice - Civil Service Commission - Competitive Examination Announcements - Apply Daily Monday Through Friday - 8:00 a.m. to 4:30 p.m.

Contact Name: Applicant Services Counter
Contact Telephone: 614.645.8300
Contact Email: civilservice@columbus.gov

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.columbus.gov.

From: 1/3/04 To: 1/1/05

Title: Meeting Notice - City of Columbus Records Commission

Contact Name: Thamie Freeze
Contact Telephone: 614-645-7293
Contact Email: tjfreeze@columbus.gov

**CITY BULLETIN NOTICE
MEETING SCHEDULE CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2004 are scheduled as follows:

Monday, February 2, 2004
Monday, May 10, 2004
Monday, September 27, 2004

These meetings will take place at: 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) 645-7293. Advertise:

From: 1/3/04 To: 9/25/04

Title: Public Hearing Notice

Contact Name: Lelia Cady
Contact Telephone: 614-645-8529
Contact Email: LECady@columbus.gov

Council member O'Shaughnessy will convene a public hearing at 5:30 pm on Thursday, February 19, 2004, to discuss City and Departmental policies relative to growth and annexation. She asks that a representative from each Department attend the hearing. Topics will include:

- Provision of safety services ie: staffing, equipment and facilities
- Provision of utilities ie: water/sewer/street lights
- Provision of Recreation and Parks services and facilities
- Provision of Infrastructure ie: transportation planning, roads, street trees
- Refuse collection staffing and equipment

The planned format is for the Administration to begin with a comprehensive explanation of the annexation process and the laws governing it. Each Department will then present their internal policies and describe the process used when annexation applications are evaluated. Public testimony will follow.

From: 1/31/04 To: 2/14/04

**NORTHEAST AREA COMMISSION
BY-LAWS**

PREAMBLE

WE, the people of the City of Columbus who live and work in the Northeast Area, in order to enhance the quality of life of Northeast residents, economically grow in an environmentally responsible manner, celebrate diversity and ensure equitable treatment of all people, and preserve our historical and cultural traditions; in order to establish and maintain a vibrant and livable community, one in which we can take pride in and pass onto future generations do establish and ordain these By-Laws.

ARTICLE I – Name

Section 1 - Name. The name of this organization shall be the Northeast Area Commission, herein referred to as the “Commission”.

ARTICLE II – Boundaries

Section 1 - Commission Boundaries. Chapter 3111.08 of the Columbus City Codes (passed August 30, 2001) describes the boundaries of the Northeast Area Commission as follows:

Beginning at the point of the west bank of Alum Creek where the centerline of U.S. Highway 62/I-670 crosses over Alum Creek;

Thence northerly along the west bank of Alum Creek to the extended centerline of Mock Road;

Thence westerly along the extended centerline of Mock Road and the centerline of Mock Road to the centerline of Parkwood Avenue;

Thence northerly along the centerline of Parkwood Avenue to the centerline of E. Hudson Street;

Thence westerly along the centerline of E. Hudson Street to the centerline of the first north-south railroad right-of-way west of Joyce Avenue;

Thence northerly along the centerline of the aforementioned railroad right-of-way to the centerline of Morse Road;

Thence easterly along the centerline of Morse Road to the centerline of Interstate Highway 270;

Thence southerly along the centerline of Interstate Highway 270 to the centerline of U.S. Highway 62;

Thence westerly along the centerline of U.S. Highway 62/I-670 to the place of beginning at the west bank of Alum Creek.

Section 2 - Commission Districts. The Commission area shall be geographically divided into seven (7) Commission “Districts” known as:

- 1) Arlington Park District,
- 2) Bridgeview District,
- 3) Cumberland Ridge District,
- 4) Framingham District,
- 5) Somerset District,
- 6) Walnut Creek District,
- 7) Willow Springs/Brunswick Estates District.

A. The boundaries of each District are described in Appendix A, which is a part of these By-Laws.

**NORTHEAST AREA COMMISSION
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ARTICLE III – General Provisions

Section 1 - Purpose. The Commission is established for the purpose of enhancing the living conditions, livability, and overall quality of life of Northeast residents. The Commission, as an advisory body shall facilitate communication, understanding and cooperation among residents, neighborhood groups, businesses, government officials and staff, and other community stakeholders by performing those functions and duties set out in Columbus City Codes 3109.14.

- A. The Commission may also:
- (a) Facilitate and enhance citizen participation in the decision-making process with government officials and their staff;
 - (b) Partner with the educational community to increase educational opportunities and enhance education quality in the Northeast area;
 - (c) Coordinate with public and private sectors to increase the number of employment opportunities and higher skilled opportunities for Northeast residents;
 - (d) Advocate for an environmentally sound community;
 - (e) Establish a framework where civic leadership can flourish;
 - (f) Coordinate with faith-based organizations to enhance the Northeast community's cultural assets; and
 - (g) Form cooperative relationships with communities, organizations, and governments outside the geographical boundaries of the Commission.

Section 2 - Organizational Structure. These By-Laws set forth the rules and procedures governing the operation of the Commission pursuant to Chapter 3109 of the Columbus City Codes.

Section 3 - Commission Year. The Commission year shall begin at the first regular meeting in September, and last until the beginning of the next regular meeting in September.

- (a) The fiscal year of the Commission shall follow the calendar year.

Section 4 - Equal Standing. All Commissioners shall have equal standing.

Section 5 - Compensation. All Commissioners shall serve without compensation.

Section 6 - Open Meetings and Records. All meetings and records of the Commission shall be open and available to the public in accordance with Ohio's Sunshine Law. This includes:

- (a) Regular meetings;
- (b) Special meetings;
- (c) Executive meetings;
- (d) Standing Committee meetings; and
- (e) Special Committee meetings.

**NORTHEAST AREA COMMISSION
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Section 7 - Notice. All notices, notifications, or communications of the Commission shall be made in writing. The Corresponding Secretary shall maintain full and complete copies of all notices, notifications, and communications made by the Commission.

ARTICLE IV – Membership

Section 1 - Administrative. The Mayor of the City of Columbus with the concurrence of City Council shall appoint all Commissioners in accordance with Chapter 3109 of the Columbus City Codes. The Commission's Corresponding Secretary shall submit written notification to the Mayor of all nominations, elections, selections, and vacancies within ten (10) calendar days of such action.

- (a) A copy of each such notice shall be sent certified mail with return receipt to the Mayors Office and to the proper official of the Division of Neighborhood Services, by the Corresponding Secretary.
 - 1. The Corresponding Secretary shall follow up with the Mayor's Office within ten (10) business days of sending such notice.
- (b) Should the Mayor neither approve nor disapprove the action within thirty (30) calendar days of notification, the action shall be deemed approved.

Section 2 - Members. The Commission shall consist of eleven (11) members known as "Commissioners". Ten (10) Commissioners (seven (7) District Commissioners and three (3) At-Large Commissioners) shall be elected by general election as detailed in Article IX and Appendix C.

A. Specifically:

- (a) Seven (7) persons shall be elected as resident representatives, one (1) to each of the following seven Commission Districts:
 - 1) Arlington Park District;
 - 2) Bridgeview District;
 - 3) Cumberland Ridge District;
 - 4) Framingham District;
 - 5) Somerset District;
 - 6) Walnut Creek District;
 - 7) Willow Springs/Brunswick Estates District.

These seven (7) Commissioners shall be known as "District Commissioners" and must live within the boundaries of their respective Districts during their terms of office.

**NORTHEAST AREA COMMISSION
BY-LAWS**

- (b) Three (3) persons who need not live within the Commission boundaries, but who must live within the boundaries of the City of Columbus; and who are landowners or business owners within the Commission area, or have shown a demonstrated interest in the Commission area shall be elected and known as "At-Large Commissioners". At-Large Commissioners shall represent the general community of the Northeast Area Commission.
- (c) One (1) Commissioner shall be selected by the Selection Procedure detailed in Section 3 of this Article. This Commissioner shall be known as the "Special-Appointee Commissioner" and need not live within the Commission boundaries.
- (d) No person convicted of a felony can be a commissioner.

Section 3 - Special Appointee Selection Procedure. One (1) of the members of the Commission shall be selected by the Commission to represent a specific geographic area or issue or interest within the Commission area. The Commission shall vote at its first regular meeting in September to nominate for appointment a candidate to fill an expired term for this position. Voting shall be conducted by secret ballot and the results publicly read aloud immediately following the tallying of votes for each candidate. The candidate receiving a plurality of votes cast shall be declared the winner. In the event of a tie vote the winner shall be decided by lot. The Corresponding Secretary shall submit in writing the name of the winning nominee to the Mayor for appointment and concurrence with City Council.

Section 4 - Terms. A full term of membership shall be two years for all Commissioners: District Commissioners, At-Large Commissioners, and Special-Appointee Commissioner.

- A. In order to establish proper membership rotation of staggered terms, the following system shall be utilized in the initial formation of the Commission:
 - (a) The Commissioners from the Districts of Arlington Park, Cumberland Ridge, Somerset, Willow Springs/Brunswick Estates, and two (2) Commissioners elected At-Large shall serve an initial term of two (2) years plus whatever additional period is necessary until successors are appointed or assume their duties. Thereafter, all terms shall be for two (2) years.
 - (b) The Commissioners from the Districts of Bridgeview, Framingham, Walnut Creek, the Special-Appointee Commissioner, and the remaining one (1) At-Large Commissioner shall serve an initial term of one (1) year plus whatever additional period is necessary until successors are appointed or assume their duties. Thereafter, all terms shall be for two years.

**NORTHEAST AREA COMMISSION
BY-LAWS**

- B. All terms shall expire at the first regular meeting in September in different years; and
 - (a) The terms of newly elected Commissioners or Commissioners nominated by the Commission to fill a vacancy shall commence no sooner than thirty (30) calendar days after notice has been received by the Mayor's Office and in accordance with Section 1 of this Article, and be for no less than one (1) year unless approved by a majority vote of the Commission, and not more than a full term of two (2) years.
 - (b) A Commissioner may continue to serve beyond term expiration until a successor is appointed by the Mayor or as described in Section 1 of this Article.

- C. No Commissioner shall serve more than three (3) consecutive terms.

Section 5 - Representation. No Commissioner shall represent the Commission in its official actions before any other public body or official, except as expressly stated in these By-Laws, or specifically authorized by a majority vote of the Commission at a regular or special meeting.

- A. Any unauthorized representation shall be deemed as a resignation from the Commission and notice of such will be sent to the Mayor, unless two-thirds (2/3) of those Commissioners present and voting determine that extenuating circumstances justify that Commissioner's continuing to hold his or her position.

- B. This section shall not be construed as a restriction upon the right of the individual Commissioners to represent their own views before public or private bodies, whether in agreement or disagreement with the official action of the Commission. Nothing in this section shall restrict or prohibit any Commissioner from exercising any of the freedoms guaranteed by the First Amendment to the United States Constitution.

- C. All recommendations, expressions of support or endorsements of the Commission shall be effective for three hundred sixty-five (365) days, unless otherwise expressly declared. All recommendations of the Commission shall contain notice of this limitation, except zoning and land use recommendations, which shall remain valid until such time the Commission may modify such recommendations.

Section 6 - Residency. The terms residency, residence and domicile as concerns these By-Laws and this Commission are used synonymously and interchangeably and have identical meaning.

A person's residence is understood to mean the place where a person lives, physically occupies, and establishes her/his true, fixed, permanent home and principal/primary residence, which s/he intends to return whenever s/he is absent, and from which s/he has no present intent to move.

**NORTHEAST AREA COMMISSION
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- A. District Commissioners shall maintain their residence within the Commission District from which they were elected, selected, or appointed. Failure of a District Commissioner to abide by this By-Law shall be deemed a resignation from the Commission, and the Corresponding Secretary shall submit written notification within ten (10) calendar days to the Mayor, City Clerk, and the Department of Development.

- B. At-Large Commissioners shall maintain their residence within the boundaries of the City of Columbus, and maintain land ownership or business ownership within the Commission area, or maintain a demonstrated interest in the Commission area. Failure of an At-Large Commissioner to abide by this By-Law shall be deemed a resignation from the Commission, and the Corresponding Secretary shall submit written notification within ten (10) calendar days to the Mayor, City Clerk, and the Department of Development.

- C. The Special-Appointee Commissioner need not maintain her or his residence within the Commission boundaries.

Section 7 - Attendance. Commissioners shall be regular in attendance. A Commissioner's un-excused absence from three (3) consecutive regular meetings or from a total of four (4) regular meetings in any one Commission year shall be deemed as a resignation from the Commission. The Corresponding Secretary shall prepare and send by certified mail with return receipt written notice of such resignation to that Commissioner and to the Mayor, unless two-thirds (2/3) of those Commissioners present and voting determine that extenuating circumstances justify that Commissioner's continuing to hold his or her position.

- (a) The Corresponding Secretary shall remind such Commissioner of this provision after his or her second consecutive un-excused absence or third absence in a Commission year.

- A. Excused absences are limited to the following:
 - (a) Illness of Commissioner or immediate family member;
 - (b) Death of a family member;
 - (c) Schedule conflicts of a Commissioner acting in the capacity of an official representative of the Commission;
 - (d) Sequestered for jury duty;
 - (e) Emergencies as determined by majority vote of the Commission; or
 - (f) Work schedule conflicts when not self-employed.

- B. The Secretary shall maintain an attendance roster indicating "Present", "Unexcused" or "Excused" for each regular or special meeting. The Secretary shall record in the Commission minutes Commissioners that are late or leave the meeting before adjournment, unless excused by the Chairperson.

**NORTHEAST AREA COMMISSION
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Section 8 - Vacancy. The Commission shall nominate by letter to the Mayor pursuant to Columbus City Codes 3109.10 one candidate to fill any vacancy caused by death, resignation, or disqualification for the remainder of the unexpired term. Commission seat vacancies shall be filled as follows:

- A. The Commission shall give public notice of a vacancy or vacancies at least thirty (30) calendar days before the date to which the Commission will vote to nominate a candidate or candidates to fill the vacancy or vacancies.
- B. Any individual interested in filling a vacancy shall be allowed to enter his or her candidacy for not more than one (1) vacant seat and so far as he or she meets the eligibility requirements of this Article.
- C. The Commission shall vote to nominate a candidate or candidates to fill the vacant seat or seats at a regular Commission meeting in compliance with Section 8A of this Article. Voting shall be conducted by secret ballot and the results publicly read aloud immediately following the tally of votes for each candidate. The candidate for each vacant Commission seat nomination receiving a plurality of votes cast shall be declared the winner. In the event of a tie vote the winner shall be decided by lot.

Section 9 - Rules, Laws, and By-Laws. The Commission and its Commissioners shall adhere to all relevant and applicable local, state and federal laws, and these By-Laws. Failure to adhere to such rules, laws and By-Laws shall be deemed as a resignation from the Commission and written notice of such shall be sent by the Corresponding Secretary by certified mail with return receipt to that Commissioner and to the Mayor, unless two-thirds (2/3) of those Commissioners present and voting determine that extenuating circumstances justify that Commissioner's continuing to hold his or her position.

Section 10 - Duties of Commissioners.

- A. All Commissioners shall attend at least four (4) City Council meetings per calendar year.
- B. All Commissioners shall serve on at least two (2) standing committees per year.
- C. All Commissioners shall perform other Commission related duties as designated by the Commission Chairperson.

ARTICLE V - Officers

Section 1 - Officers. The officers of the Commission shall be: Chairperson, Vice-Chairperson, Secretary, Corresponding Secretary, Parliamentarian, Fiscal Officer, and Sergeant-at-Arms.

- (a) Each officer must be a commissioner.

**NORTHEAST AREA COMMISSION
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Section 2 - Election of Officers. At the first meeting of the Commission, officers shall be elected by majority vote of the Commission. Thereafter, election of officers shall be at the Commission's regularly scheduled meeting in September, unless otherwise approved by a majority vote of the Commission.

Section 3 - Term of Office. Officers shall serve one (1) year, or until a successor is elected, and no officer shall serve more than four (4) years consecutively in the same office.

Section 4 - Duties. The duties of the officers shall consist of the following:

A. **Chairperson.** The chairperson shall:

- (a) secure a meeting place for the Commission;
- (b) preside at all Commission meetings;
- (c) prepare the agenda for Commission meetings in concurrence with the Executive Committee;
- (d) appoint members to standing and special committees in consultation with Commission members;
- (e) provide the primary interface with the liaison team with the City of Columbus;
- (f) serve as ex-officio member of all committees;
- (g) perform other duties associated with the office as required and as may be assigned by the Commission; and
- (h) transfer all original Commission documents to successor within ten (10) business days prior to leaving office.

B. **Vice-Chairperson.** The Vice-Chairperson shall:

- (a) perform the duties of the Chairperson in his or her absence;
- (b) assist the Chairperson by performing duties delegated by the Chairperson;
- (c) perform such other duties as may be assigned by the Commission; and
- (d) transfer all original Commission documents to successor within ten (10) business days prior to leaving office.

C. **Secretary.** The Secretary shall:

- (a) call the roll at each Commission meeting and maintain a permanent written record of same;
- (b) distribute Commission minutes to Commissioners within ten (10) business days prior to the next monthly Commission meeting;
- (c) record and maintain accurate written minutes of the proceedings of all regular and special meetings and hearings of the Commission, which as a minimum shall include:
 - (1) Identification of Commissioners present, excused, and un-excused, late, and those who leave before adjournment;

**NORTHEAST AREA COMMISSION
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- (2) Descriptions of actions taken by the Commission including but not limited to resolutions and recommendations;
 - (3) Descriptions of voting results, which includes the actual votes for, against, and abstentions by the Commissioners, and the corresponding names of the voting Commissioners when a roll call vote is requested; and
 - (4) Summary of topics discussed and actions taken.
- (d) maintain a permanent file (not less than seven (7) years) of approved minutes, Committee reports, and other Commission related documents;
 - (e) send one (1) copy of Commission approved minutes to the City of Columbus, Department of Development;
 - (f) maintain the minutes of all Commission meetings at a public facility (e.g., library) and on the Commission's web-site for examination by any interested party;
 - (g) provide copies, charging an amount equal to the cost of copying, of any Commission documents to any person making written request of such documents;
 - (h) provide speaker's slips and other Commission related forms;
 - (i) in the absence of both the Chairperson and the Vice-Chairperson, call the meeting to order and preside until the immediate election of a Chairperson pro tempore;
 - (j) generally perform such duties, which pertain to the office or as may be assigned by the Commission; and
 - (k) transfer all original Commission documents to successor within ten (10) business days prior to leaving office.

D. Corresponding Secretary. The Corresponding Secretary shall:

- (a) be responsible for all correspondences, notices, notifications, and communications relative to the business of the Commission, including but not limited to:
 - (1) Drafting Commission correspondences;
 - (2) Sending, mailing, or otherwise delivering all Commission approved correspondences in a timely manner.
- (b) be the receiver of all Commission correspondences, including but not limited to:
 - (1) Maintaining the Commission's post office box;
 - (2) Collecting Commission mail and delivering it to the identified persons within three (3) business days.
- (c) maintain a permanent file (not less than seven (7) years) of all correspondences to and from the Commission;
- (d) maintain an up-to-date written record of the names, addresses, telephone numbers, and terms of office of each Commissioner and committee chairperson;

**NORTHEAST AREA COMMISSION
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- (e) remind Commissioners in writing of absences per Article IV, Section 7;
- (f) notify the Mayor of any nomination or vacancy;
- (g) perform the duties of the Secretary in his or her absence; and
- (h) transfer all original Commission documents to successor within ten (10) business days prior to leaving office.

E. Parliamentarian. The Parliamentarian shall ensure that all regular meetings and special called meetings are conducted in accordance with the most recent edition of Robert's Rules of Order, Newly Revised.

F. Fiscal Officer. The Fiscal Officer shall:

- (a) be responsible for the care and custody of all funds belonging to the Commission;
- (b) be responsible for maintaining a written accounting of City funds expended;
- (c) deposit in a local bank all funds received from the City and any other received funds;
- (d) be one of two or more officers who may sign checks on behalf of the Commission;
- (e) receive, disburse, and record all funds of the Commission;
- (f) receive and submit to the Commission all requests with receipts for reimbursement;
- (g) obtain Commission approval prior to paying any reimbursement claim;
- (h) obtain advance permission from the Chairperson for emergency expenditures totaling not more than fifty (\$50) dollars in a thirty (30) calendar day period;
- (i) prepare and submit at each monthly Commission meeting a written "Monthly Financial Report" describing the financial condition of the Commission, which shall become part of the Commission's minutes. Such report shall include but is not limited to include the following:
 - (1) Beginning monthly actual balance
 - (2) Revenues received this month
 - (3) Expenses paid this month
 - (a) Corresponding receipts
 - (4) End of month actual balance
 - (5) Comparison of actual to budgeted amounts
 - (a) Balance of budget remaining
 - (6) Expenses due next month

**NORTHEAST AREA COMMISSION
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- (j) prepare and submit in the months of January, April, July, and October a written “Quarterly Financial Report” describing the financial condition of the Commission, which shall become part of the Commission’s minutes. Such report shall include but is not limited to include the following:
 - (1) Beginning quarter actual balance
 - (2) Revenues received this quarter
 - (3) Expenses paid this quarter
 - (4) End of quarter actual balance
 - (5) Comparison of actual to budgeted amounts
 - (a) Balance of budget remaining
- (k) prepare and submit at the Commission’s January meeting a written “Prior Year Annual Financial Report” describing the financial condition of the Commission, which shall become part of the Commission’s minutes. Such report shall include but is not limited to include the following:
 - (1) Beginning prior fiscal year actual balance
 - (2) Total prior fiscal year revenues received
 - (3) Total prior fiscal year expenses paid
 - (4) End of prior fiscal year actual balance
 - (5) Comparison of actual to budgeted amounts of prior fiscal year
- (l) prepare and submit at the Commission’s first regular meeting in September a written “Annual Proposed Budget” in accordance with the City’s, “Area Commission Special Revenue Fund Spending Guidelines” (Sub Fund 221) Revised January 2001. Such proposed budget shall become a part of the minutes of the Commission;
- (m) perform all duties incidental to the office of Fiscal Officer, including compliance with all fiscal requirements within the Memorandum of Agreement with the City of Columbus; and
- (n) transfer all original Commission documents to successor within ten (10) business days prior to leaving office.

G. Sergeant-at-Arms. The Sergeant-at-Arms shall:

- (a) at the request of the presiding officer, ensure the maintenance of order at regular and special Commission meetings, public hearings, and other official Commission functions;
- (b) implement measures to ensure the safety of Commissioners and other attendees of Commission meetings, public hearings, and other official Commission functions; and
- (c) have the authority to contact the Columbus Police to remove unruly or disorderly persons from meetings, hearings, and other official Commission functions.

**NORTHEAST AREA COMMISSION
BY-LAWS**

Section 5 - Vacancies. A vacancy in the office of Chairperson shall be filled by the Vice-Chairperson. A vacancy in any other position shall be filled in the same manner as the original officer election process provided in Section 2 of this Article and continue for the remainder of the unexpired term of the former officer.

ARTICLE VI – Meetings

Section 1 - Regular Meeting. The regular meeting of the Commission shall be held on the first Thursday of each month at 7:00 p.m. at a public site located within the boundaries of the Commission area; unless otherwise approved by a majority vote of the Commission and notice given at least seven (7) calendar days prior to the changed meeting date and/or location.

Section 2 - Start of Meeting. Meetings shall commence no later than five (5) minutes after the stated time, unless extenuating circumstances prevail.

Section 3 - Length of Meeting. Commission meetings shall be limited to not more than two (2) hours unless otherwise approved by a majority vote of the Commission.

- A. When guests are invited to speak to the Commission, time will be limited to fifteen (15) minutes for each presentation, or at the discretion of the Chairperson.
- B. Reports from Officers, Committees, and neighborhood groups are limited to ten (10) minutes, or at the discretion of the Chairperson.
- C. Commissioner comments are limited to three (3) minutes per Commissioner per issue, or at the discretion of the Chairperson.
- D. Public comments are limited to three (3) minutes per individual, or at the discretion of the Chairperson.

Section 4 - Open Meetings. All Commission meetings shall be open to the public.

**NORTHEAST AREA COMMISSION
BY-LAWS**

Section 5 - Order of Business. The Order of Business for meetings shall be as follows unless otherwise approved by a majority vote of the Commission:

1. Call to order
2. Roll call
3. Reading and approval of minutes of previous meeting
4. Fiscal Officer Report
5. Reading of correspondences
6. Guest Presentations
7. Standing Committee reports
8. Special Committee reports
9. Reports of Officers
10. Neighborhood Group Reports
11. Old business
12. New business
13. Comments from the community
14. Adjournment

Section 6 - Executive Meeting. Executive meetings are held by officers of the Commission. Executive meetings may be held up to one (1) week prior to each monthly Commission meeting at a time and location, within Commission boundaries, designated by the Chairperson.

- A. Non-officers and non-Commissioners may request an issue or issues be placed on the Commission's regular meeting agenda providing such request is submitted in writing to the Chairperson at least seven (7) calendar days prior to the meeting.

Section 7 - Annual Commission Meeting. The annual meeting shall be the first regular meeting in September at which time new Commissioners will be seated, a candidate for an expired Special Appointee Commissioner will be nominated, new officers elected, and year-to-date reports received from out-going and remaining officers, and from committees.

- A. Each new Commissioner shall receive from the Corresponding Secretary a copy of the following documents: Northeast Area Commission By-Laws, Northeast Area Plan, and Northeast Area Action Plan for 2000.

Section 8 - Special Commission Meeting. Special meetings may be called by:

- (a) the Chairperson;
- (b) a majority of the Commissioners in a regular or special meeting; or
- (c) written request submitted by three (3) or more Commissioners to the Chairperson.

**NORTHEAST AREA COMMISSION
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- A. The meeting's purpose, date, time, and location shall be stated in the meeting notice. No business will be considered at a special meeting unless it was explicitly included in the meeting notice and a quorum is present.
- B. Except in cases of emergency, the Commission shall notify all Commissioners and also the public within seven (7) calendar days of the proposed special meeting.
- C. Emergency meetings shall require twenty-four (24) hours minimum written notice.

Section 9 - Commission Meeting Notice. At least a seven (7) calendar day notice prior to all meetings, except for emergency meetings, shall be given to both Commissioners and Northeast area residents.

- A. Emergency meetings shall require twenty-four (24) hour notice prior to the meeting.
- B. Notice for this Article only may be accomplished by publication in a newspaper of general circulation in the Commission area, or by delivering meeting notices door-to-door, or by fax, or by email, or as otherwise approved by a majority vote of the Commission.
- C. Notices shall contain but are not limited to the following:
 - (1) Meeting location;
 - (2) Meeting date and time; and
 - (3) Agenda for meeting.

Section 10 - Public Comment. The Chairperson may recognize members of the public who wish to address the Commission concerning issues under consideration. The Chairperson shall set a time limit of three (3) minutes for each speaker and uniformly limit debate to an equal amount of time for each side of an issue; and when appropriate, the issue may be referred by the Chairperson to the proper committee for action or report at the next Commission meeting.

- (a) Individuals wishing to address the Commission may submit a speaker's slip to the Commission indicating the subject matter and shall be recognized by the chair;
- (b) A maximum of four (4) speaker slips shall be available for each agenda item.

Section 11 - Dissenting or Non-concurring Reports. Dissenting or non-concurring reports may be filed with the Secretary by any Commissioner and shall be attached to the majority report.

**NORTHEAST AREA COMMISSION
BY-LAWS**

Section 12 - Commission Recess. The Commission shall not meet during the month of August, unless a two-thirds (2/3) vote of the Commission approves that extenuating circumstances justify the Commission meet during the month of August.

ARTICLE VII – Voting

Section 1 - Quorum. A quorum for transacting business and voting shall be six members of the Commission. Nothing in this Article shall prevent the adjournment of a meeting for purposes of transacting business and voting to a later specified date, regardless of the presence of a quorum.

Section 2 - Voting. A quorum of Commissioners present and voting shall be required to approve any action. A tie vote is disapproval.

- A. The Chairperson shall state each issue in a positive form such as “The question before the Commission is: Shall the (application, request, proposal) for _____ be approved?”
- B. To be counted as a valid vote a Commissioner must cast his or her vote in-person at the Commission meeting.

Section 3 - Majority Vote. A majority vote means more than half of the votes cast by Commissioners legally entitled to vote, excluding blanks (Commissioners not voting) or abstentions, at a regular or properly called meeting at which a quorum is present.

Section 4 - Two-Thirds Vote. A two-thirds (2/3) vote means at least two-thirds (2/3) of the votes cast by Commissioners legally entitled to vote, excluding blanks (Commissioners not voting) or abstentions, at a regular or properly called meeting at which a quorum is present.

ARTICLE VIII - Committees

Section 1 - Committee Members.

- A. The Commission Chairperson shall appoint Commissioners or non-Commissioners to serve on standing or special committees.
 - (1) Committee members shall serve at the pleasure of the Commission Chairperson.
- B. All standing committee appointments should be made at the Commission’s Annual Meeting in September, but not later than the next regular Commission meeting in October.
 - (1) Standing committee member appointments shall expire at the next Annual Meeting of the Commission.

**NORTHEAST AREA COMMISSION
BY-LAWS**

- C. All committee members shall have equal voting rights within that committee.
- D. Each committee may elect officers and adopt internal rules necessary to carry out their assigned task(s).
 - (1) Each officer must be a member of his/her respective committee.
- E. A member of a committee may be removed from that committee by a two-thirds (2/3) majority vote of that committee's members.
- F. A vacancy within a committee shall be filled in the same manner as that of the original appointment.
- G. The Commission Chairperson shall be an ex-officio member of all committees. No committee voting privileges are conferred onto the Commission Chairperson as an ex-officio member.

Section 2 - Standing Committees. The Standing Committees shall consist of the following:

- (a) Executive Committee
- (b) Planning Committee
- (c) Zoning Committee
- (d) Public Services Committee
- (e) Community Committee
- (f) Education Committee
- (g) Recreation and Parks Committee

All committees, except for the Zoning Committee, shall meet at least once a month at a regularly established time, date and location, or more often if necessary, to conduct committee business.

The Standing Committees' responsibilities and duties are described below and may take on whatever other duties or tasks deemed appropriate by a majority Commission vote:

- A. **Executive Committee.** The Executive Committee shall consist of the Commission Chairperson, Vice-Chairperson, Secretary, Fiscal Officer, and Corresponding Secretary.

The duties of the Executive Committee shall be to:

- (1) Organize and set the agenda for the Commission's monthly meetings;
- (2) Plan the direction and scope of Commission activities;
- (3) Develop recommendations of goals for the Commission to pursue; and
- (4) Address any other issues that may require Executive Committee consideration.

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B. **Planning Committee.** The Planning Committee shall review existing area plans and recommend guidelines for the comprehensive short and long-range planning of the Commission Area. Areas to be addressed include social, economic and physical aspects; federal, state, and local funding programs that affect the Commission area; and strategies for citizen participation that affect the Commission area.

C. **Zoning Committee.** The Zoning Committee shall regularly monitor, review, and make recommendations on all applications for re-zonings, variances, graphics, special permits, and zoning adjustment appeals regarding properties located wholly or partially within the boundaries of the Commission area.

The Zoning Committee shall follow the rules set out in the “Northeast Area Commission Zoning Committee Process and Procedures Policy Document”, which are a part of these bylaws (Appendix B).

D. **Public Services Committee.** The Public Services Committee shall monitor and review the adequacy, appropriateness, and operation of all public services (utilities, safety, infrastructure, health, code enforcement, parks, etc.) provided by the City and other public agencies to the Commission area, and recommend priorities and/or plans for improvements of same. The Public Service Committee may investigate complaints or contact the appropriate City representative(s) requesting the City perform such investigations.

E. **Community Committee.** The Community Committee shall promote the existence and activities of the Commission to the community and other groups throughout the city; and encourage active cooperation of all segments of the Commission area, including residents, organizations, associations, businesses, and institutions.

The committee may recommend to the Commission community-wide events such as parades or special events.

F. **Education Committee.** The Education Committee shall encourage excellence in the provision of public education within the Commission area. The committee shall monitor and review the quality and delivery of public education programs provided to residents within the Commission’s boundaries, and recommend priorities and/or plans for improvements of same. The committee may work with local school officials, businesses, faith-based organizations, students, and parents to implement measures that continually improve the quality of public education for Commission area residents.

G. **Recreation and Parks Committee.** The Recreation and Parks Committee shall study and make recommendations to the Commission on issues relating to parks and recreation facilities and programs, and environmental issues involving natural resources such as waterways, trees, and ravines.

**NORTHEAST AREA COMMISSION
BY-LAWS**

The Committee should establish cooperative relationships with the directors of any public recreation centers established within Commission boundaries.

The committee should be the liaison to all northeast area recreation centers.

Section 3 - Special Committees. A Special Committee may be created for a specific purpose by the Chairperson or by a majority vote of the Commission at any Commission meeting. The size, powers, duties, and duration of any special committee shall be specified in the creating resolution.

Commissioners or non-Commissioners may be appointed to any Special Committee.

Special Committees may be terminated by conditions set forth in the creating resolution, or by the Chairperson, or by majority vote of the Commission.

Section 4 - Committee Meeting Notice. The chairperson of each committee shall be responsible for providing committee meeting notice.

Notice of a committee meeting, Zoning Committee exempted, shall be by telephone, email, door-to-door notice, or by spoken announcement at a monthly Commission meeting at least twenty-four (24) hours in advance of the scheduled meeting date.

Section 5 - Committee Reports, Findings, and Recommendations.

- A. Committee reports, findings, and recommendations shall be submitted in writing to the Commission's Corresponding Secretary at a regular or special Commission meeting.
- B. A committee's chairperson, unless otherwise agreed to by the committee, shall present the Committee's majority report to the Commission at a regular or special Commission meeting.
- C. Written dissenting or non-concurring opinions, reports, or findings of committee members may be filed with the Corresponding Secretary and shall be attached to that committee's majority report. If a minority of a committee wishes to make a presentation, it may do so after that committee's majority report is presented.

Section 6 - Committee Jurisdiction. In the event a matter overlaps the area of two or more committees, the Commission Chairperson shall have the authority to assign the matter to a specific standing committee, or charge two or more committees to work on the matter as a special committee.

Section 7 - Open Meetings. All committee meetings shall be open to the public.

**NORTHEAST AREA COMMISSION
BY-LAWS**

ARTICLE IX – Northeast Area Commission Election Board

Section 1 - Northeast Area Commission Election Board. The Northeast Area Commission Task Force shall appoint an initial Election Board. Thereafter, seven residents of the Commission area shall be appointed by the Commission at its regular meeting in January of each year to serve as an Election Board until the successors are appointed.

The Election Board shall have all necessary authority to conduct Commission elections in accordance with the “Northeast Area Commission Election Rules”, which are a part of these by-laws (Appendix C).

The Election Board Chairperson shall present any supplemental election rules omitted in the “Northeast Area Commission Election Rules” to the Commission for approval.

Any reference in these By-Laws to Election Board shall be understood to mean only the Northeast Area Commission Election Board.

ARTICLE X – Rights of the Commission

Section 1 - Right of the Commission to Enforce its Rules. The Commission has the right to make and enforce its own rules and to recommend removal of any offending Commissioner for violations of those rules.

- (1) The Commission has the right to give public notice that a person has ceased to be a Commissioner of the Commission upon removal by the Mayor;
- (2) The Commission may, in addition, refer a case to the City Attorney’s Office for criminal investigation.

Section 2 - Removal for Cause.

A. The following acts described below, represent examples and in no way comprise an exhaustive list, shall constitute cause for removal according to the process detailed in subsection B of this Section:

- (1) Failure to comply with these By-Laws;
- (2) Failure to disclose real or perceived conflicts of interests;
- (3) Failure to carry out his/her Commission duties;
- (4) Conduct unbecoming of a Commissioner; or
- (5) Ignoring three (3) warnings during a Commission meeting from the Chairperson for being out of order.

**NORTHEAST AREA COMMISSION
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- B. Removal of a Commissioner for cause shall occur upon a majority vote of the Commission at any regular meeting as part of the published agenda or at a special meeting called for that particular purpose.
- (a) Upon an affirmative vote of a majority of the Commissioners present to remove a Commissioner, the recommendation for removal shall be forwarded by the Corresponding Secretary to the Mayor in writing by certified mail with return receipt within ten (10) business days of the vote for further action.

ARTICLE XI - PARLIAMENTARY AUTHORITY

Section 1 - Parliamentary Authority. Robert's Rules of Order Newly Revised shall govern in all cases to which they are applicable and not inconsistent with these By-Laws and any special rules of order the Commission may adopt.

ARTICLE XII - METHOD OF AMENDMENT

Section 1 - Method of Amendment. These By-Laws may be amended by a two-thirds (2/3) vote at any regular meeting of the Commission, provided such proposed amendment has been submitted in writing and read publicly at two previous regular meetings.

The Corresponding Secretary shall file any approved amendment immediately after its adoption with the City Clerk for publication in the City Bulletin. Such amendment shall take effect ten (10) business days after such publication per C.C. 121.05.

ARTICLE XIII - SEVERABILITY

Section 1 - Severability. Should any article or section of these By-Laws be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the By-Laws as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

I, Elwood Rayford, Chairperson of the NORTHEAST AREA COMMISSION
Certify the foregoing to be a true and exact copy of the Bylaws of this Commission as of
January 8, 2004.

Elwood Rayford

Date _____

Appendix A
Commission District Boundaries

NORTHEAST AREA COMMISSION
BY-LAWS
(Appendix A)

Arlington Park District: The Arlington Park District is bounded and described as follows:

Beginning at a point where the centerline of Century Drive intersects with the centerline of Mock Road;

Thence westerly along the centerline of Mock Road to the centerline of Parkwood Avenue;

Thence westerly along the centerline of E. Hudson Street to the centerline of the first north south railroad right-of-way west of Joyce Avenue;

Thence northerly along the centerline of the aforementioned railroad right-of-way to the centerline of Aberdeen Avenue;

Thence easterly along the centerline of Aberdeen Avenue to the extended centerline of Woodland Avenue;

Thence southerly along the extended centerline of Woodland and the centerline of Woodland Avenue to the centerline of Minnesota Avenue;

Thence easterly along the centerline of Minnesota Avenue to the centerline of Dawnlight Avenue;

Thence southerly along the centerline of Dawnlight Avenue to the centerline of Century Drive;

Thence southerly along the centerline of Century Drive to the place of beginning at the centerline of Mock Road.

Bridgeview District: The Bridgeview District is bounded and described as follows:

Beginning at a point where the centerline of Sunbury Road intersects with the centerline of Mock Road;

Thence westerly along the centerline of Mock Road to the centerline of Century Drive;

Thence northerly along the centerline of Century Drive to the centerline of Dawnlight Avenue;

Thence northerly along the centerline of Dawnlight Avenue to the centerline of Minnesota Avenue;

Thence westerly along the centerline of Minnesota Avenue to the centerline of Woodland Avenue;

Thence northerly along the centerline of Woodland Avenue and the extended centerline of Woodland Avenue to the centerline of Aberdeen Avenue;

Thence westerly along the centerline of Aberdeen Avenue to the centerline of the first north-south railroad right-of-way west of Joyce Avenue;

Thence northerly along the centerline of the aforementioned railroad right-of-way to the centerline of Agler Road;

Thence easterly along the centerline of Agler Road to the centerline of Sunbury Road;

Thence southerly along the centerline of Sunbury Road to the place of beginning at the centerline of Mock Road.

NORTHEAST AREA COMMISSION
BY-LAWS
(Appendix A)

Cumberland Ridge District: The Cumberland Ridge District is bounded and described as follows:

Beginning at the point of the west bank of Alum Creek where the centerline of U.S. Highway 62/I-670 crosses-over Alum Creek;

Thence northerly along the west bank of Alum Creek to the extended centerline of Mock Road;

Thence westerly along the extended centerline of Mock Road to the point of intersection at Mock Road and Sunbury Road;

Thence northerly along the centerline of Sunbury Road to the centerline of Agler Road;

Thence easterly along the centerline of Agler Road to the centerline on Interstate Highway 270;

Thence southerly along the centerline of Interstate Highway 270 to the centerline of U.S. Highway 62;

Thence westerly along the centerline of U.S. Highway 62/I-670 to the place of beginning at the west bank of Alum Creek.

Framingham District: The Framingham District is bounded and described as follows:

Beginning at a point where the centerline of Sunbury Road intersects with the centerline of Agler Road;

Thence westerly along the centerline of Agler Road to the centerline of the first north-south railroad right-of-way west of Westerville Road;

Thence northerly along the centerline of the aforementioned railroad right-of-way to the centerline of Innis Road;

Thence easterly along the centerline of Innis Road to the centerline of Sunbury Road;

Thence southerly along the centerline of Sunbury Road to the place of beginning at the centerline of Agler Road.

Somerset District: The Somerset District is bounded and described as follows:

Beginning at a point where the centerline of Agler Road intersects with the centerline of Sunbury Road;

Thence northerly along the centerline of Sunbury Road to the centerline of McCutcheon Road;

Thence easterly along the centerline of McCutcheon Road to the centerline of Interstate Highway 270;

Thence southerly along the centerline of Interstate Highway 270 to the centerline of Agler Road;

Thence westerly along the centerline of Agler Road to the place of beginning at the centerline of Sunbury Road.

NORTHEAST AREA COMMISSION
BY-LAWS
(Appendix A)

Walnut Creek District: The Walnut Creek District is bounded and described as follows:

Beginning at a point where the centerline of Sunbury Road intersects with the centerline of Innis Road;

Thence westerly along the centerline of Innis Road to the centerline of the first north-south railroad right-of-way west of Westerville Road;

Thence northerly along the centerline of the aforementioned railroad right-of-way to the centerline of Morse Road;

Thence easterly along the centerline of Morse Road to the centerline of Sunbury Road;

Thence southerly along the centerline of Sunbury Road to the place of beginning at the centerline of Innis Road.

Willow Springs/Brunswick Estates District: The Willow Springs District is bounded and described as follows:

Beginning at a point where the centerline of McCutcheon Road intersects with the centerline of Sunbury Road;

Thence northerly along the centerline of Sunbury Road to the centerline of Morse Road;

Thence easterly along the centerline of Morse Road to the centerline of Interstate Highway 270;

Thence southerly along the centerline of Interstate Highway 270 to the centerline of McCutcheon Road;

Thence westerly along McCutcheon Road, which includes all parcels abutting the south side of McCutcheon Road, all parcels abutting Aljor Court, and all parcels abutting Merwin Drive, back to the place of beginning at the centerline of Sunbury Road.

Appendix B
Northeast Area Commission
Zoning Committee
Process and Procedures Policy Document

**NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

DEFINITION OF TERMS

City - City of Columbus

Commission - Northeast Area Commission

Zoning Committee - Northeast Area Commission Zoning Committee

Applicant - Any entity of legal capacity who has complied with the City's filing requirements regarding application for rezoning, variance, graphics, special permit, or demolition permit, and where the City has accepted such application

Community - Residents and merchants located within the boundaries of the Northeast Area Commission

City Council - Columbus City Council

**NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

I. INTRODUCTION

As the city grows and changes, land uses may also change. When this occurs a property owner may initiate an application for rezoning, variance, or special permit. In response, the City of Columbus (City) has developed a review process that evaluates these types of applications in an efficient and consistent manner.

The Northeast Area Commission Zoning Committee (Zoning Committee) has prepared this document to mirror as closely as possible the review process used by the City's Department of Development, Development Regulation Division. Where the Zoning Committee does deviate from the City's process it is due to the nature of the area commission as an advisory body coupled with limited resources, and of the special characteristics of the Northeast community. The following are the specific requirements applicable to the Zoning Committee.

II. ENABLING AUTHORITY

A. The Zoning Committee shall regularly monitor, review and make recommendations on all applications for re-zoning, variances, graphics, special permits, and zoning adjustment appeals regarding properties located wholly or partially within the boundaries of the Commission area. (By-Laws Art. VIII Sec. 2C).

III. ZONING COMMITTEE ORGANIZATION

A. Committee membership

The Northeast Area Commission (Commission) Chairperson in consultation with Commission members may appoint Zoning Committee members (By-Laws Art. V Sec. 4A(d)).

1. Appointment shall be documented and recorded in Commission minutes.
2. Appointees shall receive a copy of and abide by the requirements of the Zoning Committee Member Duties and Conduct Agreement.

B. Officers and Duties

The Zoning Committee shall have as a minimum the following officers:

1. Chairperson whose duties include: Presiding over regular and special meetings; Preparing Zoning Committee agenda; Presenting the Zoning Committee's report and recommendation(s) to the Northeast Area Commission and to the City; and other duties that facilitate the operation of the Zoning Committee.
2. Vice-Chairperson who is to perform the duties of the Chairperson in the Chairperson's absence.
3. Secretary whose duties include: Recording Zoning Committee minutes; Performing written correspondence for Zoning Committee; Organizing and maintaining a records archive; and Facilitating public access to Zoning Committee records.

**NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

C. Member Duties

Each Zoning Committee member shall:

1. Perform the functions described in Section II A (Enabling Authority).
2. Discharge his/her duties in a fair, consistent, and objective manner.
3. Follow the guidelines set forth in the Zoning Committee Process and Procedures document; all applicable rules set forth in the Northeast Area Commission By-Laws; the 1994 Northeast Area Plan recommendations, and the policy guidelines set forth by the City's Department of Development, Development Regulation Division.
4. Attend regular and special called Zoning Committee meetings.
5. Reveal any conflicts of interest or potential conflicts of interest in matters related to his/her duties as a member of the Zoning Committee.

D. Minimum/Maximum Committee Membership

The Zoning Committee shall consist of at a minimum three members, and at a maximum seven members.

E. Quorum

A valid quorum for voting purposes within the Zoning Committee shall consist of a simple majority of its membership in current and good standing. (For example, a quorum for a seven-member committee would consist of four Zoning Committee members).

F. Records

It shall be the responsibility of the Secretary to:

1. Record minutes of all Zoning Committee meetings and retain minutes in an archive.
2. Organize and maintain the Zoning Committee records archive; provide copies of records to the Northeast Area Commission Planning Committee; and to provide public access to records.

G. Member Attendance

- (i) Attendance shall be mandatory for all Zoning Committee meetings. Non-attendance of two consecutive unexcused absences from regular called Zoning Committee meetings shall automatically require the Secretary to send written notification to such member indicating the number of unexcused absences and of the possible removal of the member in the event of a third consecutive unexcused absence. Notice shall be made within seven days of the second unexcused absence. Member non-attendance due to schedule conflicts **is not** an excusable absence.
- (ii) In the event of non-attendance of three consecutive unexcused absences from regular called Zoning Committee meetings such member shall be considered to

**NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

have tendered his/her resignation to the Zoning Committee. The Secretary shall in writing within seven days of the third unexcused absence notify such member of the Zoning Committee's acceptance of his/her resignation. A copy of the notice shall be presented to the Northeast Area Commission at its next monthly meeting. The Zoning Committee may use its discretion in deciding matters of reinstatement of resigned members.

H. Regular Meetings

Regularly scheduled Zoning Committee meetings shall occur on the third Tuesday of every month at 6 p.m. In the event that the third Tuesday lands on a holiday, the meeting shall be moved to the following Tuesday. The place of meeting shall be made at the discretion of the Zoning Committee Chairperson. The Zoning Committee shall be in recess for the month of August.

I. Special Meetings

Any Zoning Committee member may call a special Zoning Committee meeting. At least seventy-two (72) hour advance notice shall be required prior to the start of a special called meeting.

J. Quality Assurance

At the discretion of the Northeast Area Commission Chairperson an area resident may be appointed to serve on the Zoning Committee as its Quality Assurance Representative. The Quality Assurance Representative shall not be a voting member of the Zoning Committee and shall not be counted when determining a valid quorum. The Duties of the Quality Assurance Representative include:

1. Attending all Zoning Committee meetings.
2. Ensuring that the Zoning Committee fulfills its duties as described in: this document; within the Northeast Area Commission By-Laws; and within the policies of the City of Columbus Department of Development, Development Regulation Division.
3. Reporting significant deviations in the prescribed Zoning Committee duties to the Northeast Area Commission Chairperson within seventy-two (72) hours of the alleged incident(s).

K. Commission Intervention

The Northeast Area Commission may intervene in and assume the duties of the Zoning Committee when circumstances are established that the Zoning Committee committed significant and material deviations from its duties. A simple majority vote of a quorum of Northeast Area Commission members is required to assume the Zoning Committee's duties.

**NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

IV. CITY REVIEW PROCESS

The purpose of this section is to outline in schematic form the City's review process regarding rezoning, variances, and special permits. The focus of this section is to provide reference to the City's processing time guidelines and the position where the Northeast Area Commission fits within the City's review timeline.

A. Rezoning Process

Chart A describes the typical zoning process. The time required to process a rezoning application varies depending on the complexity of the case and on any revisions that result from the appropriate public hearings such as the Development Commission, area commissions, or City Council. Generally speaking, a simple rezoning can be accomplished in 90-120 days (Columbus Development Guide).

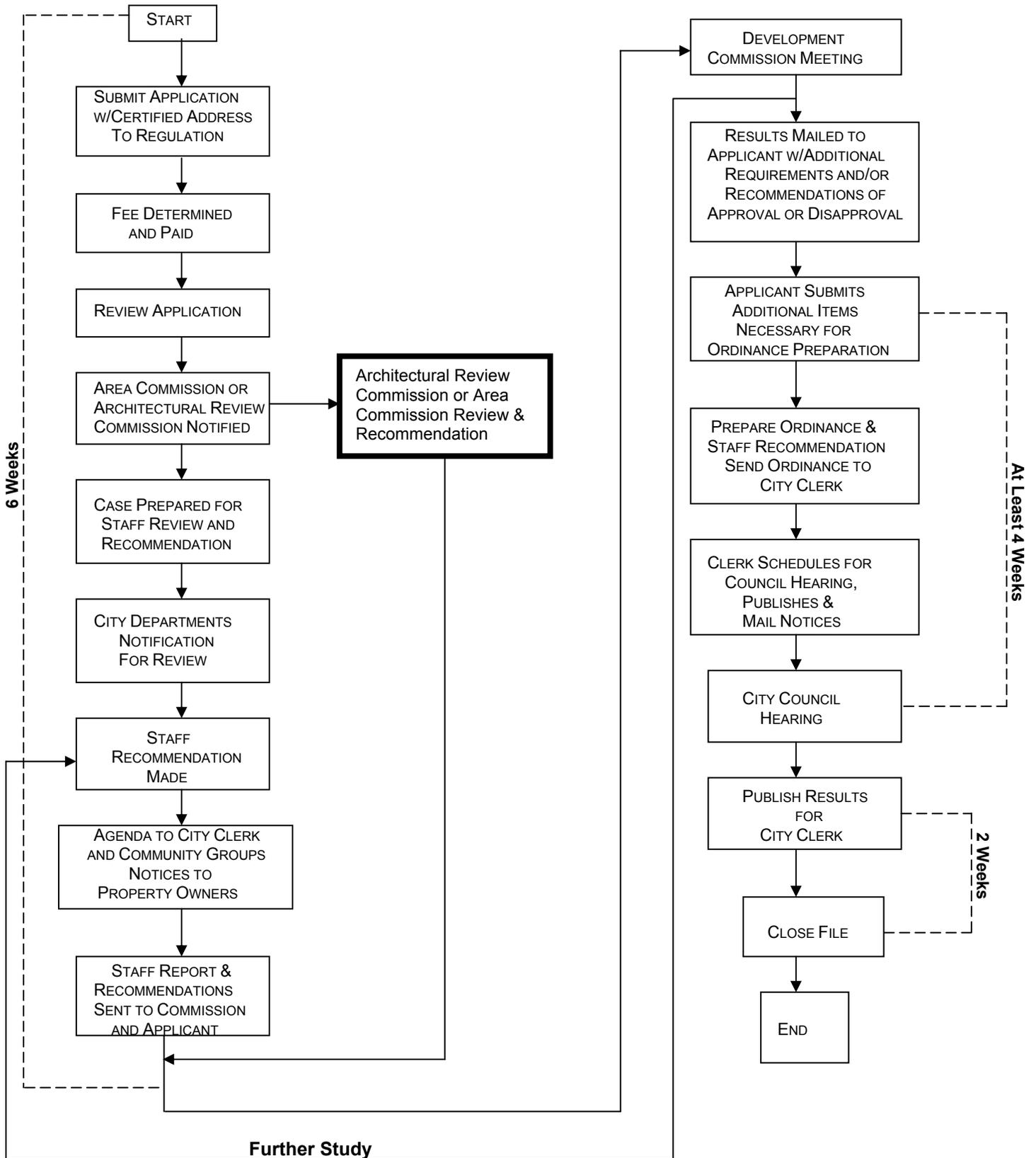
B. Variance Process

Chart B describes the typical Council variance process. From the submission of a Council Variance application until final staff review, the time required is approximately 4-6 weeks. After staff review, an ordinance goes to City Council, with placement on the agenda depending on their scheduling constraints. Time also varies according to the participation of area commissions, architectural review commissions and civic associations (Columbus Development Guide).

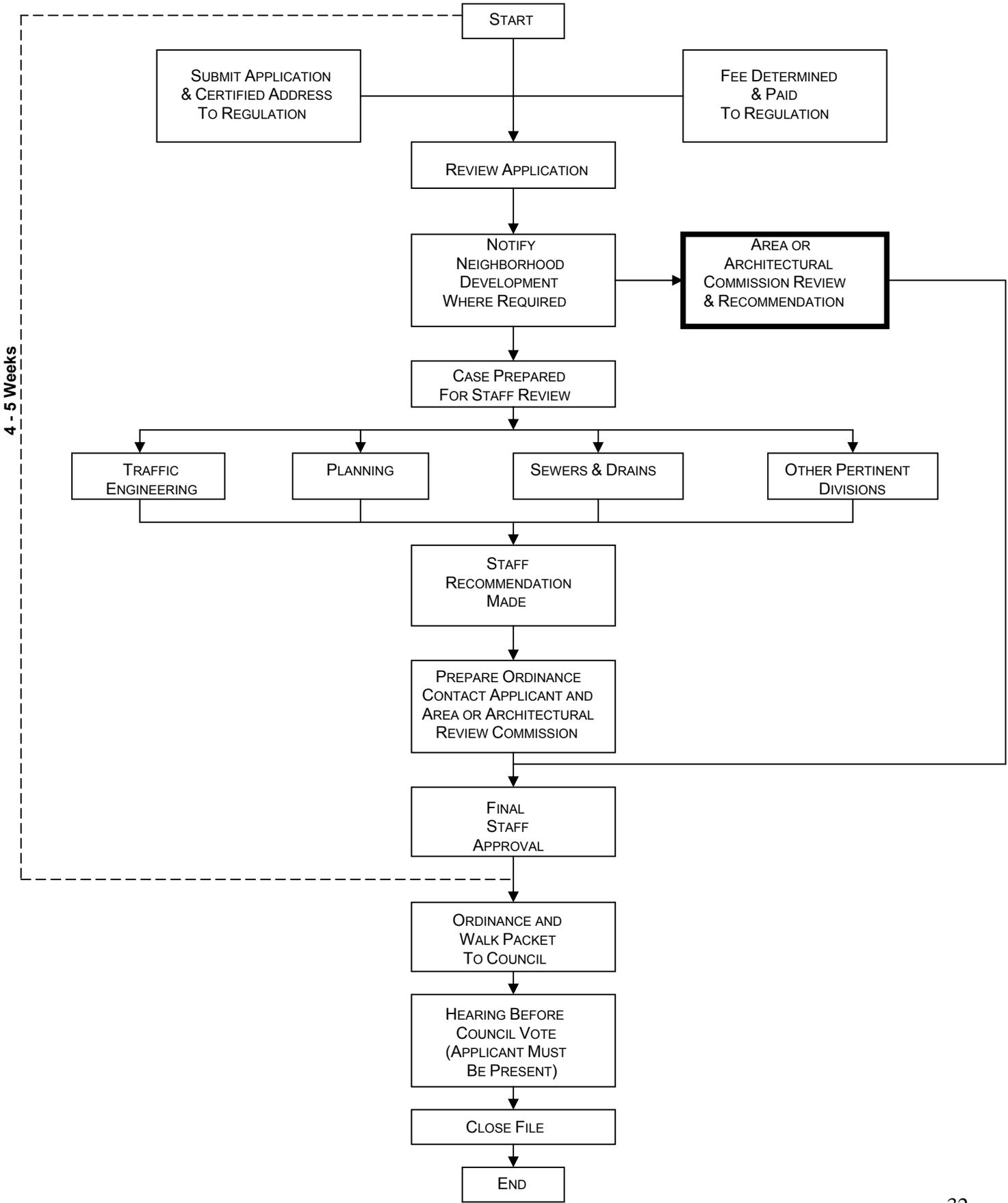
C. Special Permit Process

Chart C describes the Board of Zoning Adjustment variance (special permit) process. The Board of Zoning Adjustment takes approximately 2-3 months for completion. Time varies according to when applications enter the cycle (Columbus Development Guide).

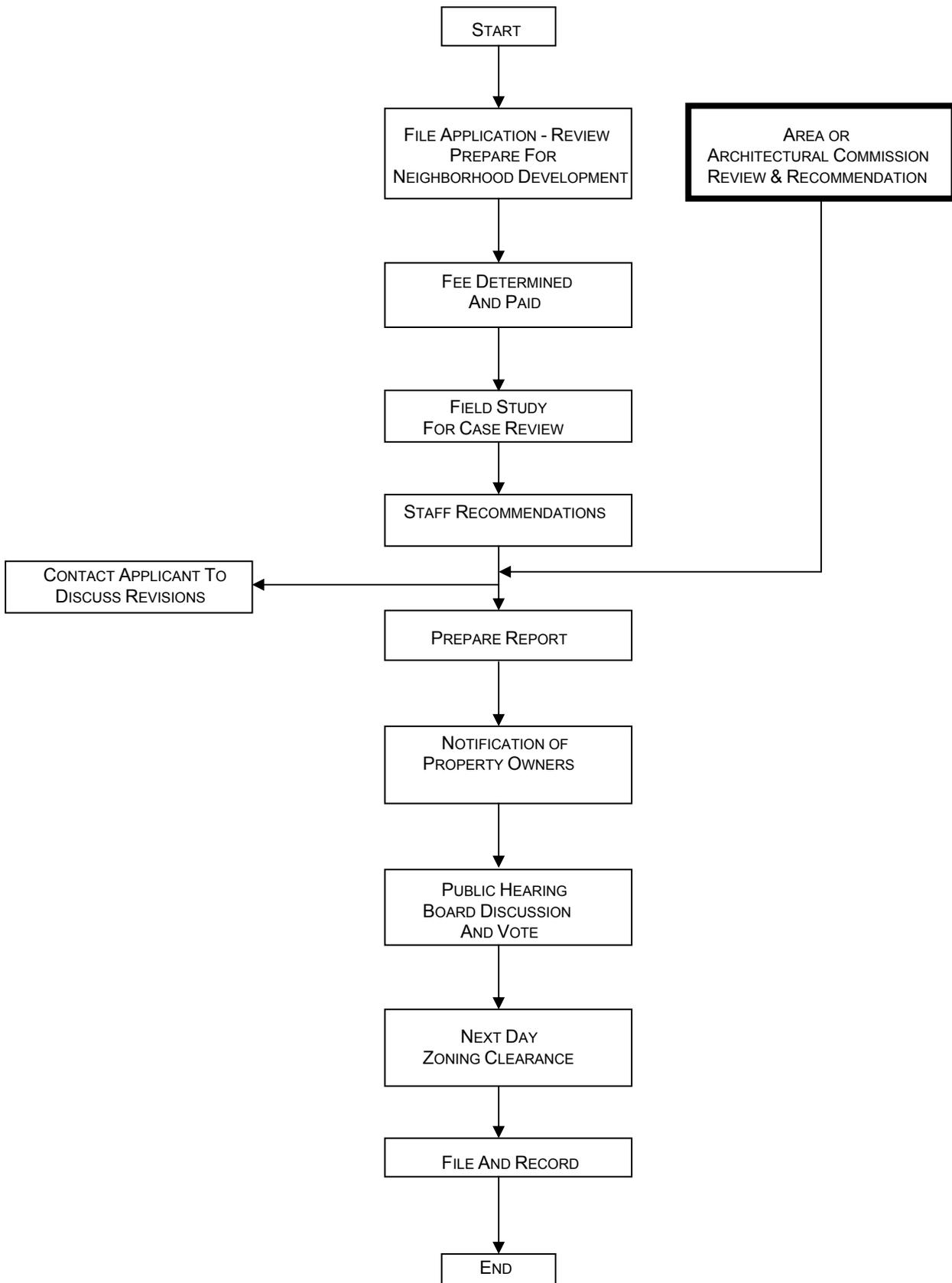
City Rezoning Process Chart A



City Council Variance Process Chart B



Board of Zoning Adjustment (BZA) Variance Review Process Chart C



**NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

V. ZONING COMMITTEE REVIEW PROCESS

Chart D provides a schematic of the Zoning Committee's review process.

VI. ZONING COMMITTEE REVIEW PROCEDURES

The following procedures apply to requests for rezoning, Council variance, and Board of Zoning Adjustment variance. The following procedures also apply to demolition permits and graphics.

A. Receipt of Application Packet

Immediately upon receiving the request for rezoning/Council variance/BZA variance application packet from the City, the Zoning Committee Chairperson shall verify the packet contents for completeness. Within twenty-four (24) hours, excluding weekends, of receiving an incomplete application packet the Zoning Committee Chairperson shall contact the assigned staff of Development Regulation Division alerting them to the packet's incompleteness.

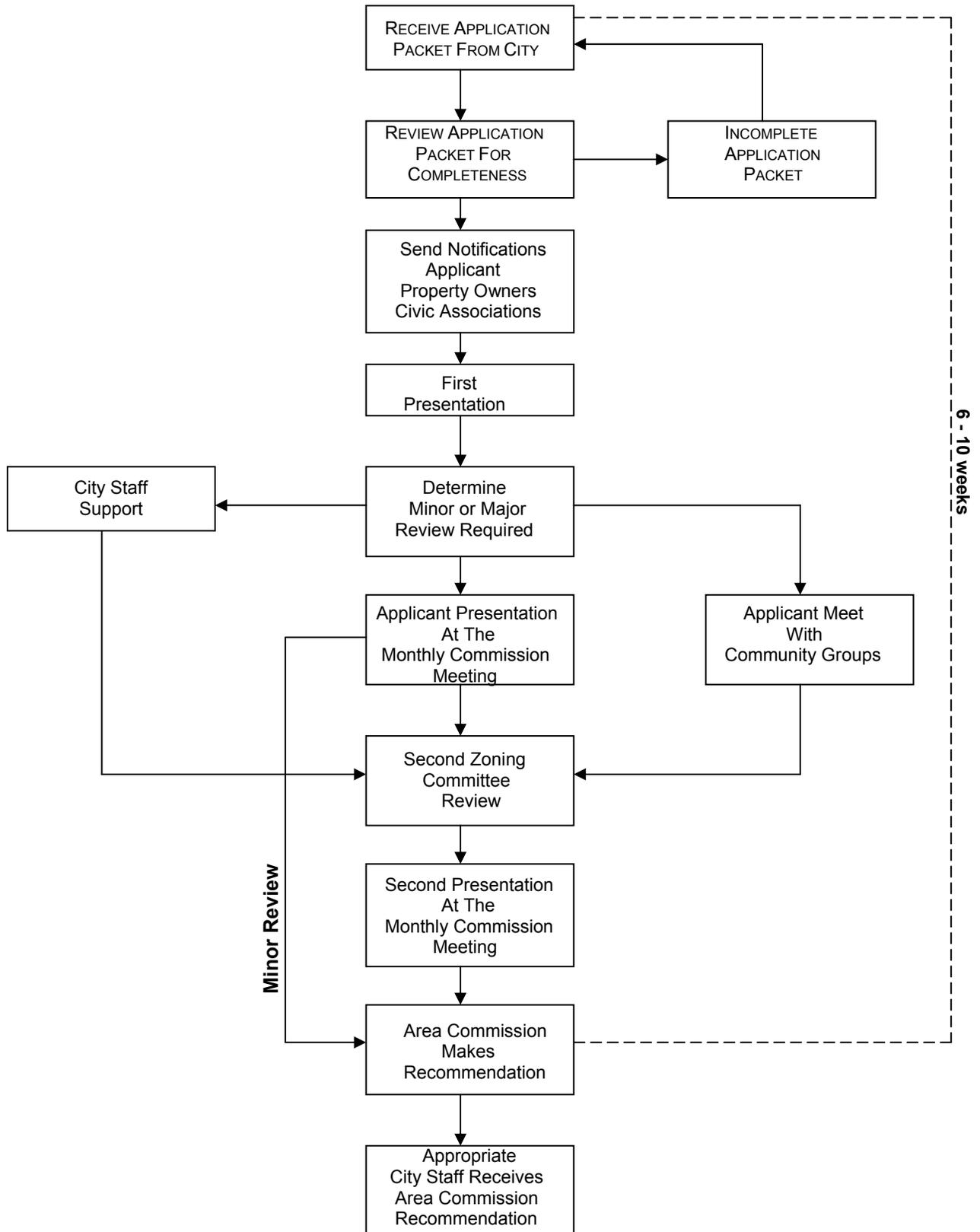
B. Dissemination of Information to Zoning Committee Members

Within seventy-two (72) hours, excluding weekends, of receipt of a substantially complete application packet the Zoning Committee Chairperson, or his/her designee, shall send by regular mail a written summary of the information contained in the application packet to each Zoning Committee member.

The summary shall contain sufficient information to provide for a general understanding of the applicant's request, which shall include, but is not limited to, the name(s) of the applicant, owner, and/or agent; application number; address of property identified in the application; existing zoning of subject property; nature of applicant's request; background information on the property identified in the application and of contiguous properties; and maps or other graphics. In addition, the summary shall include the Zoning Committee Chairperson's recommendation of either a minor or major review of the application.

In no event shall any Zoning Committee member receive a summary of the application packet in less than two (2) days prior to the First Presentation by the applicant.

Zoning Committee Review Process Chart D



NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)

C. Notification to Applicable Parties

Within twenty-four hours of receipt of an application packet the Zoning Committee Chairperson, or a Zoning Committee member designated by the Zoning Committee Chairperson, shall send by regular mail written notification to:

- (i) Applicant of the scheduled date, time, and place where the applicant will make the First Presentation of his/her request to the Zoning Committee. The notification to the applicant shall in addition include a request of issues (e.g., traffic, drainage, etc.), which the applicant is expected to identify and address at the first presentation before the Zoning Committee.
- (ii) All property owners identified in the City's application within one hundred twenty-five (125) feet of the exterior boundaries of the property. In addition, any property owner within one hundred twenty-five (125) feet of the applicant's property in the event the applicant owns property contiguous to the property identified in the application (consistent with Columbus City Code Chapter 3310.05(A)(c-d). Measurements shall be made in the same manner as specified in Columbus City Code Chapter 3310.06. Notification shall include the applicant's name, address of property identified in the application, existing zoning, nature of applicant's request (e.g., rezoning, variance, etc.), date, time, and place of applicant's presentation to the Zoning Committee.
- (iii) All civic association(s) and neighborhood association(s) known to the Zoning Committee within one hundred twenty-five (125) feet of the exterior boundaries of the property identified in the application; and within one hundred twenty-five (125) feet of the applicant's property in the event the applicant owns property contiguous to the property identified in the application. Notification shall be sent to the leaders of civic associations and neighborhood associations and include the applicant's name, property address, existing zoning, nature of applicant's request (e.g., rezoning, variance, etc.), date, time, and place of applicant's presentation to Committee.

D. Time Frame for First Presentation

The First Presentation by the applicant shall be made at a regularly scheduled Zoning Committee meeting. In no event shall the time period of the applicant's First Presentation be less than four (4) days from the mailing date of notices to property owners and civic/neighborhood associations; or exceed thirty (30) days from the date of receipt by the Zoning Committee of the application packet (month of August exempted).

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ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

E. Purpose of the First Presentation

The First Presentation provides the first official review by the Zoning Committee of the applicant's request regarding:

- (i) The completeness and comprehensiveness of the documentation submitted by the applicant.
- (ii) The documentation of public input and the identification of additional issues requiring attention.
- (iii) Whether the request warrants a minor or major review. At a minimum the Zoning Committee shall consider as the bases for determining whether a request requires a minor or major review: the potential impacts the request may generate on the Northeast community and the level of public interest the request generates.
 - (a) A minor review would not ordinarily entail a Zoning Committee review beyond the First Presentation by the applicant, and where the Zoning Committee may be able to render a recommendation to the Northeast Area Commission regarding the applicant's request.
 - (b) A major review would ordinarily require both a First Presentation by the applicant and a Second Review by the Zoning Committee prior to rendering a recommendation to the Northeast Area Commission regarding the applicant's request.
- (iv) Recommending the applicant meet with community as warranted.
- (v) Alerting the applicant of his/her obligation to make a presentation to the Northeast Area Commission at the upcoming monthly area commission meeting.
- (vi) Identifying the need for additional assistance from appropriate City department(s) for data and/or to request analysis of specific impacts (e.g., traffic study).

**F. Presentations at Monthly Commission Meeting
Zoning Committee Presentation**

- (i) The Zoning Committee Chairperson or his/her designee shall introduce the applicant's request; provide the application number; names of the applicant, owner, and agent; background information on the property identified in the application and of contiguous properties; and the nature of the request.
- (ii) The Zoning Committee Chairperson or his/her designee shall report to the Northeast Area Commission the results of the Zoning Committees' first review of the applicant's request. The report should contain as a minimum: background information on property and surrounding area; trends in land use in immediate area; positive

NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)

and/or negative impacts anticipated as a result of recommending approval of the applicant's request; and photographs and/or slides of the property under question and the immediate area. A time limit not to exceed ten (10) minutes is recommended for each Zoning Committee presentation. The Zoning Committee Chairperson or his/her designee shall prepare a written summary including all the above information and deliver a copy to each Northeast Area Commission member not less than one (1) day prior to the regularly scheduled monthly Commission meeting.

Applicant Presentation

- (i) The applicant may make a presentation to the Northeast Area Commission. A time limit not to exceed fifteen (15) minutes is recommended. All presenters should identify themselves by stating their full names and titles/functions. Business cards given to the minutes-taker is strongly encouraged.

G. Second Review

The Second Review allows the Zoning Committee to collect and review additional information and public input. The Second Review shall be scheduled on a regular Zoning Committee meeting following the first review meeting, except at the applicant's request for an extension of time. The Zoning Committee may grant an applicant a time extension for reasonable cause. The Committee shall follow the guidelines set forth below regarding matters where an applicant makes revisions to the original request:

- (i) Revisions submitted seventeen (17) or more days before a Zoning Committee meeting. Site plans and/or text changes received by the Zoning Committee Chairperson or his/her designee seventeen (17) or more calendar days prior to a scheduled Zoning Committee review meeting will be incorporated into the Zoning Committee's report to the Northeast Area Commission. All revisions must be signed by the applicant (or applicant's agent) and dated. All revisions must clearly indicate all deletions and additions. Major revisions may result in a change to the Zoning Committee's recommendation, further evaluation by Zoning Committee members, or possibly postponement of the Zoning Committee's recommendation to a later date.
- (ii) Revisions submitted between ten (10) and sixteen (16) days before Zoning Committee meeting. Revisions and supplemental materials are to be submitted no less than ten (10) days prior to a scheduled Zoning Committee review meeting. Materials received within this time frame will be included in the Zoning Committee's report to the Northeast Area Commission as addendums to the original submissions. All revisions must be signed by the applicant (or applicant's agent) and dated. All revisions must clearly indicate all deletions and additions. The degree of change and timeliness of receipt will be factors considered by the Zoning Committee in

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ZONING COMMITTEE PROCESS AND PROCEDURES
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evaluating whether the application should proceed on schedule. Zoning Committee review cannot be guaranteed under this deadline.

- (iii) Revisions submitted less than ten (10) days before the Zoning Committee meeting. Revisions submitted less than ten (10) days prior to a scheduled Zoning Committee review meeting may or may not be reviewed by the Zoning Committee. Major changes may result in the Zoning Committee requesting the case be tabled for full review.

H. Subsequent Monthly Commission Meeting
Zoning Committee Presentation

- (i) The Zoning Committee Chairperson or his/her designee shall introduce the applicant's request; provide the application number; names of the applicant, owner, and agent; background information on the property identified in the application and of contiguous properties; and the nature of the request.
- (ii) The Zoning Committee Chairperson or his/her designee shall report to the Northeast Area Commission the results of the Zoning Committees' second review of the applicant's request. The report should contain as a minimum a summary of: the applicant's proposal; identification of resolved and unresolved issues; community response to the request; and the Zoning Committee's recommendation either to support, not to support, or conditionally support the applicant's request. A time limit not to exceed fifteen (15) minutes is recommended for each Zoning Committee presentation. The Zoning Committee Chairperson or his/her designee shall prepare a summary document including all the above information and deliver a copy to each Northeast Area Commission member not less than one (1) day prior to the regularly scheduled monthly Commission meeting.

Applicant Presentation

- (i) The applicant may make a presentation to the Northeast Area Commission. A time limit not to exceed fifteen (15) minutes is recommended. All presenters shall identify themselves by stating their full names and titles/functions. Business cards given to the minutes-taker is strongly encouraged.
- (ii) At the request of the applicant the Northeast Area Commission may table voting on the application and refer the applicant back to the Zoning Committee and/or community for further discussion/negotiations. This would entail a third review of the applicant's request and proceed in a manner similar to the second review.

**NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)**

VII. RECOMMENDATION

A. Zoning Committee Recommendation

Upon completion of its review, the Zoning Committee shall at a regularly scheduled Zoning Committee meeting vote on all applications and requests presented before it in accordance with Section III E (Quorum).

- (i) The Zoning Committee shall vote to recommend either: to approve, not to approve, or approve with condition(s) the application.
- (ii) The Zoning Committee shall present its recommendation to the Commission at the monthly area commission meeting.

B. Northeast Area Commission Recommendation

Upon voting and making its recommendation, the Northeast Area Commission shall instruct the Chairperson of the Zoning Committee to complete the City's Standardized Recommendation Form (see Appendix) conveying the recommendation of the Commission and to deliver said form to the appropriate City staff.

VIII. NEXT LEVEL REVIEW

A. Development Commission Hearing

The Zoning Committee Chairperson or his/her designee shall attend the Development Commission hearings concerning all pertinent applications; shall present the Northeast Area Commission's recommendation regarding an application and a summary of the process that was under taken that resulted in such recommendation; and shall report back to the Zoning Committee and the Northeast Area Commission the status of each application.

B. Board of Zoning Adjustment Hearing

The Zoning Committee Chairperson or his/her designee shall attend the BZA hearings concerning all pertinent applications; shall present the Northeast Area Commission's recommendation regarding an application and a summary of the process that was under taken that resulted in such recommendation; and shall report back to the Zoning Committee and the Northeast Area Commission the status of each application. The Zoning Committee Chairperson or his/her designee shall obtain at least two copies of the BZAs determination and accompanying documentation: one copy shall be retained in the Zoning Committee archive, and the other delivered to the Northeast Area Commission Planning Committee.

C. City Council Hearing

The Zoning Committee Chairperson or his/her designee shall attend City Council hearings for all pertinent applications; shall present the Northeast Area Commission's recommendation regarding an application and a summary of the process that was under taken that resulted in such recommendation; and shall report back to the Zoning Committee and the Northeast Area Commission the status of each application. A report shall be made to the Zoning Committee and

NORTHEAST AREA COMMISSION
ZONING COMMITTEE PROCESS AND PROCEDURES
(APPENDIX B)

the Northeast Area Commission on the status of each application. The Zoning Committee Chairperson or his/her designee shall obtain at least two copies of the City Council's determination and accompanying documentation: one copy shall be retained in the Zoning Committee archive, and the other delivered to the Northeast Area Commission Planning Committee.

Appendices

"Together We Can Make a World of Difference"

North East Area Commission

Zoning Committee Members
Chester Carr, Chair
Alvin Hadley, Secretary
Robert Barksdale
Ramona Henry
Larzell Hensley
Joe Jamison
Allen Suggs, Jr.

Zoning Committee Member Duties and Conduct

As an appointed member of the Northeast Area Commission Zoning Committee,

I, _____ agree to the following:

- To discharge my duties as a member of the Zoning Committee in a fair, consistent, and objective manner.
- To follow the guidelines set forth in the Zoning Committee Process and Procedures document; all applicable rules set forth in the Northeast Area Commission By-Laws; the 1994 Northeast Area Plan recommendations, and the policy guidelines set forth by the City's Department of Development, Development Regulation Division.
- To reveal any conflicts of interest or potential conflicts of interest in matters related to my capacity as a member of the Zoning Committee.

I have received copies of:

Northeast Area Commission By-Laws

Zoning Committee Process and Procedures

Signed _____
Appointee

Date _____

Signed _____
Northeast Area Commission Representative

Date _____

Title _____

“Together We Can Make a World of Difference”

North East Area Commission

Zoning Committee Members
Chester Carr, Chair
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Joe Jamison
Allen Suggs, Jr.

September 23, 1999

John Doe
XYZ COMPANY
12345 Anywhere
Columbus, OH 43219

Subject: Zoning Application # XXXXXX.

Dear Mr. Doe:

The Northeast Area Commission Zoning Committee is in receipt of your rezoning application. The first review of your application is scheduled for (Date, Time, Location).

Please be prepared to present to the Committee your strategy for addressing the following:

- Why was this site chosen for the proposed use?
- Describe how the proposed zoning changes may affect adjacent properties.
- Does your proposal conform to the Northeast Area Plan? If not, please describe the reasons for pursuing approval of this proposal.
- How would approval of this application enhance the Northeast Area and benefit its residents?
- What adverse impacts to the Northeast community are anticipated?
- What are the expected traffic impacts of this proposal? What traffic mitigation measures do you propose?
- What are the drainage impacts of this proposal? What mitigation measures do you propose?
- What school impacts are expected?
- What are the expected impacts of this proposal on the community's recreational facilities?
- What adverse environmental impacts are expected from this proposal?

If you have further questions, please do not hesitate to call me at (614) XXX-XXXX. I look forward to working with you toward enhancing our community.

Sincerely,

Zoning Committee Chair,
Northeast Area Commission

**Northeast Area Commission Zoning Committee
Basis for Recommendation**

Chair's Recommended Review	
Minor <input type="checkbox"/>	Major <input type="checkbox"/>

Committee Member: _____

Date: _____

Application #		Address:		
Current Zoning		Current Use		
Proposed Zoning		Proposed Use		
# of Hearings Held to Date:				
Civic Association Input:	Support	Don't Support	Conditional Support	No Response
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Position/Basis		Yes	No	N/A
Improper Land Use				
Spot Zoning				
Initiates Precedent Inconsistent w/Area Plan				
Contrary to Area Plan				
Insufficient/Unspecific Buffering				
Insufficient/Unspecific Landscape Plan				
Text Submitted w/Insufficient Review Time				
Adverse Impact on Immediate Neighbors/Community				
Inconsistent/Improper Density/# of Units				
Inappropriate Lot Size				
Intensity/Allowable Uses/Outdoor Storage Issues				
Inappropriate Mass/Scale				
Over Abundance of Similar Uses in Area				
Out of Character w/Surrounding Uses				
Lighting/Noise/Odor Issues				
Parks/Conservation Easements				
Safety Impacts Addressed				
Traffic Impacts Addressed				
Water/Drainage Impacts Addressed				
School Impacts Addressed				
Environmental Impacts Addressed				
Employment Impacts Addressed				
Failure to Meet w/Community				
Failure to Negotiate/Compromise				
Neighborhood Opposition				
Opposition Outside Commission Boundaries				
Neighborhood Support				
Change in Trends in Area				
Positive Impact on Community				
Highest/Best Use for Property				

Comments: _____



"Together We Can Make a World of Difference"
North East Area Commission

ZONING COMMITTEE MEETING

Date
Location
Time

AGENDA
[Brief description]



"Together We Can Make a World of Difference"
North East Area Commission

ZONING COMMITTEE MEETING

Date
Location
Time

AGENDA
[Brief description]

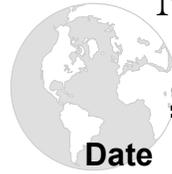


"Together We Can Make a World of Difference"
North East Area Commission

ZONING COMMITTEE MEETING

Date
Location
Time

AGENDA
[Brief description]



"Together We Can Make a World of Difference"
North East Area Commission

ZONING COMMITTEE MEETING

Date
Location
Time

AGENDA
[Brief description]



FOR USE BY: AREA COMMISSION / COMMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
STANDARDIZED RECOMMENDATION FORM

Group Name _____

Meeting Date _____

- Specify Case Type**
- BZA Variance (Begins with "V")
 - BZA Special Permit (Begins with "SP")
 - Council Variance (Begins with "CV")
 - Rezoning (Begins with "Z")
 - Graphics (Begins with "VG")
 - Graphics Special Permit (Begins with "SPG")

Case Number _____

- Recommendation**
(Check only one)
- Approval
 - Disapproval
 - Conditional Approval (please list conditions below)
(Area Commissions, see note below*)

*Ordinances sent to council will contain only a recommendation for "approval" or "disapproval". If a recommendation for "conditional approval" is sent, the conditions should be concise and specific. Staff will determine whether conditions are met when the final ordinance is prepared unless a revised response indicating "approval" has been received. If staff determines that conditions have not been met, your group's recommendation will be listed as "disapproval".

Vote _____

Signature of Authorized Representative _____

SIGNATURE

RECOMMENDING GROUP TITLE

DAYTIME PHONE NUMBER

Please FAX this form to appropriate Staff at (614) 645-2463 within 48 hours of your meeting day;
OR MAIL to: Zoning, City of Columbus, Building and Development Services, 757 Carolyn Avenue, Columbus, Ohio 43224.

**NORTHEAST AREA COMMISSION
BY-LAWS**

**Appendix C
Election Rules**

**NORTHEAST AREA COMMISSION
ELECTION RULES**

(Appendix C)

RULE 1. ELECTION DAY

Election Day shall be the first Saturday in June.

Polling places shall be open a minimum of four (4) consecutive hours on Election Day between the hours of 7 a.m. and 6 p.m. All polling places shall maintain the same operating hours as established by the Election Board.

RULE 2. THE NORTHEAST AREA COMMISSION ELECTION BOARD

The Election Board shall have all necessary authority to conduct Commission elections including the counting of ballots, determination of candidate qualifications, determination of voter qualifications, certifying the election results, and adjudication of disputes and challenges pursuant to the procedures and requirements set forth in these rules and By-Laws.

- (a) The Election Board shall be composed of seven Commission Area residents and who are appointed by the Commission at its regular meeting in January of each year, one of whom the Commission will designate as Chairperson;
- (b) No Election Board member may be any of the following:
 - (1) a candidate for election to the Commission in the year in which his/her name will appear on the ballot for election; or
 - (2) a member of the immediate family of a candidate for election to the Commission;
- (c) In the event a member of the Election Board becomes unable to serve, the Commission shall appoint a replacement.

RULE 3. DUTIES OF ELECTION BOARD

In general, the Election Board shall be responsible for and perform the following duties:

- (a) Select a location for and equip the headquarters of the Elections Board;
- (b) Convene meetings as appropriate to carry out the Election Board's responsibilities including but not limited to training polling staff and informing candidates of election rules;
- (c) Determine the number of polling places;
- (d) Select the locations for polling places, which shall be well-known sites that provide public access, adequate access to disabled persons, adequate parking, and clearly marked entrances. The polling places shall be conveniently located within the Districts in which elections are held;

**NORTHEAST AREA COMMISSION
ELECTION RULES
(Appendix C)**

- (e) Establish and maintain a current and accurate voter register for each Commission district, which shall be distributed to the polling staff of each corresponding polling place at the start of Election Day;
- (f) Enlist and assign volunteer workers to staff polling places;
- (g) Obtain and distribute equipment and supplies required at polling places at least one and one-half (1 ½) hours before polls open;
- (h) Devise a standard form, arrange for the reproduction of, and distribution of petitions of candidacy for Commissioner.
 - (1) Petition papers shall provide a space for the printed name and address of the signor, their signature and the date. The name and address of the candidate shall appear prominently at the top of the petition. A signed affidavit stating that the potential candidate will observe the Election Rules and the Commission By-Laws shall be at the bottom of the petition;
 - (2) Each petition shall contain an affidavit as follows with the applicable modifications: (insert candidate's name), states that s/he is the candidate and the circulator of this petition, and that s/he is a resident of (insert Commission District name for candidate seeking a District Commission seat), or s/he is a resident of the City of Columbus, and is a landowner or business owner within the Commission area, or maintains a demonstrated interest within the Commission area (insert for candidate seeking an At-Large Commission seat) in which s/he is seeking election and is qualified to vote for himself or herself. (insert candidate's name) states that s/he witnessed each and every signature appearing on this petition.
- (i) Devise the form, arrange for, and supervise the reproduction of ballots;
- (j) Provide for absentee voting for shut-ins or absent voters;
- (k) Certify the adequacy, eligibility, and validity of circulated petitions submitted by candidates and give public notice of the names and districts of the certified candidates;
- (l) Make determination of challenges to the eligibility of candidates and/or voters; preside over and make determination of challenges of cast ballots; and make determination of other questions arising during the election process;
- (m) Verify that no person has voted more than once in any election;
- (n) Tally the votes and certify the results to the Commission;

**NORTHEAST AREA COMMISSION
ELECTION RULES
(Appendix C)**

- (o) Ninety (90) calendar days prior to Election Day, publicize through a newspaper of general circulation within the Commission area, and by such other means as may be available and appropriate, a call for candidates, announcing the Commission seats open for election, and the places where petitions and copies of the Election Rules may be obtained;
- (p) Seven (7) calendar days prior to Election Day, publicize through a newspaper of general circulation within the Commission area the location of the polling places, the date and hours of the election, and the names of the candidates who have established eligibility by petition. The publication shall state that a voter may be required to present a photo identification and evidence of place of residence and age; and
- (q) Make all other necessary and appropriate arrangements and determinations with respect to the nomination and election process.

RULE 4. THE BALLOT

- (a) The total number of ballots printed for each district shall be recorded by the Election Board;
- (b) Upon each ballot there shall be prominently displayed the identifying name or number for the respective district of the candidates listed;
- (c) Each ballot shall comply with the ballot template (Exhibit 1);
- (d) The order of listing candidates' names on the ballot of the area districts shall be determined by lot;
- (e) No political party or organization other than the Commission shall be named on the ballot; and
- (f) The Election Board shall ensure that all ballots are properly accounted for after printing; recording the total printed, used, spoiled, and remaining.

RULE 5. WITNESSES

- (a) A group or an individual supporting or opposing any issue or candidate on a ballot may be represented by a witness at the appropriate polling place;
- (b) No witness or other person shall directly or indirectly campaign for issues or candidates at a polling place or within one-hundred (100) feet of a polling place during Election Day.

**NORTHEAST AREA COMMISSION
ELECTION RULES**

(Appendix C)

RULE 6. THE POLLING STAFF

- (a) The staff for each polling place shall consist of two Commission area residents chosen by the Election Board;
- (b) Candidates for a Commission seat shall not be members of the polling staff in the year in which their names will appear on the ballot for election, nor shall any members of their immediate families be members of the polling staff;
- (c) There shall be no more than one polling place for each District;
- (d) The polling staff shall keep a current voter register of the residents who have voted in the respective polling places, said register to reflect a list of names and addresses of those who cast ballots;
- (e) A presiding member of the polling staff of each polling place shall be designated by the Election Board prior to the election, and the Election Board shall set forth the authority and duties of the presiding member;
- (f) The duties of the polling staff shall include the orderly operation of the polls and balloting, verifying voter eligibility, maintaining a register of persons voting, initially determine voter challenges, ensure the security of the ballots, enforce the election rules at the poll, and deliver all ballots to the location designated by the Election Board after the polls close; and
- (g) The Election Board shall appoint an Absentee Ballot Supervisor (ABS) from among the members of the Election Board. The name and address of the ABS shall be made known through the press and public announcement at least sixty (60) calendar days prior to Election Day.

RULE 7. THE COUNTING OF BALLOTS

- (a) After the polls have closed, the voter registers and sealed ballot boxes containing the cast ballots shall be delivered to the Election Board. All remaining extra ballots, or damaged ballots, or otherwise unusable ballots shall also be delivered to the Election Board.
 - (1) The Election Board at the discretion of its Chairperson may refuse to accept cast ballots submitted one and one-half (1½) hours after the polls close;
 - (2) Absentee ballots that come into the physical possession of the ABS after five (5) pm the day prior to Election Day shall be deemed void and not counted.
- (b) One (1) hour after the polls have closed the Election Board shall unseal the ballot boxes and count all ballots as follows:
 - (1) The register shall be checked and the number voting shall be recorded;
 - (2) Each ballot box shall then be opened, the ballots counted, the number compared against the register, and the votes counted.

**NORTHEAST AREA COMMISSION
ELECTION RULES
(Appendix C)**

- (c) The ABS shall count all valid Absentee ballots and include them in the total ballot count;
- (d) Ballots cast for individuals who are ineligible or not valid candidates shall be considered void ballots and shall not be counted;
- (e) Witnesses, as heretofore described, may be present at the counting.

RULE 8. THE ELECTION RESULTS

- (a) The candidate receiving a plurality of votes cast in each District shall be the winner in his or her District;
- (b) The candidates for At-Large representation receiving the greatest number of total votes from throughout the Commission Area shall be the At-Large representatives;
- (c) In the event of a tie vote, the winner shall be decided by lot only after recount of the ballots for that Commission seat.
 - (1) The Election Board Chairperson shall draw the lot in the presence of the candidates, who are the subjects of the tie votes, and two witnesses.
- (d) Winning candidates shall be announced by the Chairperson of the Election Board; and
- (e) Results of the counting and the names of the winning candidates shall be certified in writing by the Election Board to the Commission at the next regularly scheduled Commission meeting following the election, and the Commission Chairperson shall deliver such certified results to the Office of the Mayor within ten (10) business days after having received such certification from the Election Board.
 - (1) Certification of election results by the Election Board shall be final and without appeal contingent upon a lack of challenges brought pursuant to Rule 17(b).

RULE 9. THE SECURITY OF BALLOTS

- (a) Ballot boxes shall remain sealed until counting begins;
- (b) All voted ballots shall be placed in a sealed container after counting has been completed;
- (c) After the count has been completed, the Election Board shall reseal all ballots and registers and keep them in a secure location for forty-five (45) business days, after which all ballots are to be destroyed under the supervision of the Election Board Chairperson. Ballots not used in the election shall be handled in the same manner as voted ballots. The Election Board shall submit all voter registers to the Commission for archiving.

**NORTHEAST AREA COMMISSION
ELECTION RULES**

(Appendix C)

RULE 10. THE CANDIDATE QUALIFICATION

- (a) Each candidate shall be at least eighteen (18) years of age thirty (30) calendar days prior to Election Day; and
- (b) Each candidate seeking a District Commissioner seat shall be a resident of the Commission District for which he or she seeks to be elected at the time he or she commences circulating a nomination petition; or
- (c) Each candidate seeking an At-Large Commission seat shall be a resident of the City of Columbus, and must be a landowner or business owner within the Commission area, or show a demonstrated interest in the Commission area at the time he or she commences circulating a nomination petition; and
- (d) Each candidate must file a nomination petition completed pursuant to the requirements set forth for candidacy with the Election Board at least thirty (30) calendar days prior to the election;
- (e) Candidates in this non-partisan election are not required to, in fact, are urged to not declare any political party affiliation;
- (f) Each candidate must be a registered voter on the active rolls of the Franklin County Election Board at least thirty (30) calendar days prior to Election Day;
- (g) Each candidate shall be given a copy of the Commission Election Rules; and
- (h) Candidates may withdraw from the ballot no later than the seven (7) business days prior to Election Day. Upon notice of a candidate's death or disqualification the Election Board shall remove the candidate's name from the ballot.

RULE 11. PETITION QUALIFICATION

- (a) Candidate nomination petitions shall be made available at one or more locations designated by the Election Board beginning no later than seventy-five (75) calendar days prior to Election Day;
- (b) Petitions shall be filed no later than five (5) p.m. thirty (30) calendar days before the election at a specified Election Board location.
 - (1) A person desiring to qualify as a candidate for election shall obtain petitions from the designated places, and shall at the time of receipt of the petitions, place on file his or her name, signature, residence address, Commission District (if applicable), and telephone number. Failure to file this information at the time of receipt shall void the candidacy for the election year in question.
- (c) Each petition must be signed by at least fifty (50) persons, at least eighteen (18) years of age and who:
 - (1) Must reside within the Commission District boundaries of the candidates seeking District Commissioners seats; or

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- (2) Must reside within the Commission's boundaries of the candidates seeking At-Large Commissioner seats.

- (d) The petitions shall be circulated personally by the candidates.
 - (1) The Election Board may grant exception to the requirement that a petition be circulated personally by the candidate due to disability demonstrated by the circulator. This exception may be granted only upon written application submitted by the circulator to the Election Board and, if granted, by written statement to that effect to be issued by the Election Board to the applicant within seven (7) calendar days after the Election Board has received such written application. A special person shall be designated as proxy to collect signatures for that disabled candidate.

- (e) Each circulator of a petition must complete and execute the affidavit at the end of the petition, and the petition must be notarized before being submitted to the Election Board;

- (f) The Election Board shall check the validity of the petition signatures for each potential candidate by attempting to contact a representative number of petition signers by telephone. If discrepancies or apparent improprieties are discovered from these contacts, the Election Board shall check all signatures for that potential candidate for validity in a like manner until either fifty (50) valid signatures are found or the potential candidate's petition is ruled invalid for lack of sufficient signatures. If the petition contains fifty (50) valid signatures, the Election Board shall certify the candidate named on the petition within ten (10) business days of the receipt of the petition;

- (g) The Election Board shall disqualify any petition failing to meet rules (b) through (f) of Rule 11.

RULE 12. VOTER QUALIFICATION

- (a) Each voter must be at least eighteen (18) years of age on Election Day; and

- (b) Each voter must have been a resident in the Commission area for at least thirty (30) days continuously, prior to Election Day. In addition, to be eligible to vote, each voter must be a resident on Election Day of the Commission District for which an election is being held;

- (c) Each voter shall vote only on the ballot pertaining to the District in which the voter resides;

- (d) Each voter shall present photo identification with current residence address and age, or photo identification with another piece of identification with the voter's current residence address and age to a polling place staff member designated by the Election Board for that purpose. If a voter does not have such identification materials at the polling place, the voter must execute a sworn statement that he or

**NORTHEAST AREA COMMISSION
ELECTION RULES**

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she is eighteen (18) years of age or older and currently resides at the stated address that is within the election District in which he or she is attempting to vote; and

- (e) No voter shall cast more than one ballot.
- (f) At-Large candidates are eligible to vote for him/herself.

RULE 13. VOTING PROCEDURES

- (a) Before being given a ballot, each voter shall present identification and evidence of place of residence to a polling place staff member. The polling staff shall verify that the voter resides in the District of the election;
- (b) Upon such verification, each voter shall enter his/her name, residence address, and signature in the Voter Register;
- (c) Each voter shall be provided with a single ballot for the District in which he/she resides, and shall cast a vote by marking the ballot in the box opposite the candidate they support;
- (d) Each voter will fold his or her ballot and hand it to one of the polling staff for immediate deposit in a sealed ballot box; and
- (e) A voter may receive a replacement ballot if the original ballot he/she received was damaged, mutilated, unreadable, or otherwise unusable, or if the voter marked the ballot with an unintended choice, and only after the voter surrenders such original ballot to the polling staff and before such original ballot is inserted into the sealed ballot box.
 - (1) The designated polling staff shall write in large letters the word "Void" across the front of the original ballot, sign the voided ballot, and alert the Election Board that such identified ballots are not to be counted.

RULE 14. ABSENTEE VOTING

- (a) Any Commission area resident may request an absentee ballot by applying in writing to the Absentee Ballot Supervisor (ABS). The request shall include the applicant's printed name, residence address, residence telephone number, and signature.
 - (1) The request shall include a self-addressed stamped envelope; and
 - (2) The request may be mailed or may be delivered by hand to the address specified by the ABS.
- (b) The deadline for request of an absentee ballot shall be the twenty-one (21) calendar days prior to Election Day;
- (c) Upon timely receipt of an absentee request, the ABS shall immediately determine whether the resident is a qualified voter per Rule 12. Within two (2) business days of confirming the resident is a qualified voter the ABS shall mail one (1) absentee

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ballot, voting instructions, and a pre-addressed return envelope to the resident. Within two (2) business days of confirming the resident is not a qualified voter the ABS shall mail a letter to the resident explaining the reason(s) why the resident is not a qualified voter and will not receive an absentee ballot.

- (1) Any resident not qualified to vote as determined by the ABS may appeal such determination in writing to the Election Board up to five (5) business days after the date indicated on the letter from the ABS to the resident, or in the case of a missing date, the postmarked date on the envelop containing the letter from the ABS to the resident. The Election Board shall within three (3) business days of receipt of the resident's written appeal mail a written response to the resident of its decision.

- (d) For the vote to be counted as valid, the marked absentee ballot must be received at the location designated by the ABS no later than five (5) p.m. on the day prior to Election Day.

RULE 15. WRITE-IN CANDIDATES

- (a) Any qualified voter may write at the designated place on their ballot the name of one (1) individual as a write-in candidate;

- (b) The Election Board shall determine the eligibility of write-in candidates as described in these election rules immediately after all votes are counted; and

- (c) All votes for any write-in candidate found ineligible by the Election Board shall be deemed void and not counted, and the Chairperson of the Election Board shall immediately notify the ineligible candidate by telephone, or by other expeditious means, of such ineligibility and the reasons the Election Board determined the write-in candidate ineligible.
 - (1) Any write-in candidate found ineligible as determined by the Election Board may appeal such determination in writing to the Chairperson of the Election Board within twenty-four (24) hours after receiving notification of ineligibility from the Election Board. The Election Board shall within three (3) business days of receipt of the candidate's written appeal mail a written response to the write-in candidate of its decision.

RULE 16. CAMPAIGN RULES

- (a) Each candidate shall file a written statement with the Election Board within seven (7) business days after the election disclosing all contributions and expenditures; any monies promised or encumbered; and the names and addresses of all contributors together with the amounts contributed;

- (b) There shall be a three-hundred (\$300.00) dollar limit on total campaign expenditures during an election year. A campaign expense is any appraisable good or service acquired primarily for campaign purposes.

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- (1) Candidates exceeding the three-hundred (\$300.00) dollar limit by more than ten (10%) percent shall be disqualified and all votes cast for them deemed void and not counted.
- (c) Campaigning (including the posting of campaign materials, and not excluding any other activity that would amount to campaigning) shall be permissible only within the fourteen (14) calendar days immediately preceding Election Day;
- (d) Campaigning within one-hundred (100) feet of the polling place premises on Election Day is prohibited;
- (e) It is the candidate's responsibility to remove his/her campaign materials, including but not limited to posters, flyers, or other advertisements from public areas within forty-eight (48) hours after the election.
 - (1) Candidates failing to meet this requirement shall be responsible and pay the City of Columbus all charges for the clean up of candidate's campaign materials.
- (f) No candidate shall compensate voters by offering or providing compensation in any form to any elector in exchange for a vote;
- (g) Candidates failing to meet the requirement set forth in (a), (c), (d), and (f) shall be disqualified and all votes cast for them deemed void and not counted.

RULE 17. CHALLENGES

- (a) Any person who believes an Election Board poll worker, any candidate, or any voter has not complied with the requirements of these election rules may within three (3) calendar days from the close of the polls file a written complaint to the Election Board Chairperson specifying the alleged charges(s).
 - (1) Within two (2) calendar days after receipt of any such complaint the Election Board Chairperson shall call and hold an emergency public meeting to hear the complaint. The Election Board Chairperson at a minimum shall notify all Election Board members, all parties named in the complaint, and all parties initiating the complaint of the date, time, location, and nature of the emergency meeting;
 - (2) The Election Board shall issue a written decision on the complaint within two (2) calendar days after hearing the complaint, and shall submit copies of such written decision to the Commission Corresponding Secretary, the parties named in the complaint, and all parties initiating the complaint; and
 - (3) All decisions made by the Election Board pertaining to Rule 17(a) are final and without further appeal.

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- (b) Any person who believes the Election Board or any of its members has not complied with the requirements of these election rules may within three (3) calendar days from the close of the polls file a written complaint to the Chairperson of the Commission specifying the alleged charge(s).
 - (1) If no regular Commission meeting is scheduled within seven (7) calendar days after the Commission Chairperson's receipt of any such complaint, the Commission Chairperson shall call and hold an emergency special meeting to hear the complaint. The Commission Chairperson at a minimum shall notify all Commissioners, all Election Board members, all parties named in the complaint, and all parties initiating the complaint of the date, time, location, and nature of the emergency meeting; and
 - (2) The Commission shall issue a written decision on the complaint within two (2) calendar days after hearing the complaint, and shall submit copies of such written decision to the Commission Corresponding Secretary, the Election Board Chairperson, all parties named in the complaint, and all parties initiating the complaint;
 - (3) All decisions made by the Commission pertaining to Rule 17(b) are final and without further appeal.

RULE 18. PENALTIES

- (a) A violation of these election rules shall result in either disqualification or the voiding of the election for that District and/or Commission seat and the scheduling of a new election at a time set by the Election Board; and
- (b) The Election Board may, at its discretion, refer any infraction to the City Attorney or the County Prosecutor for criminal investigation.

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Exhibit 1

Northeast Area Commission
Official Election Ballot
(Insert Election Day date)

DISTRICT NAME _____

BALLOT NUMBER _____

VOTE FOR ONE

[Insert District Name] District Commissioner

- Candidate Name
- Candidate Name
- Candidate Name
- Left Blank for Write-In Candidate

VOTE FOR NO MORE THAN [INSERT QUANTITY]

At-Large Commissioner

- Candidate Name
- Candidate Name
- Candidate Name
- Left Blank for Write-In Candidate



City of Columbus Legislation Report

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

File Number: 2550-2003

Emergency

File Number: 2550-2003

File Type: Ordinance

Status: Second Reading

Version: 2

Controlling Body: Finance Committee

File Name: 2004 General Fund Appropriation

Introduced: 11/14/2003

Requester: Finance Drafter

Cost: \$ 532,390,700.00

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I , the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Paul Rakosky,

Floor Action (Clerk's Office Only)

Mayor's Action

Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title: To make appropriations for the 12 months ending December 31, 2004, for each of the several Object Level 1s for which the City of Columbus has to provide from the monies known to be in the treasury of said City of Columbus, in the fund known as the General Fund, **and as amended by City Council per the attachment herein**, during the said 12 months from the collection of all taxes and from other sources of revenue, and to declare an emergency. (\$532,390,700.00)

Sponsors:

Indexes:

Attachments: Ord#2550-2003kCouncilAmendments.xls

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Finance Drafter	11/17/03	Sent for Approval	FINANCE DIRECTOR			
	Action Note:	PRR					
1	FINANCE DIRECTOR	11/17/03	Reviewed and Approved	Finance Drafter			
	Action Note:	jstaylor					
1	Finance Reviewer	11/19/03	Sent to Clerk's Office for Council	City Clerk Inbox			
	Action Note:	Approved PRR					
1	Council Drafter	11/20/03	Sent for Approval	Auditor Inbox			
	Action Note:	routed to Auditor per Paul Rakosky - Bessie Twyman					
1	Auditor Reviewer	11/21/03	Reviewed and Approved	Auditor Reviewer			
1	CITY AUDITOR	11/21/03	Reviewed and Approved	Finance Drafter			
1	Finance Drafter	11/21/03	Sent to Clerk's Office for Council	City Clerk Inbox			
	Action Note:	jadunham					
1	Columbus City Council	11/24/03	Tabled Indefinitely				Pass
2	Columbus City Council	1/26/04	Taken from the Table				Pass
2	Columbus City Council	1/26/04	Amended				Pass
1	Columbus City Council	1/26/04	Tabled to Certain Date				Pass
	Action Note:	TABLED UNTIL 02/02/04					

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to it's form and legality only.

2004 Appropriations Ordinance: General Fund

This ordinance appropriates monies within the General Fund to the various departments, commissions, and offices of the government of the City of Columbus for the twelve months ending December 31, 2004.

To make appropriations for the 12 months ending December 31, 2004, for each of the several Object Level 1s for which the City of Columbus has to provide from the monies known to be in the treasury of said City of Columbus, in the fund known as the General Fund, **and as amended by City Council per the attachment herein**, during the said 12 months from the collection of all taxes and from other sources of revenue, and to declare an emergency. (\$532,390,700.00)

WHEREAS, the matter herein provided for constitutes an emergency in that it is immediately necessary to appropriate

funds to the various city departments, commissions, and offices for a 12 month period beginning January 1, 2004, and ending December 31, 2004, 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, OHIO:

Section 1. That from the monies in the fund known as the "Fund for General Purposes", otherwise known as the General Fund, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated to the use of the several departments, commissions and offices and Object Level 1s for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

SEE ATTACHMENT: Ord#2550-2003CouncilAmendments.xls

Section 2. That the monies appropriated in the foregoing Section 1, shall be paid upon the order of the respective department directors or Elected Officials for which the appropriations are made except that small claims in amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) may be paid as authorized by Chapter 335 of the Columbus City Code, 1959, as amended; and except that payments or transfers between departments, divisions or funds of the City may be made by the City Auditor; and except that payments for premiums for official bonds, depository commissions, employees' hospitalization, life insurance, pensions, dental insurance and prepaid legal services, shall be made on the order and approval of the Director of the Department of Finance or City Auditor; and except that the monies appropriated in the foregoing Section 1, Division No. 20?01, be paid upon the order of the City Clerk or President of City Council; and that no order shall be drawn or money paid except upon voucher, the form of which shall be approved by the City Auditor.

Section 3. Except in the matter of payrolls providing for the payment of the salaries of officers and employees regularly employed by the City and extraordinary emergencies, no warrant shall be issued in liquidation of vouchers, unless the department contracting the expense shall have first obtained an order duly certified that there are sufficient funds appropriated to the credit of the proper fund from which the expenditure is to be made, which certificate must be obtained prior to the incurrence of the obligation, and the head of any department or division authorized to contract expenditures will be held personally responsible for any obligation incurred contrary to the provisions of this section. Except that such certificate shall not be issued for obligations pertaining to "Capital Outlay" in programs or activities funded by federal or state categorical grants without the prior approval of the Director of the Department of Finance; such prior approval must be obtained before submission of any requisition for items coded as "Capital Outlay" to the Department of Finance. The Director of the Department of Finance will review such requests for conformity with the approved budget.

Section 4. That with the exception of the provisos (reasons) established in previous sections, as stated in the reason paragraphs following each subdepartment's appropriation, it is understood that this Council is not making specific appropriations for each item of every classification hereinbefore contained but only for the total for each department and subdepartment, as shown in the final column. The itemized classification shall, however, constitute limitations on the powers of the several department heads as granted in Section 2 and no such officer shall make any expenditure for any other purpose in any amount beyond that of the particular classification, provided, however, that transfers may be made from one Object Level 1 to another, within any one department or division. Transfer of sums exceeding \$25,000.00 shall be authorized only by the resolution of Council. Transfers of sums of \$25,000.00 or less shall only be approved pursuant to a letter over the signatures of the head of the department, the Director of the Department of Finance, the City Auditor, and the Chairman of the Committee of Finance and Administration.

Section 5. That the City Auditor is hereby authorized and directed to pay obligations of various departments pertaining to preceding years' obligations from current appropriations up to a maximum of \$25,000.00 per obligation.

Section 6. That the City Auditor shall transfer funds included in Object Level 1 10 of the Department of Finance to the "Anticipated Expenditure Fund" in the fourth quarter of 2004, if authorized to do so by the Finance Director

(\$750,000.00).

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.

**Schedule of Changes Made to Mayor's 2004 Estimate For the General Fund
In Compliance with Section 27 of the Columbus City Charter**

**Amendments to Ordinance 2550-2003
"2004 Appropriations Ordinance: The General Fund"**

The amount listed in the Title changes from \$532,390,700 to read \$532,612,340

Division No. 20-01 City Council

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 2,362,951	\$ -	\$ 2,362,951
02	Materials	20,000	-	\$ 20,000
03	Services	1,397,994	203,320	1,601,314
	Total	\$ 3,780,945	\$ 203,320	\$ 3,984,265

Addition is for Experience Columbus contract.

The amount listed as TOTAL DEPARTMENT changes from \$3,780,945 to read \$3,984,265

Division No. 22-01 City Auditor

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 1,833,878	\$ 50,000	\$ 1,883,878
02	Materials	32,750	-	32,750
03	Services	1,959,293	-	1,959,293
10	Transfers	-	1,620,000	1,620,000
	Total	\$ 3,825,921	\$ 1,670,000	\$ 5,495,921

Reflects addition of \$50,000 for personnel restorations. Transfer line reflects establishment of budget reserve account. Items include: \$300,000 for Shelter Board, \$350,000 for Neighborhood Health Centers, \$300,000 for efficiency training and occupational health and safety programs, \$50,000 for energy efficiency study, \$40,000 for mounted horse patrol expenses, \$500,000 for citywide personnel restorations, \$50,000 for youth commission, \$20,000 for EMS contingency and \$10,000 for Homes on the Hill.

In order to assure the availability of primary care services to vulnerable residents, Columbus will continue its significant support of Columbus Neighborhood Health Centers, Inc. and will work with health care partners to identify community-wide strategies to expand access to care. The City will also direct the Columbus Health Department to initiate an independent assessment of CNHC operations in order to maximize the efficiency and effectiveness of the city's investment and identify opportunities for expansion of services and other funding support.

Division No. 22-02 Income Tax

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 4,772,186
02	Materials	47,100
03	Services	1,573,337

Total \$ 6,392,623

The amount listed as TOTAL DEPARTMENT changes from \$10,218,544 to read \$11,888,544.

Division No. 23-01 City Treasurer

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 675,580
02	Materials	4,000
03	Services	246,563
	Total	\$ 926,143

Division No. 23-02 Parking Violations Bureau

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 1,730,570	\$ 170,000	\$ 1,900,570
02	Materials	27,655	-	27,655
03	Services	780,447	-	780,447
05	Other	12,000	-	12,000
	Total	\$ 2,550,672	\$ 170,000	\$ 2,720,672

Reflects restoration of personnel.

The amount listed as TOTAL DEPARTMENT changes from \$3,476,815 to read \$3,646,815

Division No. 24-01 City Attorney

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 7,945,387	\$ 200,000	\$ 8,145,387
02	Materials	103,500	-	103,500
03	Services	647,265	-	647,265
10	Transfers	250,000	-	250,000
	Total	\$ 8,946,152	\$ 200,000	\$ 9,146,152

Reflects restoration of personnel.

Division No. 24-04 Real Estate

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 312,901
02	Materials	5,373
03	Services	9,900
	Total	\$ 328,174

The amount listed as TOTAL DEPARTMENT changes from \$9,274,326 to read \$9,474,326

Division No. 25-01 Municipal Court Judges

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 9,961,695
02	Materials	58,800
03	Services	<u>1,407,685</u>
	Total	\$ 11,428,180

Division No. 26-01 Municipal Court Clerk

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 7,635,619
02	Materials	171,170
03	Services	<u>749,161</u>
	Total	\$ 8,555,950

Division No. 27-01 Civil Service Commission

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 2,196,076
02	Materials	29,977
03	Services	<u>368,846</u>
	Total	\$ 2,594,899

Division No. 30-01 Safety Administration

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 771,070	\$ -	\$ 771,070
02	Materials	4,400	-	4,400
03	Services	<u>12,620,076</u>	<u>14,086</u>	<u>12,634,162</u>
	Total	\$ 13,395,546	\$ 14,086	\$ 13,409,632

Shifts \$13,540 to Cable Communications Fund. Adds \$27,626 for community crime patrol.

Division No. 30-02 Safety Support Services

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 430,264	\$ -	\$ 430,264
02	Materials	8,187	(8,187)	-
03	Services	<u>167,273</u>	<u>(167,273)</u>	<u>-</u>
	Total	\$ 605,724	\$ (175,460)	\$ 430,264

Shifts \$175,460 to Cable Communications Fund.

Division No. 30-03 Police

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
-----------------------	----------------	--------------------

01	Personnel	\$ 188,084,594
02	Materials	3,948,373
03	Services	9,705,648
05	Other	225,000
06	Capital	97,200
10	Transfer	<u>423,334</u>
	Total	\$ 202,484,149

Division No. 30-04 Fire

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 143,214,994
02	Materials	3,615,631
03	Services	6,077,962
05	Other	22,500
10	Transfer	<u>176,927</u>
	Total	\$ 153,108,014

The amount listed as TOTAL DEPARTMENT changes from \$369,593,433 to read \$369,432,059

Division No. 40-01 Mayor

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 1,509,046
02	Materials	10,150
03	Services	<u>254,774</u>
	Total	\$ 1,773,970

Division No. 40-04 Office of Education

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 302,801
02	Materials	1,966
03	Services	466,606
05	Other	<u>250</u>
	Total	\$ 771,623

Division No. 40-02 Community Relations

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 504,973
02	Materials	6,836
03	Services	<u>126,445</u>
	Total	\$ 638,254

Division No. 40-03 Equal Business Opportunity

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 740,245

02	Materials	6,808
03	Services	<u>133,123</u>
	Total	\$ 880,176

Division No. 44-01 Development Administration

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 1,677,523	\$ (100,000)	\$ 1,577,523
02	Materials	38,948	-	38,948
03	Services	811,256	(114,810)	696,446
05	Other	<u>225,000</u>	<u>-</u>	<u>225,000</u>
	Total	\$ 2,752,727	\$ (214,810)	\$ 2,537,917

Reflects reduction of land bank program by \$100,000. Shifts \$114,810 for Downtown Development Corp. contract to Capitol South Fund.

Division No. 44-02 Economic Development

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 140,596	\$ -	\$ 140,596
02	Materials	9,279	-	9,279
03	Services	528,168	30,000	558,168
05	Other	<u>2,598,655</u>	<u>-</u>	<u>2,598,655</u>
	Total	\$ 3,276,698	\$ 30,000	\$ 3,306,698

Add \$30,000 for technology leadership activities.

Division No. 44-05 Neighborhood Services

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 5,325,223	\$ (100,000)	\$ 5,225,223
02	Materials	122,768	-	122,768
03	Services	2,586,654	680,000	3,266,654
05	Other	10,000	-	10,000
10	Transfers	<u>8,000</u>	<u>-</u>	<u>8,000</u>
	Total	\$ 8,052,645	\$ 580,000	\$ 8,632,645

Personnel reduction of \$100,000. Add \$620,000 for social service contracts, \$50,000 for OSU internship program and \$10,000 for Columbus Historical Society.

Division No. 44-06 Planning

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 689,814
02	Materials	17,234
03	Services	<u>99,693</u>
	Total	\$ 806,741

Division No. 44-10 Housing

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 186,515	\$ -	\$ 186,515
02	Materials	1,000	-	1,000
03	Services	1,596,203	(44,810)	1,551,393
	Total	\$ 1,783,718	\$ (44,810)	\$ 1,738,908

Shifts \$44,810 for Housing Trust Corporation to Hotel/Motel tax fund.

The amount listed as TOTAL DEPARTMENT changes from \$16,672,529 to read \$17,022,909

Division No. 45-01 Finance

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 2,231,786	\$ -	\$ 2,231,786
02	Materials	20,272	-	20,272
03	Services	633,146		633,146
10	Transfers	13,600,000	(2,827,000)	10,773,000
	Total	\$ 16,485,204	\$ (2,827,000)	\$ 13,658,204

Reduces citywide account by the following: \$1.5 million in Workers Comp contingency, \$300,000 in termination pay, \$250,000 in litigation expenses, \$250,000 for consolidation efforts, \$392,000 for MCP, \$20,000 for cellular phones, \$70,000 for citizen survey, \$25,000 for contingency. Shifts poison control (\$20,000) to Health.

The amount listed as TOTAL DEPARTMENT changes from \$16,485,204 to read \$13,658,204.

Division No. 46-01 Human Resources

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 1,223,163
02	Materials	29,496
03	Services	620,618
	Total	\$ 1,873,277

Division No. 47-03 Telecommunications

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 418,400
02	Materials	2,702
03	Services	87,664
	Total	\$ 508,766

Division No. 50-01 Health

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
10	Transfers	\$ 16,671,073	\$ 233,000	\$ 16,904,073
	Total	\$ 16,671,073	\$ 233,000	\$ 16,904,073

Reflects \$133,000 to accommodate lowered carry-over, adds \$75,000 for poison control and \$25,000 for animal cruelty investigation.

The amount listed as TOTAL DEPARTMENT changes from \$16,671,073 to read \$16,904,073

Division No. 51-01 Recreation and Parks

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
10	Transfers	\$ 21,214,939	\$ 307,314	\$ 21,522,253
	Total	\$ 21,214,939	\$ 307,314	\$ 21,522,253

Reflects general fund support for additional full- and part-time staff, Janis MAP center.

The amount listed as TOTAL DEPARTMENT changes from \$21,214,939 to read \$21,522,253

Division No. 59-01 Public Service Administration

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 1,222,928
02	Materials	4,135
03	Services	161,155
	Total	\$ 1,388,218

Division No. 59-02 Refuse Collection

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 12,370,879	\$ (324,000)	\$ 12,046,879
02	Materials	134,306	-	134,306
03	Services	8,320,802	400,000	8,720,802
05	Other	70,000	-	70,000
10	Transfers	28,300	-	28,300
	Total	\$ 20,924,287	\$ 76,000	\$ 21,000,287

Shifts \$324,000 in expense to SCMRF. Adds \$400,000 for yard waste collection.

Division No. 59-05 Fleet Management

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
06	Capital	\$ 2,518,002
	Total	\$ 2,518,002

Division No. 59-07 Facilities Management

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>
01	Personnel	\$ 5,620,770
02	Materials	362,479
03	Services	5,148,041

05	Other	<u>16,000</u>
	Total	\$ 11,147,290

The amount listed as TOTAL DEPARTMENT changes from \$35,977,797 to read \$36,053,797

The amount listed as GRAND TOTAL changes from \$532,390,700 to read \$532,612,340



City of Columbus Legislation Report

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

File Number: 2578-2003

Emergency

File Number: 2578-2003

File Type: Ordinance

Status: Second Reading

Version: 2

Controlling Body: Finance Committee

File Name: 2004 Other Funds Appropriations

Introduced: 11/17/2003

Requester: Finance Drafter

Cost:

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I , the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Jane Dunham/58059

Floor Action (Clerk's Office Only)

Mayor's Action

Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title:

To make appropriations for the 12 months ending December 31, 2004, for other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

Sponsors:

Indexes:

Attachments: Ord#2578-2003CouncilAmendments.xls

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Finance Drafter	11/17/03	Sent for Approval	FINANCE DIRECTOR				
1	FINANCE DIRECTOR	11/17/03	Reviewed and Approved	Finance Drafter				
	Action Note:	jstaylor						
1	Finance Drafter	11/18/03	Sent for Approval	Auditor Inbox				
	Action Note:	jadunham						
1	Auditor Reviewer	11/18/03	Reviewed and Approved	Finance Drafter				
1	CITY AUDITOR	11/18/03	Reviewed and Approved	Finance Drafter				
1	Finance Drafter	11/18/03	Sent to Clerk's Office for Council	City Clerk Inbox				
	Action Note:	jadunham						
1	Columbus City Council	11/24/03	Tabled Indefinitely				Pass	
2	Columbus City Council	1/26/04	Taken from the Table				Pass	
2	Columbus City Council	1/26/04	Amended				Pass	
1	Columbus City Council	1/26/04	Tabled to Certain Date				Pass	
	Action Note:	TABLED UNTIL 02/02/04						

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to it's form and legality only.

This ordinance makes appropriations and authorizes transfers for the 12 months ending December 31, 2004, in various divisions and departments for funds other than the general fund.

To make appropriations for the 12 months ending December 31, 2004, for other funds for various divisions, to authorize the City Auditor to make transfers as may be necessary, and to declare an emergency.

WHEREAS, the matter herein provided for constitutes an emergency in that it is immediately necessary to appropriate funds for the various city departments for the 12 months beginning January 1, 2004, and ending December 31, 2004, and

WHEREAS, the matter herein constitutes an emergency in that it is immediately necessary to appropriate and authorize the transfer of these funds for the immediate preservation of the public health, peace, property, safety and welfare; Now Therefore:

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

SECTION 1. That from the monies in the fund known as the employee benefits fund, fund no. 502, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 4601 - Human Resources

Obj Level 1 01
Amount \$1,071,053

Obj Level 1 02
Amount \$48,500

Obj Level 1 03
Amount \$848,494

TOTAL \$ 1,968,047

SECTION 2. That from the monies in the fund known as the print services fund, fund no. 517, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 4501 - Finance

Obj. Level 1 01
Amount \$206,187

Obj. Level 1 02
Amount \$46,550

Obj. Level 1 03
Amount \$98,012

TOTAL \$ 350,749

SECTION 3. That from the monies in the fund known as the land acquisition services fund, fund no. 525, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 2403 Land Acquisition

Obj. Level 1 01
Amount \$629,503

Obj. Level 1 02
Amount \$9,978

Obj. Level 1 03

Amount \$86,278

TOTAL \$ 725,759

SECTION 4. That from the monies in the fund known as the cable communications fund, fund no. 203, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 30-02- Safety Support Services

Obj Level 1 01

Amount \$2,972,803

Obj Level 1 02

Amount\$ ~~466,954~~ **475,141**

Obj Level 1 03

Amount ~~\$1,048,050~~ **1,228,863**

Obj Level 1 05

Amount \$1,000

TOTAL \$ ~~4,488,807~~ **4,677,807**

Division No. 4703 - Telecommunications

Obj Level 1 01

Amount \$791,006

Obj Level 1 02

Amount \$46,726

Obj Level 1 03

Amount \$449,533

Obj Level 1 06

Amount \$52,000

Obj Level 1 10

Amount \$868,905

TOTAL \$ 2,208,170

TOTAL FUND NO. 203 \$ ~~6,696,977~~ **6,885,977**

SECTION 5. That from the monies in the fund known as the technology services fund, fund no. 514, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 4701 - Technology Director's Office

Obj Level 1 01
Amount \$683,703

Obj Level 1 02
Amount \$468,280

Obj Level 1 03
Amount \$2,251,876

Obj Level 1 06
Amount \$276,000

TOTAL \$ 3,679,859

Division No. 4702 - Division of Information Services

Obj Level 1 01
Amount \$7,806,394

Obj Level 1 02
Amount \$369,721

Obj Level 1 03
Amount \$5,026,118

Obj Level 1 04
Amount \$625,000

Obj Level 1 07
Amount \$144,485

TOTAL \$ 13,971,178

TOTAL FUND NO. 514 \$ 17,651,577

SECTION 6. That from the monies in the fund known as the fleet management services fund, fund no. 513, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 5901 Public Service Administration

Obj Level 1 01
Amount \$426,461

TOTAL \$ 426,461

Division No. 5905 Fleet Management

Obj Level 1 01
Amount \$7,063,828

Obj Level 1 02
Amount \$7,609,213

Obj Level 1 03
Amount \$3,037,455

Obj Level 1 04
Amount \$30,000

Obj Level 1 07
Amount \$21,413

TOTAL \$17,761,909

TOTAL FUND NO. 513 \$ 18,188,370

SECTION 7. That from the monies in the fund known as the health special revenue fund, fund no. 250, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 5001 Health

Obj Level 1 01
Amount \$13,473,842

Obj Level 1 02
Amount \$468,128

Obj Level 1 03
Amount ~~\$9,086,399~~ **9,186,399**

Obj Level 1 05
Amount \$9,200

Obj Level 1 10
Amount \$180,000

TOTAL \$ ~~23,217,569~~ **23,317,569**

SECTION 8. That from the monies in the fund known as the recreation and parks operation and extension fund, fund no. 285, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 5101 Recreation and Parks

Obj Level 1 01
Amount ~~\$20,141,778~~ **20,686,846**

Obj Level 1 02
Amount \$918,266

Obj Level 1 03
Amount ~~\$5,840,254~~ **6,045,186**

Obj Level 1 05
Amount \$75,000

Obj Level 1 06
Amount \$7,000

Obj Level 1 10
Amount \$197,200

TOTAL \$ ~~27,179,498~~ **27,929,498**

SECTION 9. That from the monies in the fund known as the golf course operations fund, fund no. 284, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 5103 Division of Golf

Obj Level 1 01
Amount ~~\$3,436,970~~ **3,185,470**

Obj Level 1 02
Amount ~~\$438,000~~ **416,500**

Obj Level 1 03
Amount ~~\$1,267,046~~ **1,234,546**

Obj Level 1 05
Amount \$3,200

Obj Level 1 06
Amount ~~\$230,000~~ **30,000**

TOTAL \$ ~~5,375,216~~ **4,869,716**

SECTION 10. That from the monies in the fund known as the development services fund, fund no. 240, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 4401 - Administration

Obj Level 1 01
Amount \$ 576,511

TOTAL \$ 576,511

Division No. 4403 - Building Services

Obj Level 1 01
Amount \$11,672,606

Obj Level 1 02
Amount \$105,525

Obj Level 1 03
Amount \$2,222,358

Obj Level 1 05
Amount \$19,160

Obj Level 1 06
Amount \$262,400

TOTAL \$ 14,282,049

Division No. 4406 - Planning

Obj Level 1 01
Amount \$209,923

TOTAL \$ 209,923

Division No. 5901 - Public Service Administration

Obj Level 1 01
Amount \$314,266

Obj Level 1 03
Amount \$15,237

TOTAL \$ 329,503

Division No. 5909 Transportation

Obj Level 1 01
Amount \$8,346,858

Obj Level 1 02
Amount \$68,250

Obj Level 1 03
Amount \$1,467,653

Obj Level 1 05
Amount \$5,000

Obj Level 1 06
Amount \$10,000

TOTAL \$ 9,897,761

TOTAL FUND NO. 240 \$ 25,295,747

SECTION 11. That from the monies in the fund known as the street construction, maintenance and repair fund, fund no. 265, and from all monies estimated to come into said fund from any and all sources during the 12 months ending

December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 5901 - Public Service Administration

Obj Level 1 01
Amount \$1,645,895

Obj Level 1 03
Amount \$91,423

TOTAL \$ 1,737,318

Division No. 5902 - Refuse Collection

Obj Level 1 01
Amount \$580,796

TOTAL \$ 580,796

Division No. 5909 Transportation

Obj Level 1 01
Amount ~~\$21,232,568~~ **20,975,772**

Obj Level 1 02
Amount \$1,162,000

Obj Level 1 03
Amount \$8,106,661

Obj Level 1 05
Amount \$80,000

Obj Level 1 06
Amount \$350,000

TOTAL \$ ~~30,931,229~~ **30,674,433**

TOTAL FUND NO. 265 \$ ~~32,668,547~~ **32,992,547**

SECTION 12. That from the monies in the fund known as the sewerage system operating fund, fund no. 650, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 6005 Sewerage and Drainage

Obj Level 1 01
Amount \$34,807,624

Obj Level 1 02
Amount \$5,534,085

Obj Level 1 03

Amount \$37,526,007

Obj Level 1 05
Amount \$696,700

Obj Level 1 06
Amount \$5,231,500

Obj Level 1 10
Amount \$15,858,500

Obj Level 04
OL3 4410 Bond Principal \$22,405,255
OL3 4415 OWDA Debt Payments \$13,272,060

Obj Level 07
OL3 7411 Bond Interest Payments \$10,034,159
OL3 7416 OWDA Interest Payments \$11,700,926

TOTAL \$ 157,066,816

Division No. 6001 Public Utilities

Obj Level 1 01
Amount \$554,116

Obj Level 1 02
Amount \$7,466

Obj Level 1 03
Amount \$35,060

TOTAL \$ 596,642

TOTAL FUND NO. 650 \$157,663,458

SECTION 13. That from the monies in the fund known as the storm sewer maintenance fund, fund no. 675, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 6015 Storm Sewer

Obj Level 1 01
Amount \$2,564,547

Obj Level 1 02
Amount \$15,000

Obj Level 1 03
Amount \$11,036,732

Obj Level 1 05
Amount \$200,000

Obj Level 1 06
Amount \$27,500

Obj Level 04
OL3 4410 Principal Payments \$3,006,800

Obj Level 07
OL3 7411 Bond Interest Payments \$ 2,454,115

TOTAL \$ 19,304,694

SECTION 14. That from the monies in the fund known as the electricity enterprise fund, fund no. 550, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 6007 Electricity

Obj Level 1 01
Amount \$9,481,297

Obj Level 1 02
Amount \$38,204,329

Obj Level 1 03
Amount \$6,240,694

Obj Level 1 05
Amount \$159,000

Obj Level 1 06
Amount \$1,901,500

Obj Level 1 04
OL3 4410 Bond Principal Payments \$4,541,101

Obj Level 07
OL3 7411 Bond Interest Payments \$ 1,184,147

TOTAL \$ 61,712,068

Division No. 6001 Public Utilities

Obj Level 1 01
Amount \$214,859

Obj Level 1 02
Amount \$2,896

Obj Level 1 03
Amount \$13,595

TOTAL \$ 231,350

TOTAL FUND NO. 550 \$ 61,943,418

SECTION 15. That from the monies in the fund known as the water system revenue fund, fund no. 600, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 6009 Waterworks

Obj Level 1 01
Amount \$35,340,165

Obj Level 1 02
Amount \$12,565,271

Obj Level 1 03
Amount \$22,287,494

Obj Level 1 05
Amount \$120,000

Obj Level 1 06
Amount \$1,962,200

Obj Level 1 10
Amount \$7,130,750

Obj Level 04
OL3 4410 Bond Principal Payments \$20,441,900

Obj Level 1 07
OL3 7411 Bond Interest Payments \$10,760,157

TOTAL \$ 110,607,937

Division No. 6001 Public Utilities

Obj Level 1
Amount \$361,868

Obj Level 1 02
Amount \$4,877

Obj Level 1 03
Amount \$22,899

TOTAL \$ 389,644

TOTAL FUND NO. 600 \$110,997,581

SECTION 16. That from the monies in the fund known as the computer system procurement & maintenance fund, fund no. 227 and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to

provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 2501 - Municipal Court Judges Subfund 001

Obj Level 1 01
Amount \$173,774

Obj Level 1 02
Amount \$122,500

Obj Level 1 03
Amount \$411,013

Obj Level 1 06
Amount \$56,000

TOTAL \$ 763,287

Division No. 2601 - Municipal Court Clerk Subfund 002

Obj Level 1 01
Amount \$730,254

Obj Level 1 02
Amount \$415,600

Obj Level 1 03
Amount \$860,006

Obj Level 1 06
Amount \$62,000

TOTAL \$ 2,067,860

TOTAL FUND NO. 227 \$ 2,831,147

SECTION 17. That from the monies in the fund known as the emergency human services fund, fund no. 232 and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 44-05 - Neighborhood Services

Obj Level 1 03
Amount \$750,000

TOTAL \$ 750,000

SECTION 18. That from the monies in the fund known as the municipal court special projects fund, fund no. 226, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 2501 - Municipal Court Judges

Obj Level 1 01
Amount \$600,419

Obj Level 1 02
Amount \$4,000

Obj Level 1 03
Amount \$395,581

Obj Level 1 06
Amount \$0

TOTAL \$ 1,000,000

SECTION 19. That from the monies in the fund known as the collection fee fund, fund no. 295, and from all monies estimated to come into said fund from any and all sources during the 12 months ending December 31, 2004, there be and hereby are appropriated for the object level ones for which the corporation has to provide the following sums for use during the 12 months ending December 31, 2004:

Division No. 2401 - City Attorney

Obj Level 1 03
Amount \$400,000

Division No. 2601 - Municipal Court Clerk

Obj Level 1 03
Amount \$420,000

TOTAL FUND NO. 295 \$ 720,000

SECTION 20. That the existing appropriations in funds for capital projects at December 31, 2004 are hereby reappropriated to the same division object level 1 and purpose originally authorized by the Council and that the outstanding encumbrances in those subfunds at December 31, 2004, are hereby re-encumbered.

SECTION 21. That the monies in the foregoing Sections 1 through 19 shall be paid upon the order of the respective departments for which the appropriations are made except that small claims in amounts not to exceed Two Thousand Five Hundred (\$2,500.00) may be paid as authorized by Chapter 335 of the Columbus City Code, 1985, as amended; and except that payments or transfers between departments, divisions or funds of the City may be made by the City Auditor; that payments for premiums for official bonds, depository commissions, employees' hospitalization, life insurance, pensions, dental insurance, and prepaid legal services, shall be made on the order and approval of the Director of the Department of Finance or City Auditor; that the monies appropriated in the foregoing Section 1 shall be paid upon the order of the Director of the Department of Human Resources; that the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Director of the Department of Finance; that the monies appropriated in the foregoing Section 3 shall be paid upon the order of the City Attorney; that the monies appropriated in the foregoing Section 4, Division 47-03, shall be paid upon the order of the Director of the Department of Technology; that the monies appropriated in the foregoing Section 4, Division 30-02, shall be paid upon the order of the Director of the Department of Public Safety; that the monies appropriated in the foregoing Section 5 shall be paid upon the order of the Director of the Department of Technology; that the monies appropriated in the foregoing Section 6 shall be paid upon the order of the Director of the Department of Public Service; that the monies appropriated in the foregoing Section 7 shall be paid upon the order of the Health Commissioner; that the monies appropriated in the foregoing Sections 8 and 9 shall be paid upon

the order of the Director of the Department of Recreation and Parks; that the monies appropriated in the foregoing Section 10, Divisions 44-01, 44-03 and 44-06, shall be paid upon the order of the Director of the Department of Development; that the monies appropriated in the foregoing Section 10, Divisions 59-01 and 59-09, shall be paid upon the order of the Director of the Department of Public Service; that the monies appropriated in the foregoing Section 11 shall be paid upon the order of the Director of the Department of Public Service; that the monies appropriated in the foregoing Sections 12, 13, 14, and 15 shall be paid upon the order of the Director of the Department of Public Utilities; that the monies appropriated in the foregoing Section 16 shall be paid upon the order of the Municipal Court Clerk or the Administrative Judge; that the monies appropriated in the foregoing Section 17 shall be paid upon the order of the Director of the Department of Development; that the monies appropriated in the foregoing Section 18 shall be paid upon the order of the Municipal Court Administrative Judge; that the monies appropriated in the foregoing Section 19 shall be paid upon the order of the city Attorney or the Municipal Court Clerk; and that no order shall be drawn or money paid except upon voucher, the form of which shall be approved by the City Auditor.

SECTION 22. Except in the matter of payrolls providing for the payment of salaries of officers and employees regularly employed by the City and extraordinary emergencies, no warrant shall be issued in liquidation of vouchers, unless the department contracting the expense shall have first obtained an order duly certified that there are sufficient funds appropriated to the credit of the proper fund from which the expenditure is to be made, which certificate must be obtained prior to the incurrence of the obligation, and the head of any department or division authorized to contract expenditures will be held personally responsible for any obligation incurred contrary to the provisions of this section. Such certificate shall not be issued for obligations pertaining to "Capital Outlay" in programs or activities funded by federal or state categorical grants without the prior approval of the Director of the Department of Finance.

SECTION 23. That with the exception of the provisos (reasons) established in previous sections, as stated in the reason paragraphs following each subdepartment's appropriation, it is understood that this Council is not making specific appropriations for each item of every classification hereinbefore contained but only for the total for each department and subdepartment, as shown in the final column. The itemized classification shall, however, constitute limitations on the powers of the several department heads as granted in Section 21 and no such officer shall make any expenditure for any other purpose in any amount beyond that of the particular classification; provided, however, that transfers may be made from one object level 1 to another, within any one department or division. Transfers of sums exceeding \$25,000.00 shall be authorized only by resolution of Council. Transfers of sums of \$25,000.00 or less, shall be only be approved pursuant to a letter over the signatures of the head of the department, the Director of the Department of Finance, the City Auditor, and the Chairman of the Committee of Finance and Administration.

SECTION 24. That the City Auditor is hereby authorized and directed to pay obligations of various departments pertaining to preceding years obligations from current appropriations up to a maximum of \$25,000.00 per obligation.

SECTION 25. 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.

**Schedule of Changes Made to Mayor's 2004 Estimate For Other Funds
In Compliance with Section 27 of the Columbus City Charter**

**Amendments to Ordinance 2578-2003
"2004 Appropriations Ordinance: Other Funds"**

**Cable Communications Fund 203
Division No. 30-02 Safety Support Services**

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 2,972,803	\$ -	\$ 2,972,803
02	Materials	466,954	8,187	475,141
03	Services	1,048,050	180,813	1,228,863
05	Other	<u>1,000</u>	<u>-</u>	<u>-</u>
	Total	\$ 4,488,807	\$ 189,000	\$ 4,677,807

Shifts expenses from general fund to Cable Fund.

**Health Special Revenue Fund 250
Division No. 50-01 Health**

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 13,473,842	\$ -	\$ 13,473,842
02	Materials	468,128	-	468,128
03	Services	9,086,399	100,000	9,186,399
05	Other	9,200	-	9,200
10	Transfers	<u>180,000</u>	<u>-</u>	<u>180,000</u>
	Total	\$ 23,217,569	\$ 100,000	\$ 23,317,569

Add \$75,000 for poison control, \$25,000 for animal cruelty investigation.

**Recreation and Parks Operation and Extension Fund 285
Division No. 51-01 Recreation and Parks**

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 20,141,778	\$ 545,068	\$ 20,686,846
02	Materials	918,266	-	918,266
03	Services	5,840,254	204,932	6,045,186
05	Other	75,000	-	75,000
06	Capital	7,000	-	7,000
10	Transfers	<u>197,200</u>	<u>-</u>	<u>197,200</u>
	Total	\$ 27,179,498	\$ 750,000	\$ 27,929,498

Adds \$104,400 for cultural events, \$85,000 for satellite playgrounds, \$83,238 for greenways planner, and park planner. \$250,820 for Janis MAP center, \$113,271 for part-time park maintenance and \$113,271

part-time recreation center staff.

Street Contraction, Maintenance and Repair Fund, 265
Division No. 59-09 Transportation

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ 21,232,568	\$ (256,796)	\$ 20,975,772
02	Materials	1,162,000	-	1,162,000
03	Services	8,106,661	-	8,106,661
05	Other	80,000	-	80,000
06	Capital	350,000	-	350,000
	Total	\$ 30,931,229	\$ (256,796)	\$ 30,674,433

Refuse expenses originally budgeted in Transportation shifted to Refuse.

Street Contraction, Maintenance and Repair Fund, 265
Division No. 59-02 Refuse Collection

<u>Object Level 1</u>	<u>Purpose</u>	<u>Recommended</u>	<u>Change</u>	<u>Amended</u>
01	Personnel	\$ -	\$ 580,796	\$ 580,796
	Total	-	580,796	580,796

Refuse expenses of \$256,796 originally budgeted in Transportation division shifted to Refuse (graffiti removal, litter and dead animal). Council shift of additional Refuse expenses of \$324,000 to SCMRF.



City of Columbus Legislation Report

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

File Number: 0227-2004

emergency

File Number: 0227-2004

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Finance Committee

File Name: Hotel/Motel Appropriation and transfer

Introduced: 1/22/2004

Requester: Finance Drafter

Cost: \$ 299,400.00

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I , the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Jane Dunham/58059

Floor Action (Clerk's Office Only)

Mayor's Action

Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title: To appropriate \$195,000 within the Hotel/Motel Tax Fund, to transfer \$299,400 from the Hotel/Motel Tax Fund to the Recreation and Parks Operating Fund, and to declare an emergency. (\$299,400)

Sponsors:

Indexes:

Attachments:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Finance Drafter	1/22/04	Sent for Approval	FINANCE DIRECTOR				
	Action Note:	jadunham						
1	FINANCE DIRECTOR	1/22/04	Reviewed and Approved	Finance Drafter				
1	Finance Drafter	1/22/04	Sent to Clerk's Office for Council	City Clerk Inbox				
	Action Note:	jadunham						
1	Columbus City Council	1/26/04	Tabled to Certain Date				Pass	
	Action Note:	TABLED UNTIL 02/02/04						

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

Background

This ordinance transfers \$104,400 from the existing Hotel/Motel tax appropriation to the Recreation and Parks Department for the support of various annual cultural and arts programming for the enrichment of the community. City Code section 371.02 allows for the allocation of a maximum of 1.5% in relation to the 5.1% hotel/motel tax receipts for use for said purpose - the equivalent of 29.41% of collections. The City deems it appropriate to distribute \$104,400 of this allocation to the Department of Recreation and Parks to support various cultural events.

In addition, this ordinance appropriates and transfers \$195,000 from the unallocated balance of the Hotel/Motel tax fund to the Department of Recreation and Parks, to support department activities.

Both of these actions are in accordance with City Council amendments to the 2004 Executive Budget.

This ordinance is submitted as an emergency so as to allow any financial transactions affected by this amendment to be properly posted. Up to date financial posting promotes accurate accounting and financial management.

To appropriate \$195,000 within the Hotel/Motel Tax Fund, to transfer \$299,400 from the Hotel/Motel Tax Fund to the Recreation and Parks Operating Fund, and to declare an emergency. (\$299,400)

WHEREAS, the Department of Recreation and Parks annually provides various cultural and arts programming for the enrichment of the community; and

WHEREAS, City Code section 371.02 allows for the allocation of a maximum of 1.5% in relation to

the 5.1% hotel/motel tax receipts for use for said purpose - the equivalent of 29.41% of collections; and

WHEREAS, the city deems it appropriate to distribute \$104,400 to the Department of Recreation and Parks to support various cultural events; and

WHEREAS, the city further deems it appropriate that \$195,000 in unappropriated funds existent within the Hotel/Motel Tax fund be used to support Recreation and Parks activities; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to appropriate and transfer said funds for the preservation of public health, peace, property and safety; now, therefore

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

SECTION 1 That the amount of \$195,000 is hereby appropriated to the Hotel/Motel Fund to Division 20-01, Fund 231 Object Level 3 5501, OCA Code 200212.

SECTION 2. That the City Auditor be directed to transfer \$104,400 within Fund 231, Division 20-01, OCA Code 200212 from Object Level 1 03, Object Level 3 3000, to Object Level 1 10, Object Level 3 5501.

SECTION 3. That the City Auditor be directed to transfer \$299,400 from Fund 231, Division 20-01, OCA Code 200212 Object Level 3 5501 to Division 51-01, Fund 285, Object Level 3 0086, OCA Code 510297.

SECTION 4. That the appropriation of the above funds to the Recreation and Parks Operation and Extension Fund is authorized by separate ordinance.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.