

Columbus City Bulletin



**Bulletin 14
April 03, 2004**

Proceedings of City Council

Saturday, April 03, 2004



SIGNING OF LEGISLATION

Unless otherwise noted, all legislation listed in this bulletin was signed by Council President Habash, on the night of the Council meeting, Monday, *March 29, 2004*; by the Mayor, Michael B. Coleman, on Wednesday, *March 31, 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, 614-645-7380. The City Bulletin contains the official report of the proceedings of Council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, public notices; and details pertaining to official actions of all city departments. If noted within ordinance text, supplemental and support documents are available upon request to the City Clerk's Office.



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, March 29, 2004

5:00 PM

Columbus City Council

Columbus City Council

Journal

March 29, 2004

REGULAR MEETING NO. 17 OF COLUMBUS CITY COUNCIL, MARCH 29, 2004 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

READING AND DISPOSAL OF THE JOURNAL

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, to Dispense with the reading of the Journal and Approve. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

C0011-2004

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, MARCH 24, 2004:

New Type: D5J
To: DDMD Enterprises LLC
DBA Coliseum
6252 Busch Blvd
Columbus Ohio 43229

New Type: C1, C2, D3
To: San Jose De La Paz LTD
5761 Karl Rd
Columbus Ohio 43229

New Type: D2
To: Blazin Wings Inc
DBA Buffalo Wild Wings
Grill & Bar
2044 N High St 1st Fl & Bsmt
Columbus Ohio 43201

New Type: C1, C2
To: Casa Champs Inc
DBA Champs Market
219 W 8th Av
Columbus Ohio 43201

New Type: C1, C2
To: Snacks and Goodies LLC
80 N High St
Columbus Ohio 43215

New Type: C1, C2
To: Main 3351 Inc
3351 E Main St
Columbus Ohio 43213

New Type: C1, C2
To: Aldi Inc
4664 Sawmill Rd
Columbus Ohio 43220

Transfer Type: C2, C2X, D6
To: Tap Ventures Inc
DBA Tap Drive Thru
7199-7203 E Broad St
Columbus Ohio 43004
From: Tap Ventures Inc
DBA Tap Drive Thru
7167-71 E Broad St
Columbus Ohio 43004

Transfer Type: D2, D2X, D3, D3A
To: Café Bourbon Street Inc
2216 Summit St
Columbus Ohio 43202
From: 312 East Hudson Inc
DBA Macs Bar
312-16 E Hudson St
Columbus Ohio 43202

Transfer Type: D5
To: Slavka Bendoff
DBA Beechwood Lounge
3796 E Livingston Av & Patio
Columbus Ohio 43227
From: Paul Bendoff Est
Slavka Bendoff Extr
DBA Beechwood Lounge
3796 E Livingston Av & Patio
Columbus Ohio 43227

Transfer Type: D2, D2X, D3, D3A, D6
To: Edwards Communities Club LTD
5451 Edwards Farms Rd
Columbus Ohio 43221
From: B D Patio Inc
DBA Patio In The Brewery District
490 S Front St
Columbus Ohio 43215

Transfer Type: C1, C2
To: 1270 W Town St Inc
DBA Vans Market & Carry Out
1270 W Town St
Columbus Ohio 43222
From: Phase Two Marketing Inc
DBA Vans Market & Carry Out
1270 W Town St
Columbus Ohio 43222

Transfer Type: C1, C2
To: New America Investment Inc
DBA Howards Sunoco
726 W Broad St
Columbus Ohio 43222
From: Gavericks Inc
DBA Howards Sunoco
726 W Broad St
Columbus Ohio 43222

Transfer Type: C1, C2, D6
To: Yohannes Abraham
DBA Victory Market
62 E Hudson St
Columbus Ohio 43211
From: Young G Son
DBA Lees Market
2195 N High St 1st Fl
Columbus Ohio 43201

Transfer Type: D1, D3
To: Little George Corp
DBA Dirty Dungarees V
5455 Norton Center
Columbus Ohio 43228
From: 5455 DD Inc
DBA Dirty Dungarees V
5455 Norton Center
Columbus Ohio 43228

Transfer Type: D2, D2X, D3
To: Colombinis Bar & Grill Inc
DBA Colombinis Sports Diner

894 W Broad St
Columbus Ohio 43222
From: Colombinis Bar & Grill Inc
177 S Cypress Av 1st Fl
Columbus Ohio 43223

Replacement Type: Liquor Agency Contract
To: Tap Ventures Inc
DBA Tap Drive Thru
7199-7203 E Broad St
Columbus Ohio 43004

ADVERTISE 04/03/04
RETURN 04/08/04

Read and Filed

RESOLUTIONS OF EXPRESSION

BOYCE

078X-2004 To honor and recognize Gregory J. Behnke for receiving the 2004 George Meany Award.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

079X-2004 To honor and recognize Monsignor Joseph M. Hendricks for receiving the 2004 AFL-CIO Community Service Award.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

080X-2004 To honor and recognize Amy Hernandez for receiving the 2004 Columbus Franklin County AFL-CIO Scouting Award.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

084X-2004 To honor and recognize the Southeast Career Center Carpentry Class for receiving the 2004 Central Ohio AFL-CIO Youth Services Award.

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:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

085X-2004

To honor and recognize Amelia Gerst for receiving the 2004 Central Ohio AFL-CIO Youth Services Award.

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:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

082X-2004

To Honor and Recognize The American Red Cross of Greater Columbus during American Red Cross Month

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:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

MENTEL

087X-2004

To recognize the month of April 2004 as Child Abuse Prevention Month.

Sponsors: Michael C. Mentel

A motion was made by President Pro-Tem Mentel, seconded by Mr. Sensenbrenner, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

SENSENBRENNER

073X-2004

To recognize and celebrate National Purchasing Month during March, by commending public and private purchasers for their commitment to excellence in the purchasing profession.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

HABASH

081X-2004

To declare March 29th to April 4th Crew Week in Columbus, Ohio.

A motion was made by President Habash, seconded by President Pro-Tem Mentel, that this matter be Adopted. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

ADDITIONS OR CORRECTIONS TO THE AGENDA

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

FINANCE: 0524-2004

FIRST READING OF 30-DAY LEGISLATION

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

0505-2004 FR To authorize and direct the Director of Recreation and Parks to enter into a Local Public Agency agreement with the Ohio Department of Transportation for the Olentangy Trail Bridge Project.

Read for the First Time

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

0423-2004 FR To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to The Ohio State University Hospital for the Division of Police from the General Fund in the amount of \$37,577.34 (\$37,577.34)

Read for the First Time

0465-2004 FR To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Justice Programs Unit for the FY2003 Juvenile Accountability Incentive Block Grant (JAIBG) School Sports Violence project, and to authorize an appropriation of \$61,111.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the above grant project. (\$61,111.00)

Read for the First Time

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

0427-2004 FR To accept the application (AN03-043) of Homewood Corporation for the annexation of certain territory containing 86.0 ± Acres in Madison Township.

Read for the First Time

0432-2004 FR To accept the application (AN03-044) of Robert D. Patrella for the annexation of certain territory containing 22.8 ± Acres in Plain Township.

Read for the First Time

0440-2004 FR To accept the application (AN03-046) of Wilbur H. Lamp, et al. for the annexation of certain territory containing 229.3 ± Acres in Madison Township.

Read for the First Time

0442-2004 FR To accept the application (AN03-042) of Ohio District Lutheran Church Extension Fund, Inc. for the annexation of certain territory containing 26.596 ± Acres in Madison Township.

Read for the First Time

0566-2004 FR To authorize the acceptance of deeds for two parcels of real estate to be

held in the City's Land Bank for redevelopment.

Read for the First Time

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

070X-2004 FR To repeal any and all previous speed limit ordinances and resolutions on Alum Creek Drive between Main Street and Livingston Avenue, and request the Director of the Ohio Department of Transportation to lower the speed limit on Alum Creek Drive between Livingston Avenue and Main Street to 45 mph from the posted speed of 50 mph.

Read for the First Time

0282-2004 FR To authorize the transfer of \$100,000.00 between projects within the 1995, 1999 Voted Streets and Highways Fund to fund the 2004 Curb Reimbursement program for the Transportation Division; to authorize the Public Service Director to reimburse various property owners for the replacement of concrete curbs and to authorize the expenditure of \$100,000.00 from the 1995, 1999 Voted Streets and Highways Fund. (\$100,000.00)

Read for the First Time

0479-2004 FR To amend Section 6 of Ordinance 2464-2003, passed on November 24, 2003, to correctly name the publicly dedicated right-of-way described in said ordinance as Hamilton Road and to repeal the existing Section 6.

Read for the First Time

0525-2004 FR To accept the plat titled NORTH GROVE, from SOVEREIGN DEVELOPMENT CORPORATION, an Ohio Corporation, by THEODORE P. URITUS, President

Read for the First Time

0527-2004 FR To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a project to rehabilitate four existing bridges on Interstate Routes 70 and 71 for the Transportation Division. (\$0)

Read for the First Time

0530-2004 FR To accept various GENERAL WARRANTY DEEDS for real property to be used as road right-of-way and to dedicate and name those properties as Winchester Lakes Boulevard and Summit View Road.

Read for the First Time

0582-2004 FR To accept the plat titled LANGFORD MEADOW SECTION FOUR, from COLUMBUS CONTRACTOR COMPANY, by JOHN J. GIRARD, President.

Read for the First Time

UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH

0581-2004 FR To authorize the Director of Public Utilities to execute a change order agreement and mutual release of claims with the City of Dublin, Ohio in connection with the construction of Part 3 of the Upper Scioto West Interceptor Sewer, for the Division of Sewerage and Drainage. (\$0.00)

Read for the First Time

RULES & REFERENCE: HABASH, CHR. MENDEL SENSENBRENNER TAVARES

- 0184-2004** FR To redraft Section 4113.51 and amend Section 4113.73 of the Columbus Building Code (Title 41) in order to provide for the registration, with proper documentation, of certain temporary tents 2,000 square feet or less in size erected in place for no more than 5 days and to adjust the 2003 fees for Community Festivals while capping all future Community Festival Fees at \$25 dollars, including the required registration fee.

Sponsors: Maryellen O'Shaughnessy

Read for the First Time

CONSENT ACTIONS**FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH**

- 0408-2004** CA To authorize and direct the Finance Director to enter into three contracts for the option to purchase Wearing Apparel with Koppel Advertising Inc., Progress Industries, and Foster & Associates, Inc., to authorize the expenditure of three dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00)

This Matter was Approved on the Consent Agenda.

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENDEL HABASH

- 0354-2004** CA To authorize the Director of the Department of Technology to modify and extend a contract with Accela, Inc., for the Building Services Division, for software and support maintenance services, to authorize the expenditure of \$173,800.00 from the Department of Technology, internal services fund; and to declare an emergency. (\$173,800.00)

This Matter was Approved on the Consent Agenda.

- 0374-2004** CA To authorize the Director of the Department of Technology, on behalf of the Columbus Health Department, to modify and extend a contract, for maintenance and support services provided by CareCentric, Inc.; to authorize the expenditure of \$24,370.12 from the Department of Technology, internal service fund; and to declare an emergency (\$24,370.12)

This Matter was Approved on the Consent Agenda.

- 0386-2004** CA To authorize and direct the City Auditor to transfer \$25,720.00 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund, to authorize the appropriation and expenditure of \$25,720.00 from the Facilities Management Capital Improvement Fund, and to authorize the Public Service Director to contract for the Facilities Management Division with Axiom Mechanical for the installation of a new air conditioning compressor at 757 Carolyn Avenue. (\$25,720.00)

This Matter was Approved on the Consent Agenda.

- 0444-2004** CA To authorize and direct the Finance Director to enter into contract for an option to purchase HP Imaging, Printer Group Devices, with Pomeroy IT Solutions, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Account and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.**RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH**

- 0475-2004** CA To authorize the Director of Recreation and Parks to enter into contract with Peabody Landscape Group for the North Bank Park - Issue G Project, to authorize the expenditure of said funds, and to declare an emergency. (\$125,994.00)

This Matter was Approved on the Consent Agenda.

- 0482-2004** CA To authorize the appropriation and transfer of \$165,423.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Jones Stuckey Ltd., for the design of the Clintonville/Olentangy Trail Bridge, to authorize the expenditure of said funds, and to declare an emergency. (\$165,423.00)

This Matter was Approved on the Consent Agenda.

- 0493-2004** CA To authorize the appropriation and transfer of \$120,200.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Fields and Associates for the Beatty Recreation Center Improvements Project, to authorize the expenditure of said funds, and to declare an emergency. (\$120,200.00)

This Matter was Approved on the Consent Agenda.

- 0494-2004** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase rental of Portable Toilets with Porta Kleen, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0500-2004** CA To authorize and direct the Director of Recreation and Parks to enter into a five-year lease agreement in the amount of \$1.00 per year, with the Central Ohio Bicycle Racing Association, Inc., for use of the Heer Park BMX Track, and to declare an emergency.

This Matter was Approved on the Consent Agenda.**SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH**

- 068X-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.

- 077X-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 North High Streetscapes Improvement Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

- 0535-2004** 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 declare an emergency.

This Matter was Approved on the Consent Agenda.

- 0542-2004** CA To authorize and direct the Finance Director to modify an existing contract with intellinetics, Inc. for the Division of Police for the purchase of the 5th year of the maintenance and support agreement and to authorize the expenditure \$104,000.00 from the General Fund; and to declare an emergency. (\$104,000.00)

This Matter was Approved on the Consent Agenda.

- 0543-2004** CA To authorize the transfer of funds within the Local Law Enforcement Block Grant fund and to authorize and direct the Finance Director to modify the contract with Meggs Associates, D.B.A. CRISNet for the Division of Police for the purchase of the second year of maintenance and support, and to authorize the expenditure of \$154,867.00 from the Law Enforcement Block Grant Funds; and to declare an emergency. (\$154,867.00)

This Matter was Approved on the Consent Agenda.

- 0554-2004** CA To increase an existing Auditor's Certificate by \$150,000.00 from the Water Limited Fund, for the Morse Road Booster Station to Johnstown Road Project and to declare an emergency. (\$150,000.00).

This Matter was Approved on the Consent Agenda.

- 0576-2004** CA To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Miscellaneous Medical Supplies, with Bound Tree Medical LLC and Emergency Medical Products, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 0559-2004** CA To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Justice Programs Unit for a FY 2002 Violence Against Women Act (VAWA) grant, to authorize an appropriation of \$64,533.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the CPD-Scene PD grant project and to declare an emergency. (\$64,533.00)

This Matter was Approved on the Consent Agenda.

- 0611-2004** CA To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Sunbury Road 12" Water Line Improvement Project, and to declare an emergency.

This Matter was Approved on the Consent Agenda.**DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH**

- 0600-2004** CA To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-006) of 24.09± Acres in Franklin 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.

- 0601-2004** CA To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN04-005) of 6.4±

Acres in Jefferson 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**

0281-2004 CA To authorize the Public Service Director to expend \$190,000.00 to reimburse the Franklin County Engineering Department for the City of Columbus' share of the costs to improve a portion of Frank Road; to authorize this expenditure from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$190,000.00)

This Matter was Approved on the Consent Agenda.

0478-2004 CA To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase Starters and Alternators from Jim's Automotive Electric Service Co. and Hite Parts Exchange Inc. and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

0474-2004 CA To authorize the Board of Health to enter into contracts with Ohio Health (Grant/Riverside Hospitals) and Community Radiology, Inc. for the provision of radiology services for the Tuberculosis Clinic; to authorize the expenditure of \$200,000 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$200,000)

This Matter was Approved on the Consent Agenda.

0484-2004 CA To authorize the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$53,000; to authorize the appropriation of \$53,000 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$53,000)

This Matter was Approved on the Consent Agenda.

0487-2004 CA To authorize the Columbus Health Department to enter into a revenue contract with the Ohio Department of Job and Family Services to provide refugee health screens at various neighborhood health centers in an amount not to exceed \$120,000; and to declare an emergency. (\$120,000)

This Matter was Approved on the Consent Agenda.

0515-2004 CA To authorize and direct the Columbus Health Department to accept this grant from the Ohio Department of Health in the amount of \$54,000; to authorize the appropriation of \$54,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$54,000)

This Matter was Approved on the Consent Agenda.

0528-2004 CA To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Health for the Tuberculosis Clinic; to authorize the appropriation of \$137,000.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$137,000.00)

This Matter was Approved on the Consent Agenda.

- 0546-2004** CA To authorize and direct the Columbus Health Department to accept a grant from The Columbus Affiliate of the Susan G. Komen Breast Cancer Foundation in the amount of \$69,670.00; to authorize the appropriation of \$69,670.00 from the unappropriated balance of the Private Grants Fund, and to declare an emergency. (\$69,670.00)

This Matter was Approved on the Consent Agenda.**UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**

- 0334-2004** CA To authorize and direct the City Auditor to transfer \$70,512 from the Special Income Tax Fund to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the appropriation of said funds; to authorize the Director of Public Utilities to enter into a contract with Stone Environmental Engineering and Science, Inc. to provide professional engineering services to prepare a Spill Prevention, Control and Countermeasures (SPCC) design and plan for the Division of Electricity; to waive provisions of Columbus City Codes for awarding professional service contracts; to authorize the expenditure of \$70,512.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$70,512.00)

This Matter was Approved on the Consent Agenda.

- 0357-2004** CA To authorize the City Auditor to transfer \$18,121.61 from the Special Income Tax Fund to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund: to authorize the appropriation of said funds; to authorize the Finance Director to enter into blanket purchase orders for Various Size Luminaires for the Division of Electricity in accordance with the universal term contracts with General Electric Supply and Hughes Supply; and to authorize the expenditure of \$20,027.50 from the Voted Electricity and Street Lighting Improvements Fund and \$106,138.75 from Division of Electricity Operating Fund; and to declare an emergency. (\$126,166.25)

This Matter was Approved on the Consent Agenda.

- 0379-2004** CA To authorize the Director of the Department of Public Utilities to modify the existing contract with Asplundh Tree Expert Company for power line clearance services for the Division of Electricity under the provisions of Columbus City Codes, and to authorize the expenditure of \$195,000.00 from the Division of Electricity Operating Fund. (\$195,000.00)

This Matter was Approved on the Consent Agenda.

- 0430-2004** CA To authorize the Finance Director to establish Blanket Purchase Orders with Jones Chemicals, Inc., for the purchase of Liquid Sodium Bisulfite and Cylinder Deposits from an established Universal Term Contract for the Division of Sewerage and Drainage; to authorize the expenditure of \$134,000.00 from the Sewerage System Operating Fund. (\$134,000.00)

This Matter was Approved on the Consent Agenda.

- 0454-2004** CA To authorize the Director of Finance to establish a Blanket Purchase Order for Heating Oil from an established Cooperative Purchase Contract with BP Products North America Inc. for the Division of Sewerage and Drainage, to

authorize the expenditure of \$140,000.00 from the Sewerage System Operating Fund, and to declare an emergency (\$140,000.00)

This Matter was Approved on the Consent Agenda.

- 0456-2004** CA To authorize and direct the City Auditor to transfer \$130,000.00 from the Special Income Tax Fund to the Voted Street Lighting and Electricity Distribution Improvements Fund: to authorize the appropriation of said funds; to authorize capital expenditures for the purchase of materials and services required for the construction of street lighting projects up to an amount not to exceed \$130,000.00 from the Voted Electricity and Street Lighting Improvements Fund; and to declare an emergency. (\$130,000.00)

This Matter was Approved on the Consent Agenda.

- 0464-2004** CA To authorize and direct the Finance Director to enter into one contract for the option to purchase Sampler Systems for Sewerage Sludge with Columbus Supply, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0499-2004** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase Zinc Orthophosphate, with Carus Chemical Company, a Division of Carus Corporation, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0501-2004** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase Non-Membrane Dissolved Oxygen Probes with Hach Company c/o CKM Industrial Sales, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0510-2004** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase Hydrofluosilicic Acid, with Lucier Chemical Industries Ltd., dba LCI, Ltd., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0522-2004** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase Liquid Caustic Soda, with Univar USA Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0523-2004** CA To authorize and direct the Finance Director to enter into a contract for an option to purchase Soda Ash, with OCI Chemical Corp., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0526-2004** CA To declare the determination of City Council to proceed with the construction of the sanitary sewer improvements associated with the McDannald Estates Area Assessment Sewer Project, in accordance with the assessment procedures set forth by Columbus City Charter, for the Division of Sewerage and Drainage; and to declare an emergency. (\$0.00)

This Matter was Approved on the Consent Agenda.

APPOINTMENTS

- A0060-2004** CA Appointment of Jack W. Decker, Attorney at Law, 1077 Neil Avenue; Columbus, OH 43201-3438 to serve on the Victorian Village Commission as designee of City Council replacing David Neubauer with a term expiration date of June 30, 2006 (resume attached).

This Matter was Approved on the Consent Agenda.

- A0061-2004** CA Appointment of Paul Stefan Walter, 93 West Hubbard Avenue; Columbus, Ohio 43215 to serve on the Victorian Village Commission replacing Fred Rector with a new term expiration date of June 30, 2005 (resume attached).

This Matter was Approved on the Consent Agenda.

Passed The Consent Agenda

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

- A0058-2003** Reappointment of Kevin Boyce, 90 West Board Street, Columbus, OH 43215 to serve on the Joint Columbus and Franklin County Housing Advisory Board, replacing no one since this is a reappointment with a new term expiration date of December 31, 2006.

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

Abstained: 1 - Mr. Boyce

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

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

FINANCE: SENSENBRENNER, CHR. O'SHAUGHNESSY TAVARES HABASH

- 0414-2004** To amend Ordinance No. 2550-2003, as amended in Version 2 on the Legistar system, by changing the language in the Amendments to Ordinance No. 2550-2003 that placed funds in the City's Auditor's transfer line and the Neighborhood Services Division, to reflect a revised City Council intent.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0524-2004 To authorize the Director of the Department of Finance to expend \$39,889.12 from the CDBG revolving loan fund for payment of investment earnings to the U.S. Department of Housing and Urban Development (HUD); and to declare an emergency. (\$39,889.12)

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

Abstained: 1 - Ms. Thomas

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

RECESS 6:29 P.M.

A motion was made by President Pro-Tem Mentel, seconded by Ms. Tavares, to Motion to Recess the Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

RECONVENED: 9:32 P.M.

A motion was made by Mr. Boyce, seconded by Ms. Tavares, to Motion to Reconvene the Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

ADMINISTRATION: BOYCE, CHR. SENSENBRENNER MENTEL HABASH

0415-2004 To authorize the City Treasurer to modify and increase the current contract with ACS State and Local Solutions to provide parking violation processing services; and to authorize the expenditure of \$378,000.00 from the General Fund. (\$378,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0419-2004 To authorize the Public Service Director to remit payments for the Facilities Management Division to the Franklin County Board of Commissioners for the debt service associated with the lease of office space at the Municipal Court Building, to authorize the expenditure of \$1,007,025.00 from the Special Income Tax Fund. (\$1,007,025.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0469-2004 To authorize the City Auditor to appropriate and transfer \$545,000.00 from the special income tax fund to the Department of Technology information services capital projects fund for the purchase of a replacement video

distribution head-end, to authorize the Director of the Department of Technology to enter into a contract with Roscor Corporation for the purchase of said video distribution head-end, to amend the 2003 Capital Improvements Budget, and to declare an emergency. (\$545,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

RECREATION & PARKS: BOYCE, CHR. SENSENBRENNER THOMAS HABASH

0466-2004 To authorize the appropriation and transfer of \$259,500.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Supreme Irrigation for the Walnut Hill Golf Course Irrigation Project, to authorize the expenditure of said funds, and to declare an emergency. (\$259,500.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0480-2004 To authorize the appropriation and transfer of \$21,589.30 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Oxbow River and Stream Restoration, Inc., for the Glen Echo Ravine Restoration, to authorize the expenditure of \$24,063.00 as well as \$230,800.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$254,863.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0490-2004 To authorize the appropriation and transfer of \$500,000.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the expenditure of said funds for facility improvements at the Central Ohio Area Agency on Aging, and to declare an emergency. (\$500,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

0130-2004 To authorize the Municipal Court Judges, through the Administrative/Presiding Judge, to enter into the first year of a potential four-year contract with Willo Security, Inc., for the provision of security guard

services in the Municipal Court Building, to authorize the expenditure of \$243,964.00 from the Municipal Court Special Projects Fund, to waive all applicable provisions of the Columbus City Codes relative to competitive bidding and to declare an emergency (\$243,964.00).

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0455-2004

To authorize and direct the City Attorney to settle the claim of Joseph Courtney, to authorize the expenditure of Fifty Thousand Dollars (\$50,000.00) and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0477-2004

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Morse Road Improvement Project, to authorize the expenditure of \$377,315.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$377,315.00).

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0492-2004

To authorize and direct the Director of Public Safety to enter into a contract for helicopter maintenance with Helicopter Minit-Men, Inc. for the Division of Police in accordance with the Sole Source procurement; to authorize the expenditure of \$604,460.00 from the General Fund; and to declare an emergency. (\$604,460.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0531-2004

To authorize an appropriation of \$607,635.00 from the unappropriated balance of the Local Law Enforcement Block Grant Fund to the Division of Police to cover the costs of the ongoing Local Law Enforcement Block Grant projects and to declare an emergency. (\$607,635.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

DEVELOPMENT: O'SHAUGHNESSY, CHR. BOYCE TAVARES HABASH

075X-2004 To support the creation of the Columbus Downtown Office Incentive Program as one of the development tools needed to implement the Downtown Business Plan; to repeal Resolution 144X-02, adopted July 22, 2002; and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0404-2004 To accept the application (AN03-030) of Bishop James A. Griffith for the annexation of certain territory containing 48.44 ± Acres in Orange Township.

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

Abstained: 1 - Ms. Thomas

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

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

Abstained: 1 - Ms. Thomas

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

0457-2004 To authorize the Director of the Department of Development to enter into an agreement with Value Recovery Group, Inc. for a Jobs Creation Tax Credit of fifty percent (50%) for a period of five (5) years in consideration of a proposed \$147,500 investment, the retention of eight (8) new full-time jobs and the creation of fifteen (15) new full-time jobs.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0496-2004 To accept the application (AN03-040RF) of Kevin M. Donley, et al. for the annexation of certain territory containing 2.58 ± Acres in Plain Township.

A motion was made by Ms. O'Shaughnessy, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0553-2004 To authorize the Director of the Department of Development to enter into real estate purchase agreements and to execute those documents necessary to purchase certain real property along Harmon Avenue for the future expansion of West Edge Business Center and widening of Harmon Avenue; to authorize the appropriation and transfer of \$200,000 from the Special Income Tax Fund to the Northland and Other Acquisition Fund; to authorize the expenditure of \$200,000; and to declare an emergency. (\$200,000)

A motion was made by Ms. O'Shaughnessy, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0604-2004 To authorize the Director of Development to enter into an agreement with Larkins Associates, LP. and NFI Industries for a tax abatement of sixty percent (60%) for a period of six (6) years in consideration of a proposed \$4.2 million investment in real property improvements, the retention of 16 (sixteen) full-time positions, and the creation of 40 (forty) new jobs; and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0605-2004 To authorize the Director of Development to enter into an agreement with Cabot Properties, Inc. for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$11.2 million investment in real property improvements and the creation of 150 new jobs; and to declare an emergency.

A motion was made by Ms. O'Shaughnessy, seconded by President Pro-Tem Mentel, that this matter be Approved. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

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

0525-2004 To accept the plat titled NORTH GROVE, from SOVEREIGN DEVELOPMENT CORPORATION, an Ohio Corporation, by THEODORE P. URITUS, President and to declare an emergency.

A motion was made by Ms. O'Shaughnessy, seconded by President Pro-Tem Mentel, that this matter be Amended to Emergency. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

A motion was made by Ms. O'Shaughnessy, seconded by President Pro-Tem Mentel, that this matter be Approved as Amended. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

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

0322-2004

To authorize the Board of Health to enter into a contract with The Ohio State University - Pulmonary and Critical Care Medicine, acting through its practice plan, DMF of Ohio, Inc., for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$52,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$52,000)

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

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

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

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

0403-2004

To authorize the Board of Health to enter into a contract with OSU Occupational Medicine of The Ohio State University Medical Center, for occupational health physician services for the Occupational Health & Safety Clinic, to authorize the expenditure of \$114,400 from the Health Special Revenue Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$114,400)

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

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

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

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

0485-2004

To authorize the Columbus Health Department to accept a grant from the U.S. Department of Housing and Urban Development in the amount of \$584,000; to authorize the appropriation of \$584,000 from the

unappropriated balance of the General Government Grants Fund, and to declare an emergency. (\$584,000)

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

Absent@vote: 1 - Ms. Thomas

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

0458-2004

To authorize the Board of Health to enter into contracts with three community agencies for the provision of interpretation and written translation services for the Columbus Health Department; to authorize the expenditure of \$120,000 from the Health Special Revenue Fund to pay the cost thereof; to waive the provisions of competitive bidding; and to declare an emergency. (\$120,000)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0459-2004

To Authorize and direct the Columbus Health Department to accept the grant service contact from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board in the amount of \$447,892; to authorize the total appropriation of \$658,700 which includes program revenues, from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$658,700)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0486-2004

To authorize the Board of Health to enter into contracts with three community service agencies for the provision of health education and risk reduction services related to HIV/AIDS for the period January 1, 2004 through December 31, 2004; to authorize the expenditure of \$279,000 from the Health Department Grants Fund to pay the costs thereof; and to declare an emergency. (\$279,000)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0488-2004

To authorize the Board of Health to enter into a contract with the Columbus Neighborhood Health Center, Inc., to provide refugee health screens; to waive the provisions of competitive bidding; to authorize the expenditure of \$120,000 from the Health Special Revenue Fund to pay the cost thereof;

and to declare an emergency. (\$120,000)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0506-2004

To authorize the appropriation of \$1,215.00 from the unappropriated balance of the Emergency Human Services Capital Fund to the Department of Development; and to declare an emergency. (\$1,215.00)

TABLED UNTIL 04/05/04

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:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

0271-2004

To authorize the Director of Public Utilities to enter into contract with the C.J. Mahan Construction Company for the construction of the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the appropriation of \$61,546,117.44; the expenditure of \$50,868,825.00 from the Ohio Water Pollution Control Loan Fund; to amend the 2003 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$50,868,825.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0290-2004

To authorize the Director of Public Utilities to modify the professional engineering services contract with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the appropriation, transfer and expenditure of \$3,792,000.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to declare an emergency. (\$3,792,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0325-2004

To amend the 2003 Capital Improvements Budget; to authorize the transfer of \$2,307.43 between projects within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the Finance Director to modify an existing contract with Hamby Young Power Company for Jackson Pike Substation Equipment and Structures for the Division of Electricity; to authorize the expenditure of \$5,172.00 from the

Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$5,172.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0367-2004

To authorize the Director of Public Utilities to enter into a guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with the Intrust Land Development Company, in connection with the Big Walnut-Parsons Avenue Sanitary Subtrunk, Vicinity of Rathmell Road Project; to authorize the transfer, appropriation and expenditure of \$2,069,278.25 from the Sanitary Sewer Reserve Fund to the 1991 Voted Sanitary Bond Fund; and to amend the 2003 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$2,069,278.25)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0424-2004

To authorize the City Auditor to transfer \$150,000.00 within the Water Limited Fund to fund the Morse Road 36" Water Main from the Morse Road Booster Station to Johnstown Road project for the Division of Water, to amend the 2003 C.I.B and to declare an emergency. (\$150,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0429-2004

To authorize the Director of Finance to establish Blanket Purchase Orders with Bonded Chemicals for the purchase of Sodium Hypochlorite for the Division of Sewerage and Drainage, and to authorize the expenditure of \$239,700.00 from the Sewerage System Operating Fund. (\$239,700.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0461-2004

To appropriate and authorize the City Auditor to transfer \$585,452.00 from the Special Income Tax Fund to the 1995, 1999 Voted Refuse Collection Fund; to authorize and direct the Finance Director to establish purchase orders with Toter, Incorporated, and Rotonics Manufacturing, Incorporated, for the purchase of mechanized collection containers and container parts for the Refuse Collection Division per the terms and conditions of existing citywide contracts: to authorize the expenditure of \$585,452.00 from the 1995, 1999 Voted Refuse Collection Fund, and to declare an emergency. (\$585,452.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0489-2004

To authorize the Finance Director to establish a Blanket Purchase Order, for liquid caustic soda, from a Universal Term Contract in process with Univar USA Inc., for the Division of Water, to authorize the expenditure of \$1,403,850.00 from Water Systems Operating Fund, and to declare an emergency. (\$1,403,850.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0532-2004

To authorize the Director of Public Utilities to levy a special assessment upon the lots and lands benefited by the installation of a street lighting system with underground wiring and ornamental poles in the Woodstream East Subdivision, and to declare an emergency.

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

0577-2004

To authorize the Director of Public Utilities to enter into a contract with Complete General Construction Company for a portion of the Waggoner Road 30 inch Water Main project for the Division of Water, to waive the provision of competitive bidding, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$500,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$500,000.00)

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

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash

ADJOURNMENT: 10:30 P.M.

A motion was made by President Pro-Tem Mentel, seconded by Mr. Boyce, to adjourn this Regular Meeting. The motion carried by the following vote:

Affirmative: 7 - Mr. Boyce, Ms. Tavares, Ms. O'Shaughnessy, Mr. Sensenbrenner, Ms. Thomas, President Pro-Tem Mentel and President Habash



City of Columbus Journal - Final Zoning Committee

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

Monday, March 29, 2004

6:30 PM

Zoning Committee

Zoning Committee

Journal

March 29, 2004

REGULAR MEETING NO. 18 OF CITY COUNCIL (ZONING), MARCH 29, 2004 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present: Chair Mentel: Mr. Boyce: President Habash: Ms. O'Shaughnessy: Sensenbrenner: Tavares and Thomas

READING AND DISPOSAL OF THE JOURNAL

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

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

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MENDEL, CHR. BOYCE HABASH O'SHAUGHNESSY SENSENBRENNER TAVARES THOMAS

0467-2004

To rezone 4475 BERTHSTONE DRIVE (43231), being 3.5± acres located at the terminus of Berthstone Drive 280 feet west of Berthstone Court. From: AR-12, Apartment Residential and SR, Suburban Residential Districts. To: R-2, Residential District. (Rezoning # Z03-107)

A motion was made by Chair Mentel, seconded by O'Shaughnessy, that this matter be Amended to Emergency. The motion carried by the following vote:

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

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

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

2621-2003

To rezone 5333 WARNER ROAD (43081), being 16.00 + acres located on the south side of Warner Road, east and west of the Hamilton Road extension, From: L-C-3, Limited Commercial, L-M-2, Limited Manufacturing,

L-AR-12, and L-ARLD Limited Apartment Residential Districts, To: CPD, Commercial Planned Development District. (Rezoning # Z03-010)

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

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

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

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

0445-2004

To rezone 850 EAST THIRD AVENUE (43201), being 2.82± acres generally located on the north and south sides of East Third Avenue, between Howard Street and St. Clair Avenue, From: CPD, Commercial Planned Development, C-1, Commercial, L-P-1, Limited Parking, and R-4, Residential Districts, To: CPD, Commercial Planned Development District. (Rezoning # Z03-077)

A motion was made by Chair Mentel, seconded by Thomas, that this matter be Waived the 2nd Reading. The motion carried by the following vote:

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

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

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

0200-2004

To rezone 5373 CENTRAL COLLEGE ROAD (43081), being 65.16± acres located on the south side of Central College Road, east and west of the Hamilton Road extension, From: L-AR-12, Limited Apartment Residential, L-R-2, Limited Residential, L-R-2F, Limited Residential, and R, Rural Districts, To: L-AR-12, Limited Apartment Residential and CPD, Commercial Planned Development Districts. (Rezoning # Z03-009)

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

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

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

Affirmative: Mr. Boyce, Tavares and Thomas
Negative: Chair Mentel, President Habash, Ms. O'Shaughnessy and Sensenbrenner

ADJOURNED: 9:20 P.M.

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

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

**City of Columbus
City Bulletin Report**

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

Legislation Number: 0130-2004

Drafting Date: 01/12/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The contract for security services at the Municipal Court Building located at 375 South High Street was recently re-bid in October, 2003, pursuant to Solicitation No. SA 000544. The reason for this re-bid was due to a contract cancellation on June 30, 2003, with Global Security and Investigations, Inc., for non-compliance issues. Willo Security was awarded an interim contract from 07/01/03 through 01/31/04 based on an informal bid procedure, and passage of Ordinance No. 1576-2003. Six bids were submitted pursuant to Solicitation No. SA 000544, with the City of Columbus Purchasing Office, and Court Administration determining that all six bids were non-responsive for various reasons. Subsequently, in the best interest of the Municipal Court, this bid was officially cancelled. The two lowest bids of the six received were equally shared by Willo Security, Inc., and Global Security and Investigations, Inc. After extensive evaluation of both vendors, the Municipal Court has recommended that this bid be awarded to the interim contract vendor, Willo Security, Inc. Due to a delay in processing this piece of legislation, an interim agreement passed on 02/09/04, pursuant to Ordinance No. 0250-2004, which approved a sixty (60) extension for Willo Security, Inc., from 2/1/04 through 3/31/04 in the amount of \$42,036.00.

WILLO SECURITY FEDERAL ID. NO. 341808997

EMERGENCY ACTION is requested in order to continue uninterrupted services.

FISCAL IMPACT: \$243,964.00 has been allocated within our 2004 Special Projects Fund budget for this expenditure.

Title

To authorize the Municipal Court Judges, through the Administrative/Presiding Judge, to enter into the first year of a potential four-year contract with Willo Security, Inc., for the provision of security guard services in the Municipal Court Building, to authorize the expenditure of \$243,964.00 from the Municipal Court Special Projects Fund, to waive all applicable provisions of the Columbus City Codes relative to competitive bidding and to declare an emergency (\$243,964.00).

Body

Whereas, the continuation of security services in the Municipal Court Building located at 375 South High Street, is absolutely necessary for the safety and well-being of the employees and the general public pursuant to the original bid specifications addressed in Bid Proposal No. SA-000093-GM bid in 11/01, and also pursuant to a re-bid on Solicitation No. SA 000544, bid in 10/03, and

Whereas, pursuant to the bid on Solicitation No. SA000544, the City of Columbus Purchasing Office, and Court Administration determined that all six bids submitted were non-responsive for various reasons, and in the Municipal Court's best interest, this bid was cancelled, and

Whereas, of the six bids submitted on Solicitation No. SA000544, the two lowest bids were equally shared by Willo Security Inc., current vendor now under contract through 03/31/04, pursuant to Ordinance No. 0250-2004, and Global Security, Inc., former awarded vendor pursuant to Solicitation No. 000093-GM bid in 11/01, and

Whereas, the court prefers to engage in contract with Willo Security, present vendor since 07/01/03 pursuant to informal bids and legislated by Ordinance No. 1576-2003, rather than Global Security, whose formal contract was terminated on

06/30/03, due to non-compliance issues, and

Whereas, it is necessary to authorize the Administrative/Presiding Judge to enter into a security contract with Willo Security, Inc., effective April 1, 2004, so as to continue the daily operation of the court, and for other tenants within the court building, and

Whereas, it is necessary to waive all applicable provisions of the Columbus City Codes relative to competitive bidding, and

Whereas, an emergency exists in the usual daily operation of the Municipal Court Judges in that it is immediately necessary to enter into said contract as the effective date for the new contract with Willo Security, Inc., commences on 04/01/04, and because of a delay in processing this particular legislation, Ordinance No. 0250-2004 was passed on 02/09/04, for a sixty day extension of the interim contract with Willo Security from 02/01/04 through 03/31/04, for the preservation of the public health, peace, safety, and welfare; now therefore;

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

SECTION 1: That the Municipal Court Judges, through the Administrative/Presiding Judge, be and is hereby authorized to enter into the first year of a potential four-year contract between the Municipal Court Judges and Willo Security, Inc., for the provision of security services in the Municipal Court Building.

SECTION 2: That the expenditure of \$243,964.00 beginning April 1, 2004 to January 31, 2005, or so much thereof as may be necessary, is authorized to be expended from the Municipal Court Special Fund, Fund 226, Department No. 25-01, OCA Code 226001, Object Level One 03, Object Level Three 3336, to pay the costs thereof.

SECTION 3: That for the reasons stated, the Columbus City Council finds it is in the best interest of the Municipal Court Judges to waive all provisions in the Columbus City Codes relative to competitive bidding.

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

Legislation Number: 0271-2004

Drafting Date: 01/29/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation 1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into contract with the C.J. Mahan Construction Company for construction of the Southerly Wastewater Treatment Plant New Headworks Project for the Division of Sewerage and Drainage. This legislation also amends the 2003 Capital Improvements Budget.

This construction project will construct a new raw sewage pump building at the Southerly Wastewater Treatment Plant. The existing original headworks facility would require extensive renovation work to maintain reliable service. It is less expensive and more expeditious to replace the facilities. The new facility will provide additional flow capacity and expandability to the wastewater treatment facility. The sequencing of this project requires coordination with the Big Walnut Augmentation Rickenbacker Interceptor Sewer Project which connects along the northeastern boundary of the Southerly Wastewater Treatment Plant.

2. CONSTRUCTION CONTRACT AWARD:

The project was advertised in the City Bulletin, and three bids were received on September 3, 2003, as follows:

1. C.J. Mahan Construction Company| \$50,868,825.00| Majority Firm
 2. Kokosing Construction Company| \$51,600,790.50| Majority Firm
 3. Barton Malow Company| \$60,506,250.00| Majority Firm
- The Engineer's construction cost estimate was \$53,900,000.00

3. FISCAL IMPACT: The Division has included \$59,724,000 within its 2004 Capital Improvements Budget (CIB) request. In so much as the 2003 CIB continues to be in effect, the Division is requesting City Council to amend it, in order to provide sufficient funding for this project. This project is being funded utilizing a loan from the Ohio Water Pollution Control Loan Fund (CS392276-02) which is administered by the Ohio Water Development Authority. This ordinance further appropriates the loan proceeds for the expenses of construction management; engineering; and inspection services that are authorized under separate, companion legislation.

4. EMERGENCY DESIGNATION: The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the immediate commencement of this work. This expediency is justified by the need for this contractor to coordinate specific portions of this project with the contractor who is currently proceeding with the Big Walnut Augmentation Rickenbacker Interceptor Sewer Project. Failure to properly coordinate this work could cause the city to be held liable for potential delay claims. This project is necessary to achieve compliance with the August 1, 2002 Consent Order with the Attorney General of the State of Ohio.

TitleTo authorize the Director of Public Utilities to enter into contract with the C.J. Mahan Construction Company for the construction of the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the appropriation of \$61,546,117.44; the expenditure of \$50,868,825.00 from the Ohio Water Pollution Control Loan Fund; to amend the 2003 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$50,868,825.00)

BodyWHEREAS, three competitive bids for the construction of the Southerly Wastewater Treatment Plant New Headworks Project, were received and opened September 3, 2003 in the offices of the Director of Public Utilities; and

WHEREAS, the Ohio Water Development Authority approved a loan to the City of Columbus on January 29, 2004, in the amount of \$65,991,530.00, identified as Loan Number CS392276-02; and

WHEREAS, it is immediately necessary for this City Council to appropriate the proceeds from the aforementioned loan; to authorize the expenditure of funds required to award the subject contract; and to amend the 2003 Capital Improvements Budget to provide the requisite budget authority for said award; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for this Council to authorize the Director of Public Utilities to enter into a contract with C.J. Mahan Construction Company, for construction of the Southerly Wastewater Treatment Plant New Headworks Project, in order to ensure that work is immediately commenced as is required to fulfill the sequencing of this project work with the work currently underway on the Big Walnut Augmentation Rickenbacker Interceptor Project, for the immediate preservation of the public health, peace, property and safety; now, therefore,

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

Section 1. That the proceeds from the Ohio Water Development Authority Supplemental Loan No. CS392244-03, and funds from the unappropriated monies in Fund 666, is hereby appropriated to the Division of Sewerage and Drainage; within the Water Pollution Control Loan Fun No. 666| Big Walnut Rickenbacker Interceptor Project| Project Account: 650491| Object Level Three 6630| OCA Code 651352|\$61,546,117.44.

Section 2. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Southerly Wastewater Treatment Plant New Headworks Project, with the lowest and best responsive and responsible bidder, C.J. Mahan Construction Company, of 3400 Southwest Blvd., Grove City, Ohio, 43123, in the amount of \$50,868,825.00, in accordance with the contract documents on file in the office of the Division of Sewerage and Drainage.

Section 3. That for the purpose of paying the cost of the construction contract, the expenditure of \$50,868,825.00, is

hereby is authorized from the Ohio Water Pollution Control Loan Fund No. 666| Division 60-05| Project 650352| OCA Code 651352| Object Level Three No. 6624.

Section 4. That the 2003 Capital Improvements Budget Ordinance No. 1943-03 is hereby amended as follows, in order to provide sufficient budget authority for the project costs covered within the aforementioned OWDA Loan.

CURRENT:

650352-SWWTP New Headworks-\$720,000

AMENDED TO:

650352-SWWTP New Headworks-\$57,471,410

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: 0281-2004

Drafting Date: 01/29/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The City of Columbus and the Franklin County Engineer's Office have completed the improvement of a portion of Frank Road from Gantz Road east to SR 104 South. These improvements including paving, pavement repairs, concrete curb and gutter work, sidewalks with ADA-compliant ramps, pavement striping, raised pavement markers, buried loop detectors and landscape restoration. Franklin County was the lead agency and let the contracts and oversaw this work, with the City participating financially. The County has billed the City \$190,000.00 for the City's portion of the work. This ordinance provides for reimbursement of this expense to the Franklin County Engineer.

Funds for this expenditure are available within the Resurfacing project of the 1995, 1999 Voted Streets and Highways Fund.

Emergency action is requested to expedite payment to the Franklin County Engineer in order to help mitigate any cash flow problems. The expense was invoiced to the City on October 14, 2003.

Title

To authorize the Public Service Director to expend \$190,000.00 to reimburse the Franklin County Engineering Department for the City of Columbus' share of the costs to improve a portion of Frank Road; to authorize this expenditure from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$190,000.00)

Body

WHEREAS, the City of Columbus and the Franklin County Engineer's Office have completed the improvement of a portion of Frank Road from Gantz Road east to SR 104 South; and

WHEREAS, Franklin County was the lead agency and let the contracts and oversaw this work, with the City participating financially; and

WHEREAS, the County has billed the Transportation Division \$190,000.00 for the City's portion of the work; and

WHEREAS, this expense needs to be paid to the Franklin County Engineer; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that payment of this expense to the Franklin County Engineer is immediately necessary to satisfy this liability; thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the Public Service Director be and hereby is authorized to expend \$190,000.00 to reimburse the Franklin County Engineering Department for the City of Columbus' share of improvements made to Frank Road from Gantz Road east to SR 104 South for which the County served as the lead agency.

SECTION 2. That the expenditure of \$190,000.00, or so much thereof as may be needed, is hereby authorized from Fund 704, the 1995, 1999 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and Project 530282 to satisfy this liability.

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: 0290-2004

Drafting Date: 02/02/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify the professional engineering services contract with Malcolm Pirnie, Inc. for engineering services that are required for the successful completion of the Southerly Wastewater Treatment Plant New Headworks Project. This legislation further requests Council to authorize the appropriation, transfer and expenditure of funds from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund.

The purpose of this project is to construct a new raw sewage pump building at the Southerly Wastewater Treatment Plant. The existing, original headworks facility would require extensive renovation work to maintain reliable service. It is less expensive and more expeditious to replace the facilities. The new facility will provide additional flow capacity and expandability to the wastewater treatment facility. The sequencing of this project requires coordination with the recently commenced Big Walnut Augmentation Rickenbacker Interceptor Sewer Project which will connect to this project that is located along the northeastern boundary of the Southerly Wastewater Treatment Plant.

2. PROFESSIONAL ENGINEERING SERVICES CONTRACT MODIFICATION:

The subject modification is needed to provide engineering services during construction that are currently estimated to cost \$3,792,000.00. The Division of Sewerage and Drainage 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 potential need for the additional work was foreseen and so stated in the original contract's legislation explanation. This additional work is a direct, logical extension of the work included in the contract and is required immediately. It is not deemed either feasible or reasonable to suspend work with the entities currently under contract and undertake continuation of the work under a new procurement. The cost of the modification is a continuation of the contractor's current pricing structure, as verified by City staff. The contract total including this modification is \$12,492,000.00. The cost of these services is consistent with

those provided for under the existing contract.

3. FISCAL IMPACT: The Division of Sewerage and Drainage will be receiving financial assistance for this project, through a loan from the Ohio Water Development Authority (OWDA). The Division has included a request for the necessary capital improvements budget authority and the appropriation of loan proceeds within companion Ordinance 0271-2004. The transfer of funds from the Sewer System Reserve Funds is a temporary funding measure until such time as reimbursement for expenditures from this contract can be processed through the OWDA.

4. EMERGENCY DESIGNATION: The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the immediate commencement of this work. This expediency is justified by the need for the overall coordination between this project and the Big Walnut Augmentation Rickenbacker Interceptor Sewer Project. Failure to properly coordinate this work could cause the city to be held liable for potential delay claims. This project is necessary to achieve compliance with the August 1, 2002 Consent Order with the Attorney General of the State of Ohio.

TitleTo authorize the Director of Public Utilities to modify the professional engineering services contract with Malcolm Pirnie, Inc. for the Southerly Wastewater Treatment Plant New Headworks Project; to authorize the appropriation, transfer and expenditure of \$3,792,000.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; and to declare an emergency. (\$3,792,000.00)

BodyWHEREAS, Ordinance No. 2026-97, as passed on July 28, 1997 authorized the Director of Public Utilities to execute Contract No. CT-18653 with Malcolm Pirnie, Inc. in connection with the Southerly Wastewater Treatment Plant New Headworks Project; and

WHEREAS, the subject contract included a provision that allowed the City to request a modification to the contract upon the completion of the construction plans and specifications, in order to provide the engineering services during the construction phase of the project; to wit; a successful scope and cost have been duly negotiated between the Division's engineering personnel and the firm of Malcolm-Pirnie, Inc.; and

WHEREAS, an emergency exists in the usual daily operation of Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary for the City Council to authorize the City Auditor to appropriate and transfer funds from the Sewer System Reserve Fund to the the Ohio Water Pollution Control Loan Fund; and to authorize the Director of Public Utilities to modify the aforementioned contract; which are immediately necessary to ensure that the subject project work is immediately commenced as is required to fulfill the sequencing of this project work with the work currently underway on the Big Walnut Augmentation Rickenbacker Interceptor Project that is necessary to achieve compliance with the August 1, 2002 Consent Order with the Attorney General of the State of Ohio, for the immediate preservation of the public health, peace, property and safety; now, therefore,

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

Section 1. That from the unappropriated monies in then Sewer System Reserve Fund, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2004 the sum of \$3,792,000.00 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 to transfer \$3,792,000.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund No. 666, into the Southerly Wastewater Treatment Plant New Headworks Project, Project No. 650352; 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 amount of \$3,792,000.00 is hereby appropriated for the Southerly Wastewater Treatment Plant New Headworks Project, within the Ohio Water Pollution Control Loan Fund No. 666| Division 60-05| Project 650352| OCA Code 650352| Object Level Three No. 6678.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. CT-18653 with Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240 in order to provide professional

engineering services during construction of the Southerly Wastewater Treatment Plant New Headworks Project, in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

Section 5. That for the purpose of paying the cost of the aforementioned professional engineering contract modification, the expenditure of \$3,792,000.00, is hereby is authorized from the Ohio Water Pollution Control Loan Fund No. 666| Project 650352| OCA Code 650352| Object Level Three No. 6678.

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: 0322-2004

Drafting Date: 02/05/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department operates the Ben Franklin Tuberculosis Clinic under a grant awarded from the Franklin County Board of Commissioners. In order to effectively manage patients with latent and active Tuberculosis, it is necessary to provide specialized physician services. The Medical Director of the Health Department contacted area physicians specializing in Infectious Disease and/or Pulmonary medicine, expressing a need for these specialized services in the TB Clinic. OSU Hospitals responded and can provide a physician who meets the special criteria. Formal bids were not solicited, therefore, this ordinance waives competitive bidding provisions. This ordinance authorizes the Board of Health to enter into a contract with The Ohio State University - Pulmonary and Critical Care Medicine, acting through its practice plan, DMF of Ohio, Inc., in the amount of \$52,000 for the period January 1, 2004 through December 31, 2004.

Emergency action is requested in order to provide continued specialized physician services for patients of the Tuberculosis Clinic.

FISCAL IMPACT: \$85,000 is budgeted in the Health Department Grants Fund for physician services for the T.B. Clinic. This contract is for \$52,000, however, the Health Department is planning to contract with additional physicians to ensure coverage for the clinic. Franklin County will reimburse all expenses under this contract.

Title

To authorize the Board of Health to enter into a contract with The Ohio State University - Pulmonary and Critical Care Medicine, acting through its practice plan, DMF of Ohio, Inc., for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$52,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$52,000)

Body

WHEREAS, the Health Department has a need for specialized physician services to manage patients of the Tuberculosis Clinic; and,

WHEREAS, The Ohio State University - Pulmonary and Critical Care Medicine, acting through its practice plan, DMF of Ohio, Inc., can provide a physician who has the expertise required to manage patients of the Tuberculosis Clinic; and,

WHEREAS, this ordinance is submitted as an emergency in order to ensure continuity of services for patients of the TB Clinic; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to contract with The Ohio State University - Pulmonary and Critical Care Medicine, acting through its practice plan, DMF of Ohio, Inc., for specialized physician services for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a contract with The Ohio State University - Pulmonary and Critical Care Medicine, acting through its practice plan, DMF of Ohio, Inc., for physician services for the Ben Franklin Tuberculosis Clinic for the period January 1, 2004 through December 31, 2004.

SECTION 2. That to pay the costs of said contract, the expenditure of \$52,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Division No. 50-01 as follows:

Tuberculosis Prevention and Control Grant

OCA: 504055 Grant: 504055 Obj. Level 01:03 Obj. Level 03:3418 Amount: \$52,000

SECTION 3. That the provisions of Section 329.09 of the Columbus City Code are hereby waived. See attachment ORD0322-2004bidwaiver.doc.

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: 0325-2004

Drafting Date: 02/05/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation amends the 2003 Capital Improvements Budget, authorizes the transfer of funds within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund and authorizes the modification of Contract Number FL001614 with Hamby Young Power Supply for Jackson Pike Substation Equipment and Switches.

Amount of additional funds to be expended: \$5,172.00

Reasons additional goods/services could not be foreseen: Field conditions and design changes resulted in additional cost for labor and materials that were not in the original contract.

Reason other procurements processes are not used: Hamby Young Power Supply was awarded the original contract, in the amount of \$89,825.20, based upon the lowest responsive and responsible bid received and opened by the Purchasing Office on January 9, 2003, SA000364. It was determined to be in the best interest of the City to modify the contract since the contractor was already on site and was familiar with the work to be done.

How cost of modification was determined: The vendor submitted a written itemized quotation.

Contract Compliance Number: 251723345

Emergency action is requested in order to avoid further delay of completion of the project and payment to the vendor.

FISCAL IMPACT: There is sufficient funding in the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvement Fund, however, a transfer between projects within the fund is necessary to provide funding in the appropriate project.

Title

To amend the 2003 Capital Improvements Budget; to authorize the transfer of \$2,307.43 between projects within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the Finance Director to modify an existing contract with Hamby Young Power Company for Jackson Pike Substation Equipment and Structures for the Division of Electricity; to authorize the expenditure of \$5,172.00 from the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$5,172.00)

Body

WHEREAS, the Purchasing Office received and opened bids for Jackson Pike Substation Equipment and Structures on January 9, 2003, SA000364BGB; and

WHEREAS, Hamby Young Power Supply was awarded Contract FL001614 based upon the lowest responsive and responsible bid received for Jackson Pike Substation Equipment and Structures; and

WHEREAS, field conditions and design changes created the need to modify the existing contract for additional labor and materials; and

WHEREAS, it is necessary to transfer funds and budget authority within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund to provide funding for said modification; and

WHEREAS, it is necessary to amend the 2003 Capital Improvements Budget to reflect the transfer of budget authority; and

WHEREAS, emergency action is necessary to avoid delay of the completion of the project and payment to the vendor; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to modify an existing contract for Jackson Pike Equipment and Structures for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That Section 1 of the 2003 Capital Improvements Budget Ordinance No. 1943-2003, passed July 28, 2003, is hereby amended to provide sufficient budget authority to modify an existing contract for Jackson Pike Substation Equipment and Structures as follows:

DIVISION OF ELECTRICITY

<u>FUND</u>	<u>PROJECT</u>	<u>PROJECT NAME</u>	<u>CURRENT CIB</u>	<u>AMENDED CIB</u>
553	670003	Street Lighting	\$ 455,255	\$ 452,947
553	670608	Distribution Imp.	\$ 1,826,322	\$1,828,630

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$2,307.43 within the Voted 1995 and

1999 Street Lighting and Electricity Distribution Improvements Fund Number 553, Division No. 60-07, from Street Lighting Project 670003, OCA Code 675017, to Distribution System Improvements Project 670608, OCA 675608.

SECTION 3. That the Finance Director be and is hereby authorized to modify contract FL001614 with Hamby Young Power Supply by increasing the contract amount by \$5,172.00 for additional labor and materials necessary due to field conditions and design changes.

SECTION 4. That this contract modification is in compliance with Section 329.13, of Columbus City Codes, 1959.

SECTION 5. That to pay the cost of the aforesaid contract modification, the expenditure of \$5,172.00, or so much thereof as may be needed, is hereby authorized from Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Division No. 60-07, Distribution System Improvements Project 670608, OCA Code 675608, Object Level Three Code 6621.

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: 0334-2004

Drafting Date: 02/06/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the transfer of \$70,512 from the Special Income Tax Fund (SIT), authorizes the subsequent transfer and appropriation of \$70,512 from the SIT to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund, and authorizes the Director of Public Utilities to enter into a contract for professional services to develop a plan for Spill Prevention Control and Countermeasures (SPCC).

The United States Environmental Protection Agency (USEPA) has mandated by change to the Clean Water Act of 1974, that electrical transformers, formerly exempt, now fall under this requirement (Federal Regulations, Title 40, Part 112, Oil Pollution Prevention). A plan for SPCC must be developed by August 17, 2004 and implemented by February 18, 2005 in order to avoid potential fines of up to \$25,000 per day. The implementation would require modifications to existing substations and storage sites, including the installation of curbs, concrete foundations, PVC ducts and containment vessels as necessary to comply with EPA requirements.

The Division of Electricity advertised a Request for Statement of Qualifications (RFSQ) in the City Bulletin and received eight responses. The three most qualified consultants were asked to submit a not-to-exceed cost for engineering services to prepare an SPCC design and plan for the Division of Electricity. The proposals have been reviewed and an award is recommended to Stone Environmental Engineering and Science, Inc., in the amount of \$70,512.00, as the most responsive and responsible bid received. The other bids received were from Gresham Smith and Partners in the amount of \$114,990.00 and Civil and Environmental Consultants, Inc. in the amount of \$293,0600.00.

When the Request for Statement of Qualifications was first advertised, it was estimated that the cost would be under \$50,000.00, therefore, the Division of Electricity followed procedures of Columbus City Codes, Section 329.11. Since the cost of this service will exceed \$50,000.00, it is requested that the provisions for awarding professional service contracts, Section 329.13, be waived in order to award this contract. All procedures of the section were followed except the prior

notification to City Council. City Council has since been notified.

The contract compliance number for Stone Environmental Engineering and Science, Inc. is 311262683.

Emergency action is requested in order to meet the USEPA mandated completion date to implement the plan.

FISCAL IMPACT:

This ordinance certifies funding from the Special Income Tax (SIT) fund as a temporary measure until the next bond sale occurs, at which point the SIT will be reimbursed.

Title

To authorize and direct the City Auditor to transfer \$70,512 from the Special Income Tax Fund to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the appropriation of said funds; to authorize the Director of Public Utilities to enter into a contract with Stone Environmental Engineering and Science, Inc. to provide professional engineering services to prepare a Spill Prevention, Control and Countermeasures (SPCC) design and plan for the Division of Electricity; to waive provisions of Columbus City Codes for awarding professional service contracts; to authorize the expenditure of \$70,512.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund; and to declare an emergency. (\$70,512.00)

Body

WHEREAS, the United States Environmental Protection Agency (USEPA) has mandated by change to the Clean Water Act of 1974 the requirement that electrical transformers fall under this requirement; and

WHEREAS, a transfer of funds from the Special Income Tax Fund is necessary to provide funding for engineering services to prepare an SPCC design and plan; 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 \$70,512.00; and

WHEREAS, the Division of Electricity advertised a Request for Statement of Qualifications (RFSQ) in the City Bulletin for consulting services and received eight responses; and

WHEREAS, the three most qualified consultants submitted a not-to-exceed cost for engineering services to prepare an SPCC design and plan for the Division of Electricity; and

WHEREAS, an award is recommended to Stone Environmental Engineering and Science, Inc., in the amount of \$70,512.00, as the lowest responsive and responsible bid received; and

WHEREAS, the cost of this service was originally estimated to be less than \$50,000.00, the Division of Electricity used the process as prescribed in Columbus City Codes for awarding professional services not exceeding fifty thousand dollars; and

WHEREAS, the cost will exceed fifty thousand dollars it is necessary to waive the provisions of Columbus City Codes for awarding professional services contracts exceeding fifty thousand dollars; and

WHEREAS, emergency action is necessary to comply with the USEPA mandated completion date for the implementation of the Spill Prevention Control and Countermeasures to avoid potential fines; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to enter into a contract with Stone Environmental Engineering and Science, Inc. for

professional services to prepare an SPCC design and plan 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 \$70,512 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 Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553 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 \$70,512 is hereby transferred and appropriated to the Division of Electricity 60-07, Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Federal Mandated Prevention Program Project 670619, OCA Code 670619, Object Level Three 6621.

SECTION 4. That the Director of Public Utilities is hereby authorized to enter into a contract with Stone Environmental Engineering and Science, Inc., in the amount of \$70,512.00, to provide professional engineering services to prepare an SPCC design and plan for the Division of Electricity.

SECTION 5. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Section 329.13, Awarding professional service contracts through requests for statements of qualifications.

SECTION 6. That to pay the cost of the aforesaid contract, the expenditure of \$70,512.00, or so much thereof as may be needed, be and is hereby authorized from the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Division No. 60-07, Federal Mandated Oil Spill Prevention Project Number 670619, OCA 670619, Object Level Three 6621.

SECTION 7. That upon obtaining other funds for the Spill Prevention, Controls and Countermeasures 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 8. 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 9. 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 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0354-2004

Drafting Date: 02/10/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

divisions of Building Services and Neighborhood Services, to modify and extend a contract associated with purchase order EL001714 with Accela, Inc. Currently, Accela, Inc. is the owner of the programming code embedded within software awarded in the original contract with Open Data Systems, Inc. (CT-17745). This contract modification will continue the provisions for services between the City of Columbus and Accela, Inc., in the amount of \$173,800.00, for the purpose of software and support maintenance services benefiting the Department of Development, Building Services Division, Neighborhood Services Division as well as the Department of Public Utilities and Transportation Division of the Public Service Department. These maintenance and support services include technical assistance and support, upgrades and telephone support services for the Accela Enterprise (AE) System application used to issue building permits, track code enforcement activities and monitor the performance of the One Stop Shop. Without the passage of this legislation, the Department of Technology will lose the ability to maintain the AE application, eliminating the ability to provide web access for building permits, data and information utilized by citizens regarding issues such as building permits and inspections.

This ordinance authorizes payment for the annual maintenance and support on the Accela application, for the period of March 31, 2004 through April 1, 2005.

EMERGENCY:

There is an immediate need to modify and extend the contract associated with purchase order EL001714 for maintenance and support with Accela Inc., which is due to expire on March 31, 2004, to maintain on-going support without service interruption.

FISCAL IMPACT:

The amount of \$301,830.20 was expended in fiscal year 2003 for services provided by Accela, Inc. However, \$158,439.24 was expended for on-going maintenance and support services associated with purchase order EL001714. Currently, funding in the amount of \$173,800.00 is budgeted and available in the 2004 Department of Technology's budget, split among various agencies within the internal services fund, for the period of March 31, 2004 through April 1, 2005 .

CONTRACT COMPLIANCE: 94-2767678 Expiration: 12/01/2006

TitleTo authorize the Director of the Department of Technology to modify and extend a contract with Accela, Inc., for the Building Services Division, for software and support maintenance services, to authorize the expenditure of \$173,800.00 from the Department of Technology, internal services fund; and to declare an emergency. (\$173,800.00)

Body**WHEREAS**, the Department of Technology, on behalf of Building Services Division, needs to modify and extend the existing contract associated with purchase order EL001714, for software and support maintenance services for the city's building permits, code and Geographic Information System (GIS), and

WHEREAS, Accela, Inc. is the owner of the programming source code embedded within software awarded in the original contract with Open Data Systems, Inc., and

WHEREAS, the Department of Technology now requires and recommends a modification of this contract by and between the City of Columbus and Accela, Inc. to continue software and support maintenance services, and

WHEREAS, without the passage of this legislation, the Department of Technology will lose the ability to maintain the Accela application, losing the ability to provide web access for building permits, data and information utilized by citizens regarding building permits and inspections, and

WHEREAS, the modification of this contract between Accela, Inc. and the City of Columbus, shall not exceed the amount of \$173,800.00 budgeted and available within the 2004 Department of Technology, internal services fund, and

WHEREAS, an emergency exists in the usual daily operations of The Department of Technology, in that it is immediately necessary to authorize the Director of the Department of Technology to modify and extend the contract with Accela, Inc.,

for software and support maintenance services, thereby preserving the public health, peace, safety, and welfare; now, therefore:

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

SECTION 1: That the Director of the Department of Technology, on behalf of Building Services Division and Neighborhood Services Division, be and is hereby authorized to modify and extend a contract associated with purchase order EL001714 for the software and support maintenance services provided by Accela, Inc.

SECTION 2: That the expenditure of \$173,800.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.:47-01|**Fund:**514|**Subfund:**600|**OCA Code:**514600|**Obj. Level 1:**03|**Obj. Level 3:** 3369|
Amount:\$5,100.00

Div.:47-01|**Fund:**514|**Subfund:**550|**OCA Code:**514550|**Obj. Level 1:**03|**Obj. Level 3:** 3369|
Amount:\$1,521.00

Div.:47-01|**Fund:**514|**Subfund:**650|**OCA Code:**514650|**Obj. Level 1:**03|**Obj. Level 3:** 3369|
Amount:\$5,545.00

Div.:47-01|**Fund:**514|**Subfund:**599|**OCA Code:**514599|**Obj. Level 1:**03|**Obj. Level 3:** 3369|
Amount:\$3,476.00

Div.:47-01|**Fund:**514|**Subfund:**240|**OCA Code:**514240|**Obj. Level 1:**03|**Obj. Level 3:** 3369|
Amount:\$100,804.00

Div.:47-01|**Fund:**514|**Subfund:**010|**OCA Code:**440547|**Obj. Level 1:**03|**Obj. Level 3:** 3369|
Amount:\$57,354.00

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

Legislation Number: 0357-2004

Drafting Date: 02/11/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This legislation authorizes a transfer of \$18,121.61 from the Special Income Tax Fund (SIT), authorizes the subsequent transfer and appropriation of \$18,121.61 from the SIT to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund, and authorizes the purchase of Various Size Luminaires required by the Division of Electricity for maintenance of existing city street lights and new street lighting. The luminaires will be obtained in accordance with the terms and conditions of universal term contracts established by the Purchasing Office:

FL001907, Hughes Supply Inc., C.C. #370798775, \$121,712.75

FL001906, General Electric Supply, C.C. #140689340, \$4,453.50

Emergency action is requested in order that the financial transactions may be completed and luminaires obtained to meet the division's needs for maintenance and installation of new street lighting.

FISCAL IMPACT: \$300,000 was budgeted in the Division of Electricity Operating Fund for the purchase of Luminaires. The portion funded from the Special Income Tax (SIT) fund is a temporary measure until the City sells notes or bonds to fund this capital improvement project. Approximately \$208,000 was spent in 2003 and \$242,862 was spent in 2002 for the purchase of Various Size Luminaires.

Title

To authorize the City Auditor to transfer \$18,121.61 from the Special Income Tax Fund to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the appropriation of said funds; to authorize the Finance Director to enter into blanket purchase orders for Various Size Luminaires for the Division of Electricity in accordance with the universal term contracts with General Electric Supply and Hughes Supply; and to authorize the expenditure of \$20,027.50 from the Voted Electricity and Street Lighting Improvements Fund and \$106,138.75 from Division of Electricity Operating Fund; and to declare an emergency. (\$126,166.25)

Body

WHEREAS, the Purchasing Office has established universal term contracts for the option to obtain Various Size Luminaires based upon bids that opened September 11, 2003, SA000506; and

WHEREAS, the Division of Electricity requires Various Size Luminaires for maintenance of existing city street lights and for new street lighting; and

WHEREAS, a transfer of funds from the Special Income Tax Fund is necessary to fund the portion of this purchase that will be used for new street lighting; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this purchase is presently expected not to exceed \$18,121.61; and

WHEREAS, emergency action is necessary to meet the division's needs for Various Size Luminaires to maintain existing street lighting and for new street lighting; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to purchase Various Size Luminaires 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 \$18,121.61 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 Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553 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 \$18,121.61 is hereby transferred and appropriated to the Division of Electricity 60-07,

Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Street Lighting Project 670003, OCA Code 675017, Object Level Three 6625.

SECTION 4. That the Finance Director is hereby authorized to establish blanket purchase orders for Various Size Luminaires for the Division of Electricity in accordance with universal term contracts as follows:

Hughes Supply, Inc., FL001907, \$121,712.75
General Electricity Supply, FL001906, \$4,453.50

SECTION 5. That to pay the cost of the aforesaid purchase orders, the expenditure of \$126, 166.25, or so much thereof as may be needed, is hereby authorized from Division of Electricity Division No. 60-07, as follows:

Voted 1995 and 1999 Street Lighting and Distribution Improvements Fund 553
Project Number 670003, OCA 675017, Object Level Three 6625, \$20,027.50

Division of Electricity Operating Fund 550
OCA 606764, Object Level Three 6621, \$106,138.75

SECTION 6. That upon obtaining other funds for the Street Lighting 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 7. That the City Auditor is authorized to establish proper accounting project numbers, and to made 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 8. 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 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: 0367-2004

Drafting Date: 02/11/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. NEED: This legislation authorizes the Director of Public Utilities to enter into a capital improvements agreement with Intrust Land Development, Inc., for the construction of the Big Walnut-Parsons Avenue Sanitary Subtrunk, Vicinity of Rathmell Road Project. (See attachment for Project Location Map)

The Intrust Land Development Company, hereinafter referred to as the developer, has plans of constructing single family residential developments to be known as Hartman Ponds and Wyndham Ridge, located along the east side of State Route 23, in the vicinity of Rathmell Road and Parsons Avenue, on land that they own or control. The City has intentions of installing sanitary sewer service to an eventual tributary service area of approximately 774 acres, of which the subject development is a part, however, the design and construction schedules projected by the City were not fast enough for the proposed construction schedule of the developer's plans. In order to avoid delaying the subject development and to avoid

having the City disturb new and expensive land improvements, thereby incurring much higher construction costs, the developer has agreed to incorporate minor design changes and the construction of the subject capital improvements project into its development plans. The developer has further agreed to provide the construction plans and specifications; permanent and temporary easements at no further cost to the City. In exchange for this, the City shall agree to reimburse the developer for documented construction and related costs that are associated with the subject capital improvements project, up to a maximum of \$2,069,278.25

2. **BID INFORMATION:** In accordance with Section 186 of the Columbus City Charter, this contract shall contain a guaranteed maximum cost and stipulate that the city shall pay within such maximum the cost of labor and materials to be paid to the developer. As a condition of the agreement the developer is required to comply with the competitive bidding procedures of Section 329 of the Columbus City Codes, "Procurement of Goods and Services", and with the Prevailing Wage Requirements of Chapter 4115 of the Ohio Revised Code.

3. **FISCAL IMPACT:** The Division of Sewerage and Drainage is requesting Council to amend the 2003 Capital Improvements Budget in order to provide the required budget authority for this expenditure. The transfer from the Sewer System Reserve Fund to the 1991 Voted Sanitary Bond Fund is a temporary measure until such time as long term funding can be acquired. Due to the expedited schedule of the proposed development, and the project review requirements of the Ohio EPA, this project expenditure will not be submitted to the Ohio Water Development Authority for financial assistance consideration.

TitleTo authorize the Director of Public Utilities to enter into a guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with the Intrust Land Development Company, in connection with the Big Walnut-Parsons Avenue Sanitary Subtrunk, Vicinity of Rathmell Road Project; to authorize the transfer, appropriation and expenditure of \$2,069,278.25 from the Sanitary Sewer Reserve Fund to the 1991 Voted Sanitary Bond Fund; and to amend the 2003 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$2,069,278.25)

BodyWHEREAS, the Intrust Land Development Company, hereinafter called the developer, and the Division of Sewerage and Drainage, Department of Public Utilities, hereinafter referred to as the City are desirous of entering into a capital improvement project reimbursement agreement for the construction of the Big Walnut-Parsons Avenue Sanitary Subtrunk, Vicinity of Rathmell Road Project; and

WHEREAS, the developer is the owner of or has the right to control approximately 110 acres of land located west of State Route 23, in the vicinity of Rathmell Road and Parsons Avenue, located in the southwest planning area of Columbus, and intends to construct new single family residential developments to be known as Hartman Ponds and Wyndham Ridge; and

WHEREAS, the Division of Sewerage and Drainage engineering staff have determined that it is in the City's best interest to enter into the subject agreement with Dominion Homes, Inc., for purposes of constructing the Big Walnut-Parsons Avenue Sanitary Subtrunk, Vicinity of Rathmell Road Project; and

WHEREAS, the developer shall provide all professional engineering services and grant all necessary utility easements to the City, at no cost, across lands and improvements controlled by the developer, in exchange for accelerating the construction schedule for the aforesaid capital improvements project; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities hereby requests this City Council to to authorize the City Auditor to appropriate and transfer funds from the Sewer System Reserve Fund to the 1991 Voted Sanitary Bond Fund; and to amend the 2003 Capital Improvements Budget; in order to allow the Director to execute the aforementioned agreement which will allow the Division to avoid considerable expense in the design and procurement of easements for the extension of the Big Walnut-Parsons Avenue Sanitary Subtrunk, Vicinity of Rathmell Road Project, and in return the developer shall be authorized to construct this vital sanitary infrastructure in a growing community within the City of Columbus, 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 No. 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year

ending December 31, 2004, the sum of \$2,069,278.25 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 \$2,069,278.25, to the 1991 Voted Sanitary Bond Fund No. 664, into the appropriate project account as specified within Section 3 herein, 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 \$2,069,278.25 is hereby appropriated for Big Walnut-Parsons Avenue Sanitary Subtrunk, Vicinity of Rathmell Road Project within the 1991 Voted Sanitary Bond Fund No. 664| Division 60-05| Object Level Three No. 6630| Project No. 650178| OCA Code 650178.

Section 4. That upon obtaining other funds for the purpose of funding the aforementioned sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewerage System Reserve 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 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 enter into a contract, in accordance with the provisions of Columbus City Charter Section 186, to reimburse the Intrust Land Development Company, 39 East Whittier Street, Columbus, Ohio 43206, for the costs associated with the construction of the Big Walnut-Parsons Avenue Sanitary Subtrunk, North of Rathmell Road Project, as shown on the detailed engineering Construction Drawing Nos. 13473 on file with the Division of Sewerage and Drainage.

Section 7. That said capital improvements project reimbursement agreement shall stipulate that the Intrust Land Development Company, agrees to comply with the competitive bidding procedures of Section 329 of the Columbus City Codes, "Procurement of Goods and Services", and with the Prevailing Wage Requirements of Chapter 4115 of the Ohio Revised Code.

Section 8. That the expenditure of \$2,069,278.25, or as much thereof as may be needed, be and the same hereby is authorized from the 1991 Voted Sanitary Bond Fund No. 664| Division 60-05| Project No. 650178| Big Walnut Parsons Avenue Subtrunk Project| OCA Code 650178.

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 a capital improvements project reimbursement agreement as referenced in the preamble hereto:

CURRENT:

Project 650489-Big Walnut Parsons Ave. San. Subt.-\$1,030,884.00

Project 650491-Big Walnut Augment./Rickenbacker Int. \$115,720,815.00

AMENDED TO:

Project 650489-Big Walnut Parsons Ave. San. Subt.-\$2,069,279.00

Project 650491-Big Walnut Augment./Rickenbacker Int.-\$114,682,420.00

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:** This legislation authorizes the Director of the Department of Technology, on behalf of the Columbus Health Department, to modify and extend contract CT-20021, for software maintenance for the MestaMed software product provided by CareCentric, Inc. MestaMed is a critical application that is owned and copyrighted by CareCentric, Inc. It is an application that manages billing, accounts receivable, information required to maintain a Joint Committee on Accreditation of Healthcare Organizations (JCAHO) certification and medical tracking information required by the State of Ohio, Medicaid and Medicare programs. This system provides critical business administration patient care information and support for the Home Care Program, MCH Home Visiting, and other clinical programs at the Columbus Health Department. Services provided under this agreement include: telephone and email support, software maintenance, updates and enhancements. This software maintenance ensures the preservation of public health, peace, safety, and welfare of Columbus citizens, and is vital to the daily operations of the Columbus Health Department. Without the services provided by CareCentric Inc., the Health Department will lose support from the MestaMed application, thus eliminating the ability of the Health Department to manage account receivables for the Home Care Program, MCH Home Visiting and other clinical programs. While at the same time, the loss will eliminate the ability to maintain accurate medical record information and cause the loss of JCAHO certification. This contract modification and extension, in the amount of \$24,370.12, will continue to enforce terms and conditions provided under CT-20021 from March 1, 2004 through February 28, 2005.

Emergency: There is an immediate need to modify and extend contract CT-20021 for maintenance and support with CareCentric, Inc., which is due to expire on February 29, 2004, to maintain on-going support without service interruption.

Fiscal Impact: In fiscal year 2003, \$24,672.15 was expended toward services provided by CareCentric, Inc. Within Technology's 2004 fiscal year budget, \$30,000.00 was identified and is available and budgeted for this for this service. However, the Department of Technology will utilize only \$24,370.12 of the \$30,000.00 for the cost associated with this contract modification and extension, with the coverage period being from March 1, 2004 through February 28, 2005.

Contract Compliance: 582269501 Expires: 12/05/2004

TitleTo authorize the Director of the Department of Technology, on behalf of the Columbus Health Department, to modify and extend a contract, for maintenance and support services provided by CareCentric, Inc.; to authorize the expenditure of \$24,370.12 from the Department of Technology, internal service fund; and to declare an emergency (\$24,370.12)

Body**WHEREAS**, the Department of Technology, on behalf of the Columbus Health Department, needs to modify and extend contract CT-20021, for software maintenance and support services with CareCentric, Inc., and

WHEREAS, the MestaMed application manages billing, accounts receivable, information required to maintain a Joint Committee on Accreditation of Healthcare Organizations (JCAHO) certification and medical tracking information required by the State of Ohio, Medicaid and Medicare programs, and

WHEREAS, services provided under this agreement include telephone and e-mail support, software maintenance, updates and enhancements, for critical business administration patient care information and support for the Home Care Program at the Columbus Health Department, and

WHEREAS, this software maintenance and support service helps ensure the preservation of public health, peace, safety, and welfare of Columbus citizens, and is vital to the daily operations of the Columbus Health Department, and

WHEREAS, the contract modification will extend the terms and conditions of this contract from March 1, 2004 through February 28 2005, in the amount of \$24,370.12, and

WHEREAS, an emergency exists in the usual and daily operation of the The Department of Technology in that it is

immediately necessary to authorize the Director of the Department of Technology to modify and extend a contract with CareCentric, Inc. for software maintenance and support services, 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 Technology be and is hereby authorized to modify and extend contract CT-20021, on behalf of the Columbus Health Department, for software maintenance and support services, provided by CareCentric, Inc. for MestaMed application.

SECTION 2: That the expenditure of \$24,370.12 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-01|**Fund:**514|**Subfund:**010|**OCA Code:**500147|**Obj. Level 1:**03|**Obj. Level 3:** 3369|**Amount:** \$24,370.12

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: 0379-2004

Drafting Date: 02/13/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes a modification of Contract EL-003295, with Asplundh Tree Expert Co., to provide power line clearance services for the Division of Electricity.

Amount of additional funds to be expended: \$195,000.00

Reasons additional goods/services could not be foreseen: Power line clearance is a tree trimming service that the division continuously needs for the maintenance of the division's distribution and street lighting circuits. This modification provides the funding for the second year of the contract in accordance with the terms in the existing contract.

Reason other procurement processes are not used: The existing contract is based upon the lowest responsive and responsible bid received and opened on December 10, 2002. The contract provides for services from April 1, 2003 through March 31, 2005, however, funds were certified to cover one year only. It is now necessary to add additional funding in order that services may continue through the term of the contract.

How cost of modification was determined: The cost is based upon the estimated needs at the rates in the existing contract.

Contract Compliance Number: 231277550

FISCAL IMPACT: \$195,000 was budgeted in the 2004 Division of Electricity Operating budget. Approximately \$195,000 was spent in 2002 and \$210,000 was spent in 2003 for this service.

To authorize the Director of the Department of Public Utilities to modify the existing contract with Asplundh Tree Expert Company for power line clearance services for the Division of Electricity under the provisions of Columbus City Codes, and to authorize the expenditure of \$195,000.00 from the Division of Electricity Operating Fund. (\$195,000.00)

Body

WHEREAS, Contract Number EL003295, with Asplundh Tree Expert Company, was authorized by Ordinance Number 0176-03, passed February 24, 2003, for power line clearance; and

WHEREAS, power line clearance services are required by the Division of Electricity for maintenance of distribution and street lighting circuits; and

WHEREAS, it has become necessary to increase the funding for this contract in order that said services may continue through the second year as provided in the contract document; now, therefore,

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

SECTION 1. That the Director of the Department of Public Utilities be and is hereby authorized to modify Contract No. EL003295 with Asplundh Tree Expert Company for power line clearance services in the amount of \$195,000.00.

SECTION 2. That this contract modification is in compliance with Section 329.13, of Columbus City Codes, 1959.

SECTION 3. That to pay the cost of the aforesaid contract, the expenditure of \$195,000.00, or so much thereof as may be needed, is hereby authorized from Division of Electricity, Division No. 60-07, Fund 550, Object Level Three 3375, and is to be disbursed among OCA Codes as follows:

<u>OCA</u>	<u>AMOUNT</u>
606764	\$180,000.00
606772	<u>15,000.00</u>
	\$195,000.00

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

Legislation Number: 0386-2004

Drafting Date: 02/13/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Public Service Director to enter into contract for the Facilities Management Division with Axiom Mechanical Services, cc# 55-0829335, exp. 10/08/2006, in the amount of \$25,720.00 for the installation of a new air conditioning compressor at 757 Carolyn Avenue. At present, the Carolyn Avenue building has four compressors, but one is inoperable. If this compressor is not replaced, it will be difficult to maintain comfortable indoor temperatures during the summer unless the other three compressors run 24 hours per day, increasing energy costs and wear on the other compressors. The proposed contract with Axiom includes a five-year warranty on the new compressor.

Formal proposals were solicited on December 15, 2003, and received on January 6, 2004. Three majority firms submitted proposals as follows:

Air Force One	\$34,900.00
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Axiom Mechanical	\$25,720.00
Peter Miller Inc.	\$30,992.00

It is the recommendation of the Facilities Management Division to award this contract to the most responsive and responsible bidder, Axiom Mechanical.

This ordinance also authorizes the transfer, appropriation, and expenditure of \$25,720.00 from the Special Income Tax Fund to pay for this project. The Special Income Tax transfer and appropriation is a temporary measure until the City sells notes or bonds for this project.

Fiscal Impact: The Special Income Tax fund has a sufficient budget to support the transfer of \$25,720.00. The total cost of the contract is \$25,720.00.

Title

To authorize and direct the City Auditor to transfer \$25,720.00 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund, to authorize the appropriation and expenditure of \$25,720.00 from the Facilities Management Capital Improvement Fund, and to authorize the Public Service Director to contract for the Facilities Management Division with Axiom Mechanical for the installation of a new air conditioning compressor at 757 Carolyn Avenue. (\$25,720.00)

Body

WHEREAS, an air conditioning compressor located at 757 Carolyn Avenue is inoperable and in need of replacement, and

WHEREAS, the Facilities Management Division solicited bids for the replacement of of an air conditioning compressor at 757 Carolyn Avenue, and

WHEREAS, the Facilities Management Division recommends acceptance of the most responsive and responsible bid from Axiom Mechanical, and

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

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

WHEREAS, the aggregate principal amount of additional obligations which the City will issue to finance this purchase is presently expected not to exceed \$25,720.00; now, therefore:

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

SECTION 1. That the sum of \$25,720.00 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 Facilities Management Capital Improvement Fund, Fund 733, 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 \$25,720.00 is hereby transferred and appropriated to the Facilities Management Division 59-07, Capital Improvement Fund, Fund 733, Facility Renovation Project 570030, OCA Code 643437, Object Level Three Code 6601.

SECTION 4. That upon obtaining other funds for the Facility Renovation Project, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3, above, and said funds are hereby deemed appropriated for such purpose.

SECTION 5. 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 6. 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 Public Service Director is hereby authorized to contract with Axiom Mechanical for the replacement of an air conditioning compressor located at 757 Carolyn Avenue.

SECTION 8. That the expenditure of \$25,720.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 59-07
Fund: 733
Project: 570030
OCA Code: 643437
Object Level 1: 06
Object Level 3: 6601
Amount: \$25,720.00

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

Legislation Number: 0403-2004

Drafting Date: 02/18/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has a need for occupational health physician services for the Occupational Health & Safety Clinic located at 240 Parsons Avenue. In order to provide health and medical services for City of Columbus employees, it is necessary for specialized occupational health physician services. OSU Occupational Medicine of The Ohio State University Medical Center is the only vendor who has responded to several past requests for proposals for these services and can provide a physician that meets the special criteria of the Occupational Health & Safety Clinic. Formal bids were not solicited, therefore, this ordinance waives competitive bidding provisions. This ordinance authorizes the Board of Health to enter into a contract with OSU Occupational Medicine of The Ohio State University Medical Center in the amount of \$114,400 for the provision of occupational health physician services for the period March 1, 2004 through February 28, 2005.

Emergency action is requested in order to provide continued occupational health and safety physician services for City employees.

FISCAL IMPACT: Expenses are reimbursed by various City Agencies for 100 percent of the occupational health physician services provided on this contract.

Title

To authorize the Board of Health to enter into a contract with OSU Occupational Medicine of The Ohio State University Medical Center, for occupational health physician services for the Occupational Health & Safety Clinic, to authorize the expenditure of \$114,400 from the Health Special Revenue Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$114,400)

Body

WHEREAS, the Health Department has a need for occupational health physician services for the Occupational Health & Safety Clinic; and,

WHEREAS, OSU Occupational Medicine, of The Ohio State University Medical Center, can provide physician services as needed by the Health Department to prevent disruption of medical services to City employees; and,

WHEREAS, emergency action is requested in order to provide continued occupational health and safety physician services for City employees; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to contract with OSU Occupational Medicine of The Ohio State University Medical Center, for occupational health physician services for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a contract with OSU Occupational Medicine of The Ohio State University Medical Center, for occupational health physician services for the Occupation Health & Safety Clinic for the period March 1, 2004 through February 28, 2005.

SECTION 2. That to pay the costs of said contract, the expenditure of \$114,400 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Division No. 50-01, Object Level One 03, Object Level Three 3351, OCA Code 503342.

SECTION 3. That the provisions of Section 329.12, 329.13, and 329.14 of the Columbus City Code are hereby waived. See attachment waiverohspOSUphyserv04.doc.

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: 0404-2004

Drafting Date: 02/18/2004

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

AN03-030

BACKGROUND: This ordinance is submitted to present to Council the transcript of proceedings and papers relating to Annexation AN03-030 a certain petition for annexation as described in the ordinance and transcript which is attached hereto. More than sixty days have elapsed since January 12, 2004, 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 (AN03-030) of Bishop James A. ~~Griffin~~ **Griffin** for the annexation of certain territory containing 48.44 ± Acres in Orange Township.

Body

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed by Bishop James A. ~~Griffin~~ **Griffin** on November 20, 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 December 29, 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 January 12, 2004; 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 Bishop James A. ~~Griffin~~ **Griffin** 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 November 20, 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 December 29, 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:

Situate in the State of Ohio, County of Delaware, Township of Orange, lying in Farm Lots 6 and 7, Section 3, Township 3, Range 18, United States Military District, and being part of that 68.813 acre tract conveyed to Clarence G. Issenmann, Bishop of the Diocese of Columbus by deed of record in Deed Book 294, Page 355, of which being changed to James A. Griffin, Bishop of the Roman Catholic Diocese of Columbus, in the Affidavit of Succession of the Roman Bishops of Columbus, of record in Deed Book 380, Page 613 and/or Deed Book 468, Page 197, part of a 48.89 acre tract conveyed to Clarence G. Issenmann, Bishop of the Diocese of Columbus by deed of record in Deed Book 293, Page 486, of which being changed to James A. Griffin, Bishop of the Roman Catholic Diocese of Columbus, in the Affidavit of Succession of the Roman Bishops of Columbus, of record in Deed Book 380, Page 613 and/or Deed Book 468, Page 197, all being of record in the Recorder's Office, Delaware County, Ohio, and being more particularly described as follows:

BEGINNING, at a point at the southeast corner of a said 68.813 acre tract and at an angle point of the Existing City of Columbus Corporation Line, Ordinance Number 1527-2003, of record in Plat Cabinet 3, Slide 217, same being in the westerly right-of-way line of the Norfolk & Southern Railroad;

Thence North 87°12'21" West, a distance of 1383.94 feet, along the Existing City of Columbus Corporation Line and the line common to said 68.813 acre tract and said 68.274 acre tract, to a point;

Thence North 02°49'59" East, a distance of 1618.85 feet, crossing said 68.813 acre tract and said 48.89 acre tract, to a point in the line common to said 48.89 acre tract and that original 49.1 acre tract conveyed to Clarence E. Elwell, Bishop of the Roman Catholic Diocese of Columbus, by deed of record in Deed Book 343, Page 306;

Thence South 87°10'01" East, a distance of 1223.73 feet, along the line common to said 48.89 acre tract and said

original 49.1 acre tract, to a point at the common corner of said 48.89 acre tract and said original 49.1 acre tract, and being in the westerly right-of-way line of said Norfolk & Southern Railroad;

Thence South 02°49'20" East, a distance of 1625.83 feet, along the westerly right-of-way line of said Norfolk & Southern Railroad, and the east line of said 68.813 acre tract and said 48.89 acre tract, to the POINT OF BEGINNING, containing 48.44 acres, more or less, of which 28.94 acres lies within Farm Lot 7 and 19.50 acres lies within Farm Lot 6.

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: 0408-2004

Drafting Date: 02/19/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Title

To authorize and direct the Finance Director to enter into three contracts for the option to purchase Wearing Apparel with Koppel Advertising Inc., Progress Industries, and Foster & Associates, Inc., to authorize the expenditure of three dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 30, 2003 and selected the lowest, responsive, responsible and best bids; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, this ordinance is being submitted as an emergency measure in order to ensure Wearing Apparel is provided to City employees in a timely manner as required by union agreements and without emergency action, no less than thirty-seven days will be added to this procurement cycle and the efficient delivery of public services will be slowed; and

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

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into the following contract(s) for an option to purchase Wearing Apparel in accordance with Solicitation No. SA000556 as follows:

Koppel Advertising, Inc., Items: 1, 5, 6, 8, 9 & 10, Amount: \$1.00
Progress Industries, Items: 2 & 4, Amount: \$1.00

Foster & Associates, Inc. Item: 3, Amount: \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0414-2004

Drafting Date: 02/19/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:**

This ordinance amends the 2004 general fund appropriation ordinance (Ord. No. 2550-2003, passed February 2, 2004). Since adoption of the 2004 budget, it has been determined that \$375,000 originally earmarked for various items within the City Auditor's "reserve account" (transfer line) along with \$50,000 allocated to the Neighborhood Services Division for the OSU internship program will be re-programmed to cover citywide personnel restorations, in accordance with anticipated future legislation and that \$10,000 originally allocated to the Neighborhood Services Division for the Columbus Historical Society will be placed in the "reserve account" for contingencies. This ordinance amends the language in the **Amendments to Ordinance 2550-2003** that placed funds in the City's Auditor's transfer line and the Neighborhood Services Division, to reflect this revised intent.

FISCAL IMPACT:

This ordinance reduces the services appropriation within the Neighborhood Services Division by \$60,000 and increases the Auditor's office transfer line by the same amount.

TitleTo amend Ordinance No. 2550-2003, as amended in Version 2 on the Legistar system, by changing the language in the **Amendments to Ordinance No. 2550-2003** that placed funds in the City's Auditor's transfer line and the Neighborhood Services Division, to reflect a revised City Council intent.

Body**WHEREAS**, since adoption of the 2004 budget, it has been determined that \$375,000 originally earmarked for various items within the City Auditor's "reserve account" (transfer line), along with \$50,000 allocated to the Neighborhood Services Division for the OSU internship program will be re-programmed to cover citywide personnel restorations, in accordance with anticipated future legislation, with it being intended that \$100,000 will be committed to the intern program from other funds and/or private sources, and that \$10,000 originally allocated to the Neighborhood Services Division for the Columbus Historical Society will be placed in the "reserve account" for contingencies; and

WHEREAS, this ordinance amends the language in the **Amendments to Ordinance 2550-2003** that placed funds in the City's Auditor's transfer line and the Neighborhood Services Division, to reflect this revised intent;

Now, Therefore

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

Section 1. That Section 1 Ordinance No. 2550-2003, as amended, be amended as follows:

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#2550-2003CouncilAmendments2a.xls

Section 2. That existing Section 1 of Ordinance No. 2550-2003, as amended, is repealed with the effective date of the changes herein.

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

Legislation Number: 0415-2004

Drafting Date: 02/20/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation This ordinance authorizes the continuation of contract EL003205 with ACS State and Local Solutions to provide parking violation processing services for the City of Columbus. This will be the first renewal option of four under the current contract, it is for a twelve month period. The Contract compliance number for ACS is 131996647.

In accordance with the 2004 budget appropriation \$ 378,000.00, was budgeted for this modification of the contract. This is an estimate based upon the previous year contract performance.

Title To authorize the City Treasurer to modify and increase the current contract with ACS State and Local Solutions to provide parking violation processing services; and to authorize the expenditure of \$378,000.00 from the General Fund. (\$378,000.00)

Body WHEREAS: a need exists in the daily operation of the Parking Violations Bureau in that it is necessary to modify and increase the existing contract with ACS State and Local Solutions, for parking violation processing services to be paid thru February, 28, 2005.

WHEREAS: the current contract needs to be modified and increased by \$378,000.00 under the same provisions and terms as completed.

WHEREAS: a need exists in the daily operation of the Parking Violations Bureau in that it is necessary to modify and increase existing contract No. EL003205 for the preservation of the public health, safety, property and welfare; now therefore;

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

Section 1. That the City Treasurer be and is hereby authorized to modify Contract EL003205 with ACS State and Local Solutions, by extending the expiration date to February 28, 2005, and by increasing the contract by \$378,000.00.

Section 2. That the increase of \$378,000.00 be authorized to be expended from the General Fund, Subfund 010, City Treasurer, Department No. 23-03, OCA Code 230301, Object Level One 03, Object Level three, 3336 to pay the cost thereof.

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

Legislation Number: 0419-2004

Drafting Date: 02/23/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Title

To authorize the Public Service Director to remit payments for the Facilities Management Division to the Franklin County Board of Commissioners for the debt service associated with the lease of office space at the Municipal Court Building, to authorize the expenditure of \$1,007,025.00 from the Special Income Tax Fund. (\$1,007,025.00)

Body

WHEREAS, in 1975, the City of Columbus and the Franklin County Board of Commissioners entered into a long-term debt service lease agreement for office space at the Municipal Court Building, 325 South High Street, and

WHEREAS, an agreement, authorized by Ordinance No. 1589-75, calls for annual debt principal and interest payments by the City of Columbus to the Franklin County Board of Commissioners for the retirement of said debt; now, therefore:

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

SECTION 1. That the Public Service Director is hereby authorized to remit payment to the Franklin County Board of Commissioners as agreed upon in contract CT-05851 for the debt principal and interest costs associated with the office space at the Municipal Court Building.

SECTION 2. That the expenditure of \$1,007,025.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 59-07
Fund: 430
OCA Code: 281220
Object Level 1: 04
Object Level 3: 4410
Amount: \$870,000.00

Division: 59-07
Fund: 430
OCA Code: 281220
Object Level 1: 07
Object Level 3: 7411
Amount: \$137,025.00

Total - \$1,007,025.00

SECTION 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0424-2004

Drafting Date: 02/23/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:** This legislation is needed to transfer money between two projects within the Water Limited Fund. It serves as a companion piece of legislation to provide additional monies and authority for Morse Road 36" Water Main from the Morse Road Booster Station to Johnstown Road.

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.

TitleTo authorize the City Auditor to transfer \$150,000.00 within the Water Limited Fund to fund the Morse Road 36" Water Main from the Morse Road Booster Station to Johnstown Road project for the Division of Water, to amend the 2003 C.I.B and to declare an emergency. (\$150,000.00)

BodyWHEREAS, it is required in the usual daily operation of the Division of Water, Department of Public Utilities, to provide funding for the Morse Road 36" Water Main from the Morse Road Booster Station to Johnstown Road project, and

WHEREAS, an emergency exists in the usual daily operations of the Division of Water, Department of Public Utilities in that it is immediately necessary to transfer funds between two projects within Fund No. 607 in order to ensure the required monies are available to fund companion legislation for the stated project, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

	ORIGINAL BUDGET	AMEMDED BUDGET	COMMENTS
* (1)*	\$150,0000	\$180,000	AUTHORITY INCREASED
* (2)*	\$2,077,459	\$2,047,459	AUTHORITY DECREASED

Legislation Number: 0429-2004

Drafting Date: 02/24/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Finance to establish blanket purchase orders for the Division of Sewerage and Drainage to obtain Sodium Hypochlorite in accordance with an established Universal Term Contract.

Sodium Hypochlorite is a chlorine solution used at the Southerly and Jackson Pike Wastewater Treatment Plants to

disinfect effluent prior to its discharge to the Scioto River. The Ohio EPA requires that plant effluent be disinfected from May 1 through October 31 of each year. Items required will be obtained in accordance with the existing Universal Term Contract

SUPPLIER: Bonded Chemicals (61-1162384)

Fiscal Impact: \$239,700.00 is required and budgeted for this expenditure

\$275,400.00 was spent in 2003

\$215,914.93 was spent in 2002

Title

To authorize the Director of Finance to establish Blanket Purchase Orders with Bonded Chemicals for the purchase of Sodium Hypochlorite for the Division of Sewerage and Drainage, and to authorize the expenditure of \$239,700.00 from the Sewerage System Operating Fund. (\$239,700.00)

Body

WHEREAS, the Purchasing Office established a Universal Term Contract with Bonded Chemicals for the Purchase of Sodium Hypochlorite for the Division of Sewerage and Drainage; and

WHEREAS, blanket purchase orders will be issued in accordance with the terms and specifications of the bid solicitation on file in the Purchasing Office; now, therefore

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

Section 1. That the Director of Finance be and he is hereby authorized to establish blanket purchase orders for the purchase of Sodium Hypochlorite with Bonded Chemicals for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$239,700.00 or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, as follows, to pay the cost thereof.

OCA: 605055
Object Level 1: 02
Object Level 3: 2204
Amount: \$199,600.00

OCA: 605022
Object Level 1: 02
Object Level 3: 2204
Amount: \$40,100.00

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

Legislation Number: 0430-2004

Drafting Date: 02/24/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation will enable the Director of Finance to establish blanket purchase orders for the Division of Sewerage and Drainage to obtain Liquid Sodium Bisulfite in accordance with an established Universal Term Contract.

In order to comply with the National Pollution Discharge Elimination Systems permits governing Jackson Pike and Southerly Wastewater Treatment Plants, it is necessary that the effluent flow to the Scioto River be dechlorinated prior to discharge. Liquid Sodium Bisulfite is one of the agents used for this purpose. Items required will be obtained in accordance with the existing Universal Term Contract

SUPPLIER: Jones Chemicals, Inc. (16-0809645)

FISCAL IMPACT: \$134,000 is needed and budgeted for this purchase.

\$250,000.00 was spent for these contracts in 2003.

\$127,423.79 was spent for these contracts in 2002.

Title

To authorize the Finance Director to establish Blanket Purchase Orders with Jones Chemicals, Inc., for the purchase of Liquid Sodium Bisulfite and Cylinder Deposits from an established Universal Term Contract for the Division of Sewerage and Drainage; to authorize the expenditure of \$134,000.00 from the Sewerage System Operating Fund. (\$134,000.00)

Body

WHEREAS, the Purchasing Office established a Universal Term Contract with Jones Chemicals, Inc. for the option to obtain Liquid Sodium Bisulfite for the Division of Sewerage and Drainage; and,

WHEREAS, the Division desires to establish Blanket Purchase Orders with Jones Chemicals, Inc., for Liquid Sodium Bisulfite; now, therefore;

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

Section 1. That the Finance Director is hereby authorized to issue Blanket Purchase Orders for the purchase of Liquid Sodium Bisulfite on the basis of a Universal Term Contract, for use within the Division of Sewerage and Drainage.

Section 2. That the purpose of paying the cost thereof, the expenditure of \$134,000.00 or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating fund, Fund No. 650 as follows to pay for the cost thereof:

_OCA 605055
Object Level One 02
Object Level Three 2204
Amount \$114,000.00

OCA 605022
Object Level One 02
Object Level Three 2204
Amount \$20,000.00

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

Legislation Number: 0444-2004

Drafting Date: 02/25/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase HP Imaging, Printer Group Devices for the Department of Technology, the largest user. The term of the proposed option contract will be two years with an option to renew for two additional one-year periods if mutually agreed. Contract expiration date: March 31, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA000597). Two hundred fifty-two (MAJ: 252), twenty (M1A: 20), four (F1:4) and five (MBR: 5) bids were solicited; and twelve (MAJ: 12), two (M1A: 2) two (F1: 2), two (MBR: 2) bids were received.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder:

Pomeroy IT Solutions, Inc., MAJ, CC#61-1352158, \$1.00

Total Estimated Annual Expenditure: \$200,000.00

This company is not debarred according to the Excluded Party Listing System of the Federal Government.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. Any City agency using this contract will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into contract for an option to purchase HP Imaging, Printer Group Devices, with Pomeroy IT Solutions, Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Account and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on January 29, 2004 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this emergency ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contract for City agencies to efficiently maintain their supply chain and

service to the public; and

WHEREAS, this ordinance is being submitted as an emergency measure so a supply chain for the purchase of HP Imaging, Printer Group Devices can be established to ensure City employees required to print documents to conduct City business do not experience interruptions in their ability to purchase printing devices and without emergency action, no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed; and

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

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into contract for an option to purchase HP Imaging, Printer Group Devices in accordance with Solicitation No. SA000597 as follows:

Pomeroy IT Solutions, Inc.; All Items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0445-2004

Drafting Date: 02/25/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z03-077

APPLICANT: Triedstone Missionary Baptist Church; c/o Patricia Heinrich, S and H Engineering; 7956 Eric Court; Lewis Center, Ohio 43035.

PROPOSED USE: Activity center and parking for an existing church.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-1) on December 11, 2003.

MILO-GROGAN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District will allow the development of a 24,050 square-foot activity center in conjunction with an existing church. This application brings together all previously approved existing parking and the respective development standards, and expands the area of the current CPD for four additional parking areas and the activity center site. The activity center will provide a service to those in need throughout the surrounding neighborhood, offering a clothing pantry, feeding of the homeless, youth and sports programs, as well as open gym, and other church-related activities. The proposed development text incorporates use restrictions, fencing and/or landscaping around parking areas, street trees, building material and roof

pitch commitments, mechanical screening, and lighting controls to be more compatible with the surrounding neighborhood. The 172-parking space variance will not negatively affect the neighborhood because the activity center will not be open during church services.

Title

To rezone **850 EAST THIRD AVENUE (43201)**, being 2.82± acres generally located on the north and south sides of East Third Avenue, between Howard Street and St. Clair Avenue, **From:** CPD, Commercial Planned Development, C-1, Commercial, L-P-1, Limited Parking, and R-4, Residential Districts, **To:** CPD, Commercial Planned Development District. (Rezoning # Z03-077)

Body

WHEREAS, application #Z03-077 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.82± acres from CPD, Commercial Planned Development, C-1, Commercial, L-P-1, Limited Parking, and R-4, Residential Districts, To: CPD, Commercial Planned Development District; and

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

WHEREAS, the Milo-Grogan Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District will allow the development of a 24,050 square-foot activity center in conjunction with an existing church. This application brings together all previously approved existing parking and the respective development standards, and expands the area of the current CPD for four additional parking areas and the activity center site. The activity center will provide a service to those in need throughout the surrounding neighborhood, offering a clothing pantry, feeding of the homeless, youth and sports programs, as well as open gym, and other church-related activities. The proposed development text incorporates use restrictions, fencing and/or landscaping around parking areas, street trees, building material and roof pitch commitments, mechanical screening, and lighting controls to be more compatible with the surrounding neighborhood. The 172-parking space variance will not negatively affect the neighborhood because the activity center will not be open during church services, now, therefore:

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

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

850 EAST THIRD AVENUE (43201), being 2.82± acres generally located on the north and south sides of East Third Avenue, between Howard Street and St. Clair Avenue, and being more particularly described as follows:

Being situated in the County of Franklin, State of Ohio and in the City of Columbus, bounded and described as follows:

SUBAREA 1: Being the east half of Lot One Hundred Sixty-eight (168) and fourteen (14) feet off of the west side of Lot number One Hundred Sixty-nine (169), Lot One Hundred Sixty-nine (169), and twenty-one (21) feet off the east side of Lot Number One Hundred Seventy (170) and eight (8) feet off the west side of Lot Number One Hundred Seventy-one (171) in BIDDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14-A, Recorder's Office, Franklin County, Ohio.

To Rezone From: CPD, Commercial Planned Development, and R-4, Residential Districts,

To: CPD, Commercial Planned Development District.

SUBAREA 2A: Being Lot Numbers One Hundred Ninety-one through One Hundred Ninety-three (191,192,193) in

BIDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14-A, Recorder's Office, Franklin County, Ohio.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SUBAREA 2B: Being Lot Numbers One Hundred Eighty-two through One Hundred Ninety (182,183, 184, 185, 186, 187, 188, 189, 190) in BIDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14-A, Recorder's Office, Franklin County, Ohio.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SUBAREA 3: Being Lot Numbers One Hundred Ninety-four (194) and One Hundred Ninety-five (195) in BIDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14-A, Recorder's Office, Franklin County, Ohio; and

To Rezone From: R-4, Residential District,

To: CPD, Commercial Planned Development District.

SUBAREA 4: Being Lot Numbers Two Hundred Twenty-five through Two Hundred Twenty-nine (225,226,227,228, 229) in BIDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14-A, Recorder's Office, Franklin County, Ohio.

To Rezone From: L-P-1, Limited Parking District,

To: CPD, Commercial Planned Development District.

SUBAREA 5: Being Lot Numbers One Hundred Seventy-eight (178) and One Hundred Seventy-nine (179) in BIDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat book 8, page 14-A, Recorder's Office, Franklin County, Ohio.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

SUBAREA 6: Being Lot Numbers One Hundred Eighty (180) and One Hundred Eighty-one (181) in BIDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat book 8, page 14-A, Recorder's Office, Franklin County, Ohio.

To Rezone From: C-1, Commercial District,

To: CPD, Commercial Planned Development District.

SUBAREA 7: Being Lot Number Two Hundred Thirty (230) in BIDLEMAN'S SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat book 8, page 14-A, Recorder's Office, Franklin County, Ohio.

To Rezone From: CPD, Commercial Planned Development District,

To: CPD, Commercial Planned Development District.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**TRIEDSTONE BAPTIST CHURCH COMMERCIAL PLANNED DEVELOPMENT DISTRICT**" signed by Patricia Heinrich, agent for the Applicant, and dated February 24, 2004, and text titled, "**CPD TEXT**", signed by Thomas Weaver, Triedstone Missionary Baptist Church, and dated February 5, 2004, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development
PROPERTY ADDRESS: 850 E. Third Ave.
OWNER: Triedstone Missionary Baptist Church, 878 E. Third Ave., Columbus, OH 43201
APPLICANT: Triedstone Missionary Baptist Church, 878 E. Third Ave., Columbus, OH 43201
DATE OF TEXT: February 5, 2004
APPLICATION NUMBER: Z03-077

1. INTRODUCTION: This site consists of seven CPD zoning areas planned for an existing church, parking and an activity building on 2.823 acres. The parking shall be laid out and screened as shown on the CPD site plan. The activity building shall not be open at the same time as church services are being performed. Anticipated uses of the activity building include ministry meetings (Monday-Friday), community meetings (as requested) gymnasium activities (open two days a week to community open gym), wedding receptions (until midnight), children's plays, clothing pantry, feeding of the homeless, office space for ministries, fellowship hall after church services, youth meetings, a bookstore, after school tutorial programs, proficiency exam preparations, community youth basketball league and other organized sports. The activity building shall be open 7 days a week with normal hours of operation occurring between 9 a.m. and 9 p.m.

SUBAREA 1:

2. PERMITTED USE: A private 37-space parking lot that is for the sole use of Triedstone Missionary Baptist Church for church services and activities.

3. DEVELOPMENT STANDARDS:

- A. Density, Height, Lot and/or Setback Commitments.
 - 1. The parking lot shall have setbacks as shown on the CPD site plan.
- B. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 - 1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.
- C. Buffering, Landscaping, Open Space, and/or Screening Commitments.
 - 1. A board on board fence shall be installed as shown on the CPD site plan. This fence shall be 5' tall and shall be maintained by Triedstone Missionary Baptist Church.
 - 2. Landscape screening shall be installed as shown on the CPD site plan.
 - 3. A deciduous tree shall be planted along Jerome H. Ross Avenue and along Gibbard Avenue as shown on the CPD site plan.
 - 4. All landscape screening shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever comes first.
 - 5. All shrubs shall meet the following minimum size at the time of planting: 30" height. All planted trees shall have a minimum caliper for ornamental trees of 1 ½" and for shade trees of 2 ½" at time of planting.
- D. Building Design and/or Interior-Exterior Treatment Commitments-N/A
- E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 - 1. Lighting
 - a. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite

- spillage.
 - b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.
 - d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
 - e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
 - 2. Outdoor Display Areas-N/A.
 - F. Graphics and/or Signage Commitments.
 - 1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
- 4. CPD REQUIREMENTS:**
- A. Natural Environment: This site is composed of a residence and improved parking and currently drains to the streets as shown on the CPD site plan.
 - B. Existing Land Use: The existing land use is a residence zoned in the R-4 District and improved parking zoned in the CPD District (Ordinance #1502-97).
 - C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
 - D. Visual Form of Environment: The development of this 37-space parking lot will enlarge the improved parking area and will reside amongst residential sites that are approximately .10 acres in size.
 - E. View and Visibility: This parking lot will be at grade and will be screened to the east and west by a board on board fence and to the north and south by a planting screen as shown on the CPD site plan. This site will be designed such that consideration is given to the visibility and safety of motorists and pedestrians.
 - F. Proposed Development: An at grade 37-space parking lot for use by Triedstone Missionary Baptist Church.
 - G. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
 - H. Emissions: Proposed development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

SUBAREA 2:

The Subarea is currently developed with Triedstone Baptist Church and parking, and an additional 36-space parking lot is proposed on the west side of the church. The Subarea is divided into two sections. Subarea 2A is the proposed parking lot, and Subarea 2B is the existing church and parking lot, which were developed in accordance with Ordinance #1502-97 (Z97-053), and are to remain unchanged with the exception of a second dumpster being placed on site.

SUBAREA 2A:

- 2. **PERMITTED USE:** A private 36-space parking lot that is for the sole use of Triedstone Missionary Baptist Church for church services and activities.
- 3. **DEVELOPMENT STANDARDS:**
 - A. Density, Height, Lot and/or Setback Commitments.
 - 1. The parking lot shall have setbacks as shown on the CPD site plan.
 - B. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 - 1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.
 - C. Buffering, Landscaping, Open Space, and/or Screening Commitments.
 - 1. A board on board fence shall be installed as shown on the CPD site plan. This fence shall be 5' tall and shall be maintained by Triedstone Missionary Baptist Church.
 - 2. Evergreen shrubs shall be planted as a visual screen every 5' on center, set back from the R.O.W. of Third Ave. by 8 feet.
 - 3. Deciduous shrubs shall be planted as a visual screen every 45" on center along the western edge and set back from the R.O.W. of Lexington Ave. by 2 feet.
 - 4. Deciduous street trees shall be planted 35' on center along Lexington Ave. and Third Ave as shown on the CPD site plan.
 - 5. All landscape screening shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
 - 6. All shrubs shall meet the following minimum size at the time of planting: 30" in height. All planted trees shall have a minimum caliper for ornamental trees of 1 ½" and for shade trees of 2 ½" at time of planting.

- D. Building Design and/or Interior-Exterior Treatment Commitments-N/A
- E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 - 1. Lighting
 - a. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
 - b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.
 - d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
 - e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
 - 2. Outdoor Display Areas-N/A.
- F. Graphics and/or Signage Commitments.
 - 1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

4. CPD REQUIREMENTS:

- A. Natural Environment: This site is composed of a residence, currently drains to the streets as shown on the CPD site plan.
- B. Existing Land Use: The existing land use is a residence zoned in the CPD District (Ordinance #1502-97).
- C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
- D. Visual Form of Environment: The development of this 36-space parking lot will upgrade the unimproved parking area and will reside amongst residential sites that are approximately .10 acres in size.
- E. View and Visibility: This parking lot will be at grade and will be screened to the south by evergreen shrubs, to the west by deciduous shrubs and to the north by a board on board fence. This site will be designed such that consideration is given to the visibility and safety of motorists and pedestrians.
- F. Proposed Development: An at grade 36-space parking lot for use by Trierstone Missionary Baptist Church.
- G. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
- H. Emissions: The proposed development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

SUBAREA 2B:

2. PERMITTED USES: A church including church-related activities such as congregational meetings, administrative functions, fellowship activities, and other spiritual programs, developed in accordance with Ordinance #1502-97 (Z97-053).

3. DEVELOPMENT STANDARDS:

- A. Density, Height, Lot and/or Setback Commitments.
 - 1. Building and parking setbacks are existing and are shown on the CPD site plan.
- B. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 - 1. All circulation, curb cuts and access points are existing and are shown on the CPD site plan. Any changes shall be subject to the approval of the Division of Transportation.
- C. Buffering, Landscaping, Open Space, and/or Screening Commitments.
 - 1. All landscaping is shown on the CPD site plan and shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
 - 2. Deciduous street trees shall be planted 35 feet on center as shown on the CPD site plan along Third Ave.
 - 3. All planted trees shall have a minimum caliper for ornamental trees of 1 ½" and for shade trees of 2 ½" at time of planting.
 - 4. The dumpsters shall be screened on three (3) sides with a wood fence six (6) feet in height, have wooden gates on the fourth (4th) side, and shall be located as shown on the CPD site plan.
- D. Building Design and/or Interior-Exterior Treatment Commitments: N/A
- E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 - 1. Lighting
 - a. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
 - b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to

- insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.
 - d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
 - e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
 - 2. Outdoor Display Areas-N/A.
 - F. Graphics and/or Signage Commitments.
 - 1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as they apply to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
 - G. Miscellaneous Commitments.
 - 1. The church will not be open during the hours of operation of the proposed activity center in Subarea 4.
- 4. CPD REQUIREMENTS:**
- A. Natural Environment: This site is composed of a church structure and improved parking and currently drains to the streets as shown on the CPD site plan.
 - B. Existing Land Use: The existing land use is a church and improved parking zoned in the CPD District (Ordinance #1502-97).
 - C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
 - D. Visual Form of Environment: The existing church development will reside amongst residential sites that are approximately .10 acres in size.
 - E. View and Visibility: The site is currently designed such that consideration is given to the visibility and safety of motorists and pedestrians.
 - F. Proposed Development: This is an existing church development with improved parking.
 - G. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
 - H. Emissions: The existing development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

SUBAREA 3:

- 2. **PERMITTED USE:** A private 26-space parking lot that is for the sole use of Triedstone Missionary Baptist Church for church services and activities.
 - 3. **DEVELOPMENT STANDARDS:**
 - A. Density, Height, Lot and/or Setback Commitments.
 - 1. The parking lot shall have setbacks as shown on the CPD site plan.
 - B. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 - 1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.
 - C. Buffering, Landscaping, Open Space, and/or Screening Commitments.
 - 1. A board on board fence shall be installed as shown on the CPD site plan. This fence shall be 5' tall and shall be maintained by Triedstone Missionary Baptist Church.
 - 2. Evergreen shrubs shall be planted as a visual screen every 5' on center along the north and south property line, set back from the R.O.W. by 3 feet.
 - 3. Deciduous shrubs shall be planted as a visual screen every 45" on center along the east edge and set back from the R.O.W. of Lexington Ave. by 2 feet.
 - 4. Deciduous street trees shall be planted every 35' on center along Lexington Ave. as shown on the CPD site plan.
 - 5. All landscape screening shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
 - 6. All shrubs shall meet the following minimum size at the time of planting: 30" in height. All planted trees shall have a minimum caliper for ornamental trees of 1 ½" and for shade trees of 2 ½" at time of planting.
 - D. Building Design and/or Interior-Exterior Treatment Commitments-N/A
 - E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 - a. All external lighting shall be cut-off fixtures
- Break1**(down-lighting) and shall be designed to prevent offsite spillage.
- b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.

- d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
- e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
- 2. Outdoor Display Areas-N/A.
- F. Graphics and/or Signage Commitments.
 - 1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
 - 2. Miscellaneous Commitments-N/A.
- 4. **CPD REQUIREMENTS:**
 - A. Natural Environment: This site is an empty lot that is composed of vegetation and unimproved parking and currently drains to the streets.
 - B. Existing Land Use: The existing land use is a vacant lot zoned in the R-4 District.
 - C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
 - D. Visual Form of Environment: The development of this 26-space parking lot will upgrade the unimproved parking area and will reside amongst residential sites that are approximately .10 acres in size.
 - E. View and Visibility: This parking lot will be at grade and will be screened to the west by a fence and to the north, south and east by a planting screen as shown on the plans. This site will be designed such that consideration is given to the visibility and safety of motorists and pedestrians.
 - F. Proposed Development: An at grade 26-space parking lot for use by Triedstone Missionary Baptist Church.
 - G. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
 - H. Emissions: The proposed development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

SUBAREA 4:

- 2. **PERMITTED USES:** An activity center containing a multi-purpose room, game room, exercise room, office space, and classrooms. Anticipated uses of the activity building include ministry meetings (Monday-Friday), community meetings (as requested) gymnasium activities (open two days a week to community open gym), wedding receptions (until midnight), children's plays, clothing pantry, feeding of the homeless, office space for ministries, fellowship hall after church services, youth meetings, a bookstore, after school tutorial programs, proficiency exam preparations, community youth basketball league and other organized sports. The activity building shall be open 7 days a week with normal hours of operation occurring between 9 a.m. and 9 p.m., except during church services for the existing church in Subarea 2B.
- 3. **DEVELOPMENT STANDARDS:**
 - A. Density, Height, Lot and/or Setback Commitments.
 - 1. The activity center will be no more than 40' in height. The building setbacks for he activity center are as shown on the CPD ste plan.
 - B. Aces Lading, Paring, and/or Otherraffic Rate Commitments.
 - pard1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation.
 - C. Buffering, Landscaping, Open Space, and/or Screening Commitments.
 - 1. A board on board fence shall be installed as shown on the CPD site plan. This fence shall be 5' tall and shall be maintained by Triedstone Missionary Baptist Church.
 - 2. Deciduous trees and shrubs will be planted along the north edge of the property, set back 4 feet from the R.O.W. of Third Ave. as shown on the CPD site plan.
 - 3. Deciduous trees shall be planted every 35' on center along the east edge of the property and set back 10 feet from the R.O.W. of Lexington Ave. as shown on the CPD site plan.
 - 4. Deciduous shrubs shall be planted as a visual screen every 45" on center and set back 4 feet from the southern R.O.W. as shown on the CPD site plan.
 - 5. Deciduous trees shall be set back 7' from the west property line and be planted 15 feet on center as shown on the CPD site plan.
 - 6. All landscape screening shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
 - 7. All shrubs shall meet the following minimum size at the time of planting: 30" height. All planted trees shall

- have a minimum caliper for ornamental trees of 1 ½" and for shade trees of 2 ½" at time of planting.
8. Rooftop Mechanicals Screening: Any mechanical equipment or utility hardware on the roof of the activity center shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
- D. Building Design and/or Interior-Exterior Treatment Commitments.
 1. The activity center shall have an exterior facade of brick and stucco.
 2. The activity center shall have a pitched or angled roof not to exceed a 3/12 slope.
 - E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 1. Lighting
 - a. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
 - b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.
 - d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
 - e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
 2. Outdoor Display Areas-N/A.
 - F. Graphics and/or Signage Commitments.
 1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
 - G. Miscellaneous Commitments.
 1. The proposed activity center will not be open during the hours of operation of the church in Subarea 2B.
 2. All parking shown on the CPD site plan must be developed at the time that the activity center is developed.
- 4. CPD REQUIREMENTS:**
- A. Natural Environment: This site is an improved, 57-space gated parking lot.
 - B. Existing Land Use: The existing land use is an improved, 57-space gated parking lot zoned in the L-P-1 District.
 - C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
 - D. Visual Form of Environment: Improved parking exists to the west, unimproved parking exists to the north, and all other surrounding parcels are residential in nature. The residential areas are comprised of lots approximately .10 acres in size.
 - E. View and Visibility: The creation of an activity center will bring a sense of community to what once was a parking lot and will be designed such that consideration is given to the visibility and safety of motorists and pedestrians. Beautification will take place in the form of fencing along the west edge and plantings along all edges of the property lines as shown on the CPD site plan.
 - F. Proposed Development: An activity center containing a multi-purpose room, game room, exercise room, office space, and classrooms. No parking will take place on this site.
 - G. Behavior Patterns: This site currently holds a parking lot and has no behavior patterns associated with it other than that of parking.
 - H. Emissions: The proposed development will not produce adverse levels of light, sounds, smells or dust beyond the normal existing levels in the community.

SUBAREA 5:

2. PERMITTED USE: A private 24-space parking lot that is for the sole use of Triedstone Missionary Baptist Church for church services and activities. It was developed in accordance with Ordinance #1502-97 (Z97-053) and shall remain unchanged.

3. DEVELOPMENT STANDARDS:

- I. Density, Height, Lot and/or Setback Commitments.
 1. Parking setbacks are existing and are shown on the CPD site plan.
- J. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 1. All circulation, curb cuts and access points are existing and are shown on the CPD site plan. Any changes shall be subject to the approval of the Division of Transportation.
- K. Buffering, Landscaping, Open Space, and/or Screening Commitments.

1. All landscaping is shown on the CPD site plan and shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
- L. Building Design and/or Interior-Exterior Treatment Commitments-N/A
- M. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 1. Lighting
 - a. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
 - b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.
 - d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
 - e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
 2. Outdoor Display Areas-N/A.
- N. Graphics and/or Signage Commitments.
 1. All graphics and signage shall comply with the Graphics Code, Article 15; Title 33 of the Columbus City Code as they apply to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
- O. Miscellaneous Commitments-N/A

4. CPD REQUIREMENTS:

- A. Natural Environment: This site is composed of a 24-space improved parking lot and currently drains to the street as shown on the CPD site plan.
- B. Existing Land Use: The existing land use is a 24-space improved parking lot zoned in the CPD District (Ordinance #1502-97).
- C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
- D. Visual Form of Environment: The existing parking lot resides amongst commercial and residential sites that are approximately .25 acres in size.
- E. View and Visibility: The site is currently designed such that consideration is given to the visibility and safety of motorists and pedestrians.
- F. Proposed Development: This is an existing 24-space improved parking lot.
- G. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
- H. Emissions: The existing development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

SUBAREA 6:

2. **PERMITTED USES:** An existing community building that once was a church and is currently used for neighborhood meetings, offices, and a food and clothing pantry, and a 16-space parking lot that is shared with Triedstone Missionary Baptist Church and shall remain unchanged.

3. DEVELOPMENT STANDARDS:

- A. Density, Height, Lot and/or Setback Commitments.
 1. Building and parking setbacks are existing and are shown on the CPD site plan.
- B. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 1. All circulation, curb cuts and access points are existing and are shown on the CPD site plan. Any changes shall be subject to the approval of the Division of Transportation.
- C. Buffering, Landscaping, Open Space, and/or Screening Commitments.
 1. All landscaping is shown on the CPD site plan and shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
- D. Building Design and/or Interior-Exterior Treatment Commitments-N/A
- E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 1. Lighting-The items listed will be included if future lighting is included in the development plan.
 - a. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
 - b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.

- d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
- e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
- 2. Outdoor Display Areas-N/A.
- F. Graphics and/or Signage Commitments.
 - 1. All graphics and signage shall comply with the Graphics Code, Article 15; Title 33 of the Columbus City Code as they apply to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
- G. Miscellaneous Commitments-N/A
- 4. CPD REQUIREMENTS:**
 - A. Natural Environment: This site is composed of a community building and improved parking and currently drains to the street as shown on the site plan.
 - B. Existing Land Use: The existing land use is a community building and improved parking zoned in the C-1 District.
 - C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
 - D. Visual Form of Environment: The existing parking lot resides amongst commercial and residential sites that are approximately .25 acres in size.
 - E. View and Visibility: The site is currently designed such that consideration is given to the visibility and safety of motorists and pedestrians.
 - F. Proposed Development: This is an existing community building and improved parking lot.
 - G. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
 - H. Emissions: The existing development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

SUBAREA 7:

- 2. **PERMITTED USE:** A private 8-space parking lot that is for the sole use of Triedstone Missionary Baptist Church for church services and activities. It was developed in accordance with Ordinance # 2219-86 (Z86-043) shall remain unchanged.

3. DEVELOPMENT STANDARDS:

- A. Density, Height, Lot and/or Setback Commitments.
 - 1. Parking setbacks are existing and are shown on the CPD site plan.
- B. Access, Loading, Parking, and/or Other Traffic Related Commitments.
 - 1. All circulation, curb cuts and access points are existing and are shown on the CPD site plan. Any changes shall be subject to the approval of the Division of Transportation.
- C. Buffering, Landscaping, Open Space, and/or Screening Commitments.
 - 1. All landscaping is shown on the site plan and shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
 - 2. Deciduous street trees will be planted along Third Ave. as shown on the CPD site plan.
 - 3. All planted trees shall have a minimum caliper for ornamental trees of 1 ½" and for shade trees of 2 ½" at time of planting.
- I. Building Design and/or Interior-Exterior Treatment Commitments-N/A
- J. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.
 - 1. Lighting
 - a. All external lighting shall be cut-off fixtures (down-lighting) and shall be designed to prevent offsite spillage.
 - b. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers' types to insure compatibility.
 - c. Accent lighting shall be permitted providing such light source is concealed.
 - d. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
 - e. Light poles shall not exceed 14 feet in height within 100 feet of residentially zoned property.
 - 2. Outdoor Display Areas-N/A.
- K. Graphics and/or Signage Commitments.
 - 1. All graphics and signage shall comply with the Graphics Code, Article 15; Title 33 of the Columbus City

Code as they apply to the C-2, Commercial District, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

L. Miscellaneous Commitments-N/A

4. CPD REQUIREMENTS:

- I. Natural Environment: This site is composed of an 8-space improved parking lot and currently drains to the street as shown on the CPD site plan.
- J. Existing Land Use: The existing land use is an 8-space improved parking lot zoned in the CPD District (Ordinance #1502-97).
- K. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.
- L. Visual Form of Environment: The existing parking lot resides amongst residential sites that are approximately .10 acres in size.
- M. View and Visibility: The site is currently designed such that consideration is given to the visibility and safety of motorists and pedestrians.
- N. Proposed Development: This is an existing 8-space improved parking lot.
- O. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
- P. Emissions: The existing development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

5. MISCELLANEOUS FOR ALL SUBAREAS:

- A. The Subject Site shall be developed in accordance with the CPD site plan. The plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development or when engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Development or his or her designee upon submission of the appropriate data regarding the proposed adjustment. Landscaping, screening, and sidewalks shall only be installed upon the development of the parcel.
- B. If additional parcels are added to the subject property for parking lot expansions, they may be rezoned to the CPD, Commercial Planned Development District separately, and this current application (Z03-077) will not need to be included.

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

Legislation Number: 0454-2004

Drafting Date: 02/26/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation will enable the Division of Sewerage and Drainage to obtain Heating Oil in accordance with a cooperative purchasing contract bid by the Franklin County Purchasing Office. This contract was bid specifically to be a cooperative contract for use by other governmental agencies. The contract expires December 31, 2004.

The Division of Sewerage and Drainage, Southerly Wastewater Treatment Plant requires Heating Oil for boilers that heat the buildings throughout the plant. Items required will be obtained in accordance with the Cooperative Contract.

The Southerly Wastewater Treatment Plant used Heating Oil for both heating the buildings and the incineration process, In 2003 the plant began utilizing natural gas for the incineration process, which is reflected in the amounts spent in 2002 and 2003. However, the plant's boilers that heat buildings require heating oil.

SUPPLIER: BP Products North America Incorporated (36-2440313)

FISCAL IMPACT: \$140,000.00 is required and budgeted for this item.

\$100,000.00 was spent in 2003
\$1,200,00.00 was spent in 2002

Emergency legislation is being requested so that heating the buildings at Southerly can continue without interruption.

Title

To authorize the Director of Finance to establish a Blanket Purchase Order for Heating Oil from an established Cooperative Purchase Contract with BP Products North America Inc. for the Division of Sewerage and Drainage, to authorize the expenditure of \$140,000.00 from the Sewerage System Operating Fund, and to declare an emergency (\$140,000.00)

Body

WHEREAS, a Cooperative Purchasing Contract has been established with BP Products North America Inc, by the Franklin County Purchasing Department for use by the County and other governmental entities belonging to the Central Ohio Organization of Public Purchasers for the option to purchase Heating Oil through December 31, 2004; and,

WHEREAS, the Division of Sewerage and Drainage wishes to establish a blanket purchase order to heat buildings at the Southerly Wastewater Treatment Plant; 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 establish a blanket purchase order for Heating Oil with BP Products of North America so that heating the buildings at Southerly can continue without interruption 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 Finance be and is hereby authorized to establish a blanket purchase order for the purchase of Heating Oil from a contract with BP Products North America Inc, for use by the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$140,000.00 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 605055, Object Level 1: 02, Object Level 3: 2278.

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

Legislation Number: 0455-2004

Drafting Date: 02/26/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation This ordinance is submitted to settle the claim of Joseph Courtney in the amount of Fifty Thousand Dollars (\$50,000.00).

Funds are available for this settlement that will cost Fifty Thousand Dollars (\$50,000.00).

TitleTo authorize and direct the City Attorney to settle the claim of Joseph Courtney, to authorize the expenditure of Fifty Thousand Dollars (\$50,000.00) and to declare an emergency.

BodyWHEREAS:

On July 31, 2003, at approximately 4:30 a.m. Joseph Courtney was stopped for an alleged red light violation, and;

WHEREAS:

Joseph Courtney was taken into custody following his failure to display his driver's license, and;

WHEREAS:

Joseph Courtney was maced and received injuries at the time of his arrest, and;

WHEREAS:

The criminal charges against Joseph Courtney were dismissed, and;

WHEREAS:

Joseph Courtney has presented a claim alleging false arrest, excessive force, and malicious prosecution, and;

WHEREAS:

Due to the facts involved in this incident a settlement figure in the amount of Fifty Thousand Dollars (\$50,000.00) is a fair and reasonable amount, and;

WHEREAS:

An emergency exists in the usual daily operation of the Department of Public Safety, Division of Police, and it is immediately necessary to pay this claim for the preservation of the public peace, health, safety and welfare; now therefore:

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

Section 1. That the City Attorney be and hereby is authorized and directed to settle the claim of Joseph Courtney by the payment of Fifty Thousand Dollars (\$50,000.00), as a reasonable and fair amount and in the best interests of the City of Columbus.

Section 2. That for the purposes of paying this settlement, there be and hereby is authorized to be expended by the City of Columbus, Department of Safety, Division of Police, General Fund 010, Department No. 30-03, OAC Code 301382, Object Level One 05, Object Level Three 5569, the sum of Fifty Thousand Dollars (\$50,000.00).

Section 3. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer in the sum of Fifty Thousand Dollars (\$50,000.00) payable to Joseph Courtney and his attorney, Stanley B. Dritz, upon receipt of a voucher and a release approved by the City Attorney.

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: 0456-2004

Drafting Date: 02/27/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: Capital expenditures are required for the purchase of materials and services for the construction of various street lighting projects in order to obtain the Division of Electricity's objectives of Project 2020 and its mission

statement to provide reliable street lighting. These materials and services will be obtained, as needed, in compliance with the provisions of Columbus City Codes, Chapter 329 and Title 39. This legislation also authorizes a transfer of \$130,000.00 from the Special Income Tax Fund (SIT), and the subsequent transfer and appropriation from the SIT to the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund.

Emergency action is requested in order that the financial transactions may be completed and the materials and services obtained so as not to delay the installation of new street lighting projects.

FISCAL IMPACT: Funding from the Special Income Tax (SIT) fund is a temporary measure until the next bond sale occurs, at which point the SIT will be reimbursed.

Title

To authorize and direct the City Auditor to transfer \$130,000.00 from the Special Income Tax Fund to the Voted Street Lighting and Electricity Distribution Improvements Fund: to authorize the appropriation of said funds; to authorize capital expenditures for the purchase of materials and services required for the construction of street lighting projects up to an amount not to exceed \$130,000.00 from the Voted Electricity and Street Lighting Improvements Fund; and to declare an emergency. (\$130,000.00)

Body

WHEREAS, the Division of Electricity requires various capital expenditures for the construction of street lighting projects; and

WHEREAS, said capital expenditures will be in accordance with Columbus City Codes, Chapter 329; and

WHEREAS, a transfer of funds from the Special Income Tax Fund is necessary to fund the capital expenditures for new street lighting; 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 \$130,000.00; and

WHEREAS, emergency action is necessary to meet the division's needs for various materials and services in order that the installation of new street lighting projects will not be further delayed; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Electricity, in that it is immediately necessary to authorize capital expenditures for materials and services required for the construction of street lighting projects 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 \$130,000.00 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 Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553 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 \$130,000.00 is hereby transferred and appropriated to the Division of Electricity 60-07, Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund 553, Street Lighting Project 670003, OCA Code 675017, Object Level Three 6625.

SECTION 4. That capital expenditures, in an amount not to exceed \$130,000.00, required by the Division of Electricity during the construction of street lighting projects shall be in accordance with the provisions of Chapter 329 and Title 39 of the Columbus City Codes, 1959, and are hereby authorized.

SECTION 5. That to pay the cost of the aforesaid purchase orders, the expenditure of an amount not to exceed \$130,000.00, or so much thereof as may be needed, is hereby authorized from Division of Electricity Division No. 60-07, Voted 1995 and 1999 Street Lighting and Distribution Improvements Fund 553, Project Number 670003, OCA 675017, Object Level Three 6625.

SECTION 6. That upon obtaining other funds for the Street Lighting 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 7. That the City Auditor is authorized to establish proper accounting project numbers, and to made 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 8. 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 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: 0457-2004

Drafting Date: 02/27/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The need exists to enter into a Jobs Creation Tax Credit Agreement with Value Recovery Group, Inc. The Ohio Tax Credit Legislation (Section 718.08 of the Ohio Revised Code) authorizing such agreements became effective January 14, 1993 and requires the City to enter a Council-approved agreement between the City and a participating company.

Value Recovery Group, Inc. plans to expand their business. The project will include an investment of \$147,500, the retention of 8 (eight) full-time jobs and the creation of 15 (fifteen) full-time jobs.

The Department of Development recommends a 50%/5 year jobs creation tax credit.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Director of the Department of Development to enter into an agreement with Value Recovery Group, Inc.

for a Jobs Creation Tax Credit of fifty percent (50%) for a period of five (5) years in consideration of a proposed \$147,500 investment, the retention of eight (8) new full-time jobs and the creation of fifteen (15) new full-time jobs.

Body

WHEREAS, pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these taxpayers job creation tax credits against their corporate franchise or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

WHEREAS, the State of Ohio Tax Credit Authority has granted Value Recovery Group, Inc. a 55% /6 year Jobs Creation Tax Credit; and

WHEREAS, pursuant to Section 718.08 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

WHEREAS, the granting of the tax credit by the City for the proposed expansion project by Value Recovery Group, Inc. will create fifteen (15) full-time permanent jobs and increase opportunities for employment and strengthen the economy of the city; and

WHEREAS, receiving these tax credits from the State and the City is a critical factor in Value Recovery Group, Inc.'s decision to go forward with the project; and

WHEREAS, Value Recovery Group, Inc. plans to expand their business; and

WHEREAS, the expansion will add approximately \$147,500 in investment within the City; and

WHEREAS, the City desires to enter into such a binding, formal agreement in order to foster economic growth; **NOW, THEREFORE,**

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

Section 1. That the City hereby finds and determines that the project will (1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax credits is a critical factor in the decision by Value Recovery Group, Inc. to go forward with the project.

Section 2. That the City Council hereby finds and determines that the project meets all the requirements of the City Act.

Section 3. That the Director of the Department of Development is hereby authorized and directed to enter into and execute a 5-year, 50% Jobs Creation Tax Credit Agreement with Value Recovery Group, Inc.

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

Legislation Number: 0458-2004

Drafting Date: 02/27/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The Columbus Health Department has a need for interpretation and written translation services for clients of various clinics and programs. It is necessary that specific language interpretation and translation services be provided for central Ohio residents in order to provide quality health services. The Ohio Hispanic Coalition, the Somalia Community Association of Ohio and Community Refugee and Immigration Services have consistently responded to our needs in the past including a comprehensive RFP process executed in 2003. This ordinance authorizes the Board of Health to enter into contracts with the Ohio Hispanic Coalition, the Somalia Community Association of Ohio and Community Refugee and Immigration Services in the amount of \$120,000 for the provision of interpretation and written translation services for the period April 1, 2004 through March 31, 2005.

These contracts were not competitively bid as two of these agencies have been sole responders in the past. The other one has been the lowest and best responder in the past and in the 2003 RFP process. All three agencies have agreed to maintain their 2003 pricing structure.

Emergency action is requested to ensure uninterrupted services for CHD clients.

FISCAL IMPACT: Funding for these services is budgeted in the Health Special Revenue Fund under the Minority Health Program (OCA 502062).

Title

To authorize the Board of Health to enter into contracts with three community agencies for the provision of interpretation and written translation services for the Columbus Health Department; to authorize the expenditure of \$120,000 from the Health Special Revenue Fund to pay the cost thereof; to waive the provisions of competitive bidding; and to declare an emergency. (\$120,000)

Body

WHEREAS, the Columbus Health Department has a need for interpretation and written translation services for central Ohio clients utilizing various clinics and programs; and,

WHEREAS, the Ohio Hispanic Coalition, the Somalia Community Association of Ohio and Community Refugee and Immigration Services can provide quality services as needed by the Health Department; and,

WHEREAS, emergency action is requested in order to prevent disruption of health services to central Ohio residents; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into contracts with three community agencies for interpretation and written translation services for the preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized to enter into contracts with the Ohio Hispanic Coalition, the Somalia Community Association of Ohio and Community Refugee and Immigration Services to provide interpretation and written translation services for various CHD programs for the period April 1, 2004 through March 31, 2005.

SECTION 2. That to pay the costs of said contracts, the expenditure of \$120,000 is hereby authorized from the Health

Special Revenue Fund, Fund No. 250, Department of Health, Division No. 50-01, Object Level One 03, Object Level Three 3445 as follows:

Ohio Hispanic Coalition	502062	\$35,000
Somalia Community Association of Ohio	502062	\$35,000
CRIS	502062	\$50,000

SECTION 3. That the provisions of Section 329.11 and 329.14 of the Columbus City Code are hereby waived. See attachment ORD0458-2004bidwaiv.doc.

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: 0459-2004

Drafting Date: 02/27/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: The Columbus Health Department has been awarded a grant service contract for the Alcohol and Drug Abuse Outpatient Program, Prevention Services, Women's Set-Aside, Lifestyle Risk Reduction/Childrer of Alcoholics, and HIV Early Intervention Program totaling \$447,892 from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board (ADAMH). These grants enable the Health Department to continue to provide treatment, counseling and prevention services to men, women, children and families and the homeless population.

Emergency action is requested for the following reasons: 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 to maintain the clients' continuity of care.

FISCAL IMPACT: The ADA grant service contract is primarily funded through the Franklin County ADAMH Board. The Alcohol and Drug Abuse Program will generate the following revenue: client fees in the amount of \$10,000, Medicaid in the amount of \$75,000, grant resources of \$22,308, and the City will provide support of \$103,500.

TitleTo Authorize and direct the Columbus Health Department to accept the grant service contact from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board in the amount of \$447,892; to authorize the total appropriation of \$658,700 which includes program revenues, from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$658,700)

Body

WHEREAS, \$447,892 in grant funds have been made available through the Franklin County Alcohol, Drug Addiction and Mental Health Services Board for the Alcohol and Drug Abuse 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 usually daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant service contract from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board and to appropriate these funds to the Health Department for continuation of client care and for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore:

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

SECTION 1. That the Columbus Health Department is hereby authorized and directed to accept a grant service contract of \$447,892 from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board for the continuation on the Alcohol and Drug Abuse Program for the grant period January 1, 2004 through June 30, 2004.

SECTION 2. That 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 \$658,700 is hereby appropriated to the Health Department, Division 50-01, as follows:

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503027, Obj. Level 1: 01, OCA: 503027, Amount: \$147,500
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503027, Obj. Level 1: 02, OCA: 503027, Amount: \$ 4,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503027, Obj. Level 1: 03, OCA: 503027, Amount: \$ 8,000

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503028, Obj. Level 1: 01, OCA: 503028, Amount: \$ 55,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503028, Obj. Level 1: 02, OCA: 503028, Amount: \$ 500
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503028, Obj. Level 1: 03, OCA: 503028, Amount: \$ 2,700

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503029, Obj. Level 1: 01, OCA: 503029, Amount: \$ 30,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503029, Obj. Level 1: 02, OCA: 503029, Amount: \$ 500
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503029, Obj. Level 1: 03, OCA: 503029, Amount: \$ 2,000

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503030, Obj. Level 1: 01, OCA: 503030, Amount: \$152,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503030, Obj. Level 1: 02, OCA: 503030, Amount: \$ 500
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503030, Obj. Level 1: 03, OCA: 503030, Amount: \$ 4,000

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503031, Obj. Level 1: 01, OCA: 503031, Amount: \$224,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503031, Obj. Level 1: 02, OCA: 503031, Amount: \$ 3,500
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 503031, Obj. Level 1: 03, OCA: 503031, Amount: \$ 24,500

TOTAL APPROPRIATION

\$658,700

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: 0461-2004

Drafting Date: 02/27/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The Refuse Collection Division utilizes 90 and 300-gallon containers in its mechanized collection system. These containers are distributed to new residences and are also used for replacement and in-fill purposes. The division also requires replacement parts for containers that are not covered by warranties. This legislation authorizes the Finance Director to establish purchase orders for the purchase of 90 and 300-gallon refuse containers and container parts for the Refuse Collection Division per the terms and conditions of existing citywide contracts as follows:

Toter, Incorporated (Contract #FL001039 expiring February 12, 2005)

<u>Quantity and Item</u>	<u>Extended cost</u>
6,912 90-Gallon Containers	\$265,489.92
500 90-Gallon Container Lids	\$ 7,500.00
[Lot] Miscellaneous Parts (wheel sets, fasteners, etcetera)	<u>\$ 5,462.08</u>
Total	\$ 278,452.00

Rotonics Manufacturing, Incorporated (Contract #FL001040 expiring February 27, 2005)

<u>Quantity and Item</u>	<u>Extended cost</u>
1,500 300-gallon Containers	\$264,000.00
300 300-gallon Container lids	<u>\$ 43,000.00</u>
Total	\$307,000.00

The total expenditure authorized within this ordinance is \$585,452.00.

Toter, Incorporated's contract compliance number is 56-1362422 and expires January 16, 2007. Rotonics Manufacturing, Incorporated's contract compliance number is 36-2467474 and expires November 3, 2006.

This purchase is budgeted in the mechanized collection system project within the 1995, 1999 Voted Refuse Collection Fund. However, all available cash has been expended from this Fund. The division is permitted to certify up to and including \$2,000,000.00 against the Special Income Tax Fund prior to the next bond/note sale; previous legislation (Ordinance 0023-2004) obligated \$1,414,548.00 of this amount for the purchase of nine (9) automated sideloader vehicles. This ordinance certifies the cost of these containers and container parts from the Special Income Tax Fund. This is a temporary funding device until the next bond/note sale at which time the Special Income Tax Fund will be reimbursed. The division spent \$832,560.00 in 2000, \$241,705.23 in 2001, \$1,341,355.20 in 2002, \$330,485.00 in 2003 and \$29,835.00 in 2004 (year-to-date) for refuse collection containers/container parts.

Emergency action is requested to expedite the receipt of these containers/container parts to continue uninterrupted refuse collection service to residents.

Title

To appropriate and authorize the City Auditor to transfer \$585,452.00 from the Special Income Tax Fund to the 1995, 1999 Voted Refuse Collection Fund; to authorize and direct the Finance Director to establish purchase orders with Toter, Incorporated, and Rotonics Manufacturing, Incorporated, for the purchase of mechanized collection containers and container parts for the Refuse Collection Division per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$585,452.00 from the 1995, 1999 Voted Refuse Collection Fund, and to declare an emergency.

(\$585,452.00)

Body

WHEREAS, the Refuse Collection Division has determined the need for additional 90-gallon and 300-gallon refuse collection containers and container parts for use in its operations; and

WHEREAS, citywide term contracts with Toter, Incorporated, and Rotonics Manufacturing, Incorporated, exist for the purchase of said needed containers and container parts; 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 purchase these containers and container parts to continue uninterrupted refuse collection service to residents, 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 \$585,452.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5500 and OCA Code 920023.

SECTION 2. That the City Auditor is hereby authorized to transfer said funds to the 1995, 1999 Voted 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 \$585,452.00 is hereby appropriated within the 1995, 1999 Voted Refuse Collection Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6651, OCA Code 644419 and Project 520001 to purchase mechanized collection containers and container parts for the Refuse Collection Division.

SECTION 4. That the monies appropriated in the foregoing 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 5. 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 6. 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 7. That the City intends that this ordinance constitute an official intent for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

SECTION 8. That the Finance Director be and hereby is authorized to establish a purchase order in the amount of \$278,452.00 with Toter, Incorporated, 841 Meacham Road, Statesville, North Carolina 28677 for the purchase of 6,912 90-gallon containers (\$38.41 each), 500 90-gallon container lids (\$15.00 each) and miscellaneous parts (\$5,462.08) in accordance with the terms and conditions of universal term contract FL001039 established for this purpose.

SECTION 9. That the Finance Director be and hereby is authorized to establish a purchase order in the amount of \$307,000.00 with Rotonics Manufacturing, Incorporated, 736 Birginal Drive, Bensenville, Illinois 60106 for the purchase of 1,500 300-gallon containers (\$176.00 each) and 500 300-gallon container lids (\$86.00 each) in accordance with the terms and conditions of universal term contract FL001040 established for this purpose.

SECTION 10. That to pay the cost of the aforementioned purchase orders, the expenditure of \$585,452.00 or so much

thereof as may be needed is authorized from the 1995, 1999 Voted Refuse Collection Fund, Fund 703, Department No. 59-02, Public Service Department, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6651, OCA code 644419 and Project 520001.

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

Legislation Number: 0464-2004

Drafting Date: 03/01/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Sampler Systems for Sewerage Sludge for the Division of Sewerage and Drainage, the largest user. The term of the proposed option contract would be two years with the option to renew for one additional year. The contract is through March 31, 2006, with the extension through March 31, 2007.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001026.) Thirty-eight (MAJ:36, MBE:1, FBE:1) bids were solicited; two (MAJ:1, FBE:1) bids were received.

The Purchasing Office is recommending award of the contract to the low bidder:

Columbus Supply, FBE, CC#311571445. This company is not debarred according to the Federal Excluded Parties Listing. Total Estimated Annual Expenditure: \$196,289.36

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Division of Sewerage and Drainage will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into one contract for the option to purchase Sampler Systems for Sewerage Sludge with Columbus Supply, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 12, 2004 and selected the lowest bid; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, in order to establish a supply matrix for Sampler Systems for Sewerage Sludge to maintain the health and safety of our community, this was submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary

to enter into a contract for an option to purchase Sampler Systems for Sewerage Sludge, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Sampler Systems for Sewerage Sludge in accordance with Solicitation No. SA001026 as follows:

Columbus Supply, Items: All Items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0466-2004

Drafting Date: 03/01/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

The purpose of this legislation is to authorize the appropriation and transfer of \$259,500.00 from the Special Income Tax Fund No. 430 to the Voted 1995 and 1999 Parks and Recreation Bond Fund No. 702; and, to authorize the Director of Recreation and Parks to enter into a contract with Supreme Irrigation for the Walnut Hill Golf Course Irrigation Project.

Bids were received by the Recreation and Parks Department on February 20, 2004 for the Walnut Hill Golf Course Irrigation Project as follows:

	<u>Status</u>	<u>Amount</u>
Supreme Irrigation	Majority	\$234,500.00
Oakland Nursery	Majority	\$275,000.00
Buckeye Landscape	Majority	\$318,084.00

Project includes installation of a completely new nine (9) hole irrigation system at Walnut Hill Golf Course.

The Contract Compliance Number for Supreme Irrigation is #31-1779021.

A contingency amount of \$23,000.00 is being included in this project.

The approximate cost of Recreation and Parks staff time on this project is \$2,000.00 (02-041).

This ordinance is submitted as an emergency to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management. Additionally, legislation should be emergency as project needs to begin immediately in order to be completed prior to the busy summer golf season.

Fiscal Impact:

The transfer of \$259,500 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund is a temporary measure until the City sells notes or bonds to fund these improvements.

d

Title

To authorize the appropriation and transfer of \$259,500.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Supreme Irrigation for the Walnut Hill Golf Course Irrigation Project, to authorize the expenditure of said funds, and to declare an emergency. (\$259,500.00)

Body

WHEREAS, bids were received by the Recreation and Parks Department on February 20, 2004, and the contract for the Walnut Hill Golf Course Irrigation Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, and this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$259,500.00 and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1995 and 1999 Parks and Recreation Bond Fund and to enter into said contract for irrigation system to allow project to begin immediately in order to be completed by the busy summer golf season; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Supreme Irrigation, for the Walnut Hill Golf Course Irrigation Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That from the unappropriated monies in the Special Income Tax Fund No. 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, the sum of \$259,500.00 is appropriated to the City Auditor, Department No. 22-01, Object Level 3 - 5502, OCA Code 902023.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995 and 1999 Parks and Recreation 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 4. That the amount of \$259,500.00 is hereby appropriated to the Voted 1995 and 1999 Parks and Recreation Bond Fund, Division 51-01, Fund 702, as follows:

Fund Type	Project No.	Project Title	Object Level 3	OCA Code	Amount
Capital Proj.	510429	Golf Improvements	6621	644526	\$257,500.00
Capital Proj.	510429	Golf Improvements	6680	644526	2,000.00

SECTION 5. That the expenditure of \$259,500.00 or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, Dept. 51-01, as follows, to pay the cost thereof.

Fund Type	Project No.	Project Title	Object Level 3	OCA Code	Amount
Capital Proj.	510429	Golf Improvements	6621	644526	\$257,500.00
Capital Proj.	510429	Golf Improvements	6680	644526	2,000.00

SECTION 6. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$23,000.00 has been included in Section 5, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

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

SECTION 8. That upon obtaining other funds for this project the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3, above; and said funds are hereby deemed appropriated for such purpose.

SECTION 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3, above.

SECTION 10. That the City intends that this ordinance constitutes 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 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0467-2004

Drafting Date: 03/01/2004

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application Z03-107

APPLICANT: Homewood Corporation; c/o Shawn Lanning, Watcom; 7854 Astra Circle; Reynoldsburg, Ohio 43068.

PROPOSED USE: Single-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on February 12, 2004.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests the R-2, Residential District to develop a single-family subdivision. The requested land use is consistent with the surrounding single-family uses.

TitleTo rezone **4475 BERTHSTONE DRIVE (43231)**, being 3.5± acres located at the terminus of Berthstone Drive 280 feet west of Berthstone Court. **From:** AR-12, Apartment Residential and SR, Suburban Residential Districts. **To:** R-2, Residential District **and to declare an emergency.** (Rezoning # Z03-107)

Body

WHEREAS, application #Z03-107 is on file with the Building Services Division of the Department of Development requesting rezoning of 3.5± acres from: AR-12, Apartment Residential and SR, Suburban Residential Districts, to: R-2, Residential District; and

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

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to permit the submittal of the subdivision plat for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the City Departments recommend approval of said zoning change because the applicant requests the R-2, Residential District to develop a single-family subdivision. The requested land use is consistent with the surrounding single-family uses, now, therefore:

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

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

4475 BERTHSTONE DRIVE (43231), being 3.5± acres located at the terminus of Berthstone Drive 280 feet west of Berthstone Court and being more particularly described as follows:

DESCRIPTION OF 3.00 ACRES FOR HOMEWOOD COPORATION

NOVEMBER 26, 2003

JOB: BWM8A

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, PART OF LOT 8 OF THE SOUTHWEST QUARTER OF TOWNSHIP 2, RANGE 17, UNITED STATES MILITARY LANDS, AND BEING 3.00 ACRES, SHOWN AS RESERVE "A" ON THE PLAT OF BRANDYWINE MEADOWS SECTION 8 AS RECORDED IN P.B. 76, PG. 81, OF THE FRANKLIN COUNTY RECORDER'S RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID SUBDIVISION ALSO BEING THE SOUTHWESTERLY CORNER OF SAID RESERVE "A";

THENCE NORTH 4°52'21" EAST A DISTANCE OF 251.25 FEET, FOLLOWING THE WESTERLY LINE OF SAID RESERVE "A" AND BOUND TO THE WEST BY BELMONT PLACE P.B. 18, PG. 1, TO A POINT;

THENCE SOUTH 85°33'43" EAST A DISTANCE OF 631.72 FEET, FOLLOWING THE NORTHERLY LINE OF SAID RESERVE "A" AND BOUND TO THE NORTH BY CELEVELAND HEIGHTS P.B. 16, PG. 56, TO A POINT;

THENCE SOUTH 4°55'35" WEST A DISTANCE OF 56.63 FEET, FOLLOWING A EASTERLY LINE OF SAID RESERVE "A" AND BOUND TO THE EAST BY LOT 415 OF SAID BRANDYWINE MEADOWS SECTION 8, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF BERTHSTONE DRIVE A PUBLIC STREET AS PLATED ON SAID BRANDYWINE MEADOWS SECTION 8;

THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 57°22'15", A CHORD BEARING OF SOUTH 66°14'27" WEST, AND A CHORD DISTANCE OF 48.00 FEET, FOLLOWING THE RIGHT-OF-WAY OF SAID BERTHSTONE DRIVE, TO A POINT;

THENCE NORTH 43°57'45" WEST A DISTANCE OF 29.09 FEET, FOLLOWING A SOUTHERLY LINE OF SAID RESERVE "A" AND A NORTHERLY LINE OF LOT 414 OF SAID BRANDYWINE MEADOWS SECTION 8, TO A POINT;

THENCE NORTH 85°33'43" WEST A DISTANCE OF 89.24 FEET, FOLLOWING A SOUTHERLY LINE OF SAID RESERVE "A" AND A NORTHERLY LINE OF SAID LOT 414, TO A POINT;

THENCE SOUTH 4°55'35" WEST A DISTANCE OF 195.32 FEET, FOLLOWING A EASTERLY LINE OF SAID RESERVE "A", AND BOUND TO THE EAST BY SAID LOT 414 AND LOT 413, OF SAID BRANDYWINE MEADOWS SECTION 8, TO A POINT;

THENCE NORTH 85°04'25" WEST A DISTANCE OF 478.20 FEET, FOLLOWING A SOUTHERLY LINE OF SAID RESERVE "A", BOUND TO THE SOUTH BY A 16.286 ACRE TRACT CONVEYED TO CASTO COMMUNITIES, TO THE POINT OF BEGINNING, CONTAINING 3.00 ACRES, MORE OR LESS, SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS, AND RESTRICTIONS OF PRIOR RECORD.

THIS DESCRIPTION WAS BASED ON PRVIOUS RECORDS.

BEARINGS WERE BASED ON THE CENTERLINE OF BRANDYWINE DRIVE AS BEING SOUTH 85°04'25" EAST AS SHOWN IN P.B. 76, PG. 81, OF THE FRANKLIN COUNTY RECORDER'S RECORDS.

JERRY A. MALOTT
REGISTERED SURVEYOR #5963

To Rezone From: AR-12, Apartment Residential District,

To: R-2, Residential District.

DESCRIPTION OF 0.509 ACRE FOR HOMEWOOD COPORATION

NOVEMBER 26, 2003

JOB: BWM8B

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, PART OF LOT 8 OF THE SOUTHWEST QUARTER OF TOWNSHIP 2, RANGE 17, UNITED STATES MILITARY LANDS, AND BEING 0.509 ACRE, SHOWN AS LOTS 413 AND 414 ON THE PLAT OF BRANDYWINE MEADOWS SECTION 8 AS RECORDED IN P.B. 76, PG. 81, OF THE FRANKLIN COUNTY RECORDER'S RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE AT THE SOUTHWESTERLY CORNER OF SAID SUBDIVISION ALSO BEING THE SOUTHWESTERLY CORNER OF RESERVE "A" OF SAID PLAT;

THENCE SOUTH 85°04'25" EAST A DISTANCE OF 478.20 FEET, FOLLOWING THE SOUTHERLY LINE OF SAID RESERVE "A" TO THE **TRUE POINT OF BEGINNING** OF THIS TRACT;

THENCE NORTH 4°55'35" EAST A DISTANCE OF 195.32 FEET, FOLLOWING THE WESTERLY LINES OF SAID LOTS 413 AND 414 OF SAID PLAT, AND BOUND TO THE WEST BY SAID RESERVE "A", TO A POINT;

THENCE SOUTH 85°33'43" EAST A DISTANCE OF 89.24 FEET, FOLLOWING A NORTHERLY LINE OF LOT 414, AND BOUND TO THE NORTH BY SAID RESERVE "A", TO A POINT;

THENCE SOUTH 43°57'45" EAST A DISTANCE OF 29.09 FEET, FOLLOWING A NORTHERLY LINE OF LOT 414, AND BOUND TO THE NORTH BY SAID RESERVE "A", TO A POINT ON THE RIGHT-OF-WAY OF BERTHSTONE DRIVE AS PLATTED ON SAID PLAT;

THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, A DELTA ANGLE OF 116°52'57", A CHORD BEARING OF SOUTH 20°53'08" EAST, AND A CHORD DISTANCE OF 85.21 FEET, FOLLOWING SAID RIGHT-OF-WAY OF SAID BERTHSTONE DRIVE, TO A POINT;

THENCE SOUTH 36°26'10" WEST A DISTANCE OF 117.59 FEET, FOLLOWING THE EASTERLY LINE OF LOT

413, AND BOUND TO THE EAST BY LOT 412, TO A POINT;

THENCE NORTH 85°04'25" WEST A DISTANCE OF 86.80 FEET, FOLLOWING THE SOUTHERLY LINE OF LOT 413, AND BOUND TO THE SOUTH BY A 16.286 ACRE TRACT, CONVEYED TO CASTO COMMUNITIES, TO THE POINT OF BEGINNING, CONTAINING 0.509 ACRE, MORE OR LESS, SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS, AND RESTRICTIONS OF PRIOR RECORD.

THIS DESCRIPTION WAS BASED ON PRVIOUS RECORDS.

BEARINGS WERE BASED ON THE CENTERLINE OF BRANDYWINE DRIVE AS BEING SOUTH 85°04'25" EAST AS SHOWN IN P.B. 76, PG. 81, OF THE FRANKLIN COUNTY RECORDER'S RECORDS.

JERRY A. MALOTT
REGISTERED SURVEYOR #5963

To Rezone From: SR, Suburban Residential District,

To: R-2, Residential District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on the R-2, Residential District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division.

Section 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 0469-2004

Drafting Date: 03/01/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This legislation authorizes the appropriation and transfer of \$545,000.00 from the special income tax fund, fund 430, to the Technology Department information services capital projects fund, fund 752. It also authorizes the Director of Technology to enter into a contract with Roscor Corporation for the purchase of a video distribution head-end based on solicitation SA000491 that was opened on August 21, 2003. A total of 78 suppliers were solicited under this bid with Roscor Corporation submitting the best and most responsive bid as determined by the review committee.

This ordinance provides for the replacement of the city's video distribution head-end. The head-end distributes live and videotaped program signals to the city's three cable operators for the cablecast of the public, educational and government channels. The current video distribution head-end is over twenty years old and operates with obsolete equipment making repair and/or the acquisition of parts replacements extremely difficult. The head-end replacement will provide for digital storage and transmission greatly enhancing the capabilities of a head-end facility plus provide capacity for an additional channel designed for internal city use and video distribution to the Internet.

The new head-end will provide saving through decreased repair costs and more efficient operations. Additional cost savings can be realized through the internal channel for training classes.

Emergency:

This ordinance is submitted as an emergency to allow the financial transaction to be posted in the city's accounting system as soon as possible in order for the head-end replacement to begin in March 2004.

Fiscal Impact:

The transfer of \$545,000 from the special income tax fund to the Technology Department information services capital projects fund is a temporary measure until the city sells notes or bonds to fund this needed improvement.

Title

To authorize the City Auditor to appropriate and transfer \$545,000.00 from the special income tax fund to the Department of Technology information services capital projects fund for the purchase of a replacement video distribution head-end, to authorize the Director of the Department of Technology to enter into a contract with Roscor Corporation for the purchase of said video distribution head-end, to amend the 2003 Capital Improvements Budget, and to declare an emergency. (\$545,000.00)

Body WHEREAS, it is in the best interest of the citizens of Columbus to provide for the broadest possible distribution of information on government affairs, enhancement of educational opportunities and encourage open discourse on issues of concern to the public at large through the use of video distribution technologies; and

WHEREAS, the City of Columbus has required of its cable operators the provision of as many as six broadcast television channels for use by the public, as well as educational and governmental institutions; and

WHEREAS, the purchase of a digital video distribution head-end facility will make it possible to continue to utilize the cable access channels for their intended purpose and expand the capacity of the city to distribute video both internally and externally; and

WHEREAS, it is necessary to appropriate and transfer funds from the special income tax fund to the Technology Department information services capital projects fund; and

WHEREAS, the aggregate principal amount of obligation the city will issue to finance the project is presently expected not to exceed \$545,000.00; and,

WHEREAS, the transfer of \$545,000 from the special income tax fund to the Technology Department information services capital projects fund is a temporary measure until the city sells notes or bonds to fund this needed improvement; and,

WHEREAS, an emergency exists in the usual daily operation of the Technology Department in that there is an immediate need to allow the financial transaction to be posted in the City's accounting system as soon as possible in order for the purchase of a digital video head-end replacement through Roscor Corporation to begin in March 2004, all to preserve the peace, safety and welfare; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF COLUMBUS:

Section 1. That from the unappropriated monies from in the special income tax fund, fund 430, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year December 31, 2004, the sum of five hundred forty-five thousand dollars (\$545,000.00) is hereby appropriated to the City Auditor, Department 22-01, Object Level 1- 10, Object Level 3-5501, OCA 902023.

Section 2. That the City Auditor is hereby authorized to transfer said funds from Section 1 above to the information services capital projects fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much as may be necessary.

Section 3. That the amount of \$545,000.00 from Section 1 above is hereby appropriated to the information services capital projects fund, fund 752, Information Services Division, Department No. 47-03, Object Level 1-06, Object Level 3-6644, OCA Code 644484, project number 473001, Head-end Replacement.

Section 4. That upon obtaining other funds for this project, the City Auditor is hereby authorized to repay the special income tax fund the amount transferred under Section 2, above; and said funds are hereby deemed appropriated for such purpose.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in section 2.

Section 6. The city intends that this ordinance constitutes and official intent for the purpose of Section 1.150-2(e) of the Treasure Regulations promulgated pursuant to the Internal Revenue Service Code of 1986, as amended.

Section 7. That the Director of the Department of Technology is hereby authorized to enter into a contract with Roscor Corporation for the purchase of a video distribution head-end.

Section 8. That the expenditure of \$545,000.00 is hereby authorized as follows:

Dept/Div: 4703
Fund: 725
OCA: 644484
Object Level 1: 06
Object Level 3: 6644
Project Number: 473001-Head-end Replacement

Section 9. That 2003 Capital Improvements Budget is hereby amended as follows:

<u>Project Number</u>	<u>Title</u>	<u>Current 2003 CIB</u>	<u>Amended 2003 CIB</u>
473001	Head-end Replacement	0	\$545,000

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

Legislation Number: 0474-2004

Drafting Date: 03/02/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department operates the Ben Franklin Tuberculosis Clinic under a grant received from Franklin County. Radiology services are necessary to provide preliminary screenings of x-rays for patients. In September, 2003, a request for proposals for radiology services for a two-year period was advertised in the City Bulletin

and sent to three providers. Proposals were received from Ohio Health (Grant/Riverside Hospitals) and Community Radiology, Inc. A committee was established to evaluate the proposals, and, after review, it was decided to award contracts to both providers. The committee selected Ohio Health to perform x-rays on adults for a fee of \$45.00 per two-view x-ray (PA and lateral). They are able to provide services from two locations, one of which is accessible to the City's Somali population. Community Radiology, Inc. was selected because of their expertise to perform x-rays on children as well as adults. They are able to provide services at their single location for a fee of \$35.00 per two-views (PA and lateral). Both providers meet the criteria in the RFP, and both providers also offer good proximity to the T.B. Clinic. Contract compliance numbers are: Ohio Health #31-4394942, and Community Radiology #31-1712842. Emergency action is requested to ensure continued services for T.B. patients.

FISCAL IMPACT: All expenditures from this contract will be fully reimbursed by the grant received from Franklin County for the TB Clinic. \$250,000 was budgeted for these services in 2003 in the Health Special Revenue Fund. In 2004, the amount of \$200,000 is budgeted for x-ray services in the Health Department Grants Fund.

Title

To authorize the Board of Health to enter into contracts with Ohio Health (Grant/Riverside Hospitals) and Community Radiology, Inc. for the provision of radiology services for the Tuberculosis Clinic; to authorize the expenditure of \$200,000 from the Health Department Grants Fund to pay the cost thereof; and to declare an emergency. (\$200,000)

Body

WHEREAS, proposals for radiology services were formally solicited through advertisement in the City Bulletin; and,

WHEREAS, Ohio Health (Grant/Riverside Hospitals) and Community Radiology, Inc. submitted proposals; and,

WHEREAS, the evaluation committee determined that it would be beneficial for the T.B. Program and patients to award contracts to both providers; and,

WHEREAS, emergency action is requested to ensure continued radiology services for T.B. patients; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with Ohio Health (Grant/Riverside Hospitals) and Community Radiology, Inc. for the preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized to enter into contracts with the following providers for radiology services for the Ben Franklin Tuberculosis Clinic for the period January 1, 2004 through December 31, 2004.

Ohio Health (Grant/Riverside Hospitals)	\$120,000
Community Radiology, Inc.	<u>80,000</u>
Total	\$200,000

SECTION 2. That the expenditure of \$200,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Division No. 50-01, Object Level One 03, Object Level Three 3351, OCA 504055.

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

Drafting Date: 03/02/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

The purpose of this legislation is to authorize the Director of Recreation and Parks to enter into a contract with Peabody Landscape Group for the North Bank Park - Issue G Project.

Bids were received by the Recreation and Parks Department on February 5, 2004 for the North Bank Park - Issue G Project as follows:

	<u>Status</u>	<u>Amount</u>
**Environmental Mgmt.	Majority	\$115,185.00
Peabody Landscape Group	Majority	\$115,494.00
Oakland Nursery	Majority	\$127,200.00
Urban Environment	Majority	\$130,072.00
Rocky Fork	Majority	\$156,197.00
Greenscape Landscape	Majority	\$156,197.00
RWS	Majority	\$185,000.00
Buckeye Landscaping	Majority	\$188,307.00
Deitering	Majority	\$190,000.00

**Environmental Management submitted a proposal stating that they were a non-local company. Peabody's local credit equal to 1% of low bid made them the new apparent low bidder.

Project includes landscape irrigation at North Bank Park.

The Contract Compliance Number for Peabody Landscape Group is #31-1131560.

A contingency amount of \$8,000.00 is being included in this project.

The approximate cost of Recreation and Parks staff time on this project is \$2,500.00 (03-028).

This ordinance is submitted as an emergency to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management. Additionally, legislation should be emergency to allow project to be kept on schedule with existing and future construction projects in this riverfront area.

Fiscal Impact:

Fiscal impact will be to reduce the Recreation and Parks Grant Fund by \$125,994.00 to meet the financial obligation of this project.

Title

To authorize the Director of Recreation and Parks to enter into contract with Peabody Landscape Group for the North Bank Park - Issue G Project, to authorize the expenditure of said funds, and to declare an emergency. (\$125,994.00)

Body

WHEREAS, bids were received by the Recreation and Parks Department on February 5, 2004 and the contract for the North Bank Park - Issue G Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into contract to allow project to be kept on schedule with existing and future construction projects in this riverfront area; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Peabody Landscape Group, for the North Bank Park - Issue G Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$125,994.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund No. 286, Dept. 51-01, as follows, to pay the cost thereof.

<u>Fund Type</u>	<u>Grant or Proj. No.</u>	<u>Proj. Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Capital Proj.	510428	North Bank Park/ ODNR Grant Funds	6621	510428	\$123,494.00
Capital Proj.	510428	North Bank Park/ ODNR Grant Funds	6680	510428	\$ 2,500.00

SECTION 3. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$8,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

SECTION 4. That the City Auditor is 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: 0477-2004

Drafting Date: 03/02/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

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

Fiscal Impact: Funding for this project is from the Public Service Department, Division of Transportation.

Emergency Justification: Emergency action is requested to allow right-of-way acquisition to begin immediately so that the City can meet current schedules that require the acquisition of all necessary additional right-of-way to be completed by May 1, 2004.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Morse Road Improvement Project, to authorize the expenditure of \$377,315.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$377,315.00).

Body

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

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution **No. 004X-2004, on the 26th day of January, 2004**, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That fee simple title and lesser interests in and to the parcels listed in Section 4 hereof, as are fully described in Resolution No. 004X-2004, adopted January 26, 2004, said descriptions being incorporated herein, be appropriated for the public purpose of the Morse Road Improvement Project, #530052, 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:

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

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

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

1.	8WD	\$31,875.00
2.	12T	\$975.00
3.	33T	\$2,365.00
4.	75WD	\$4,500.00
5.	79WD, T	\$54,300.00
6.	80WD, T	\$55,950.00
7.	81WD, T	\$17,400.00
8.	87T	\$7,700.00
9.	90WD	\$9,800.00
10.	91WD, T	59,600.00
11.	92T	\$42,700.00
12.	98WD, T	\$90,150.00

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 \$377,315.00, or so much thereof as may be necessary for the Morse Road Improvement Project, Project #530052, from the 1995, 1999 Voted Streets and Highways Fund, Fund #704, OCA Code 644385, Object Level Three 6601, Dept. No. 59-09, Auditor's Certificate No. 020918, 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, 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: 0478-2004

Drafting Date: 03/02/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To modify and extend the existing citywide contract for the option to purchase Starters and Alternators for the Purchasing Office to and including February 28, 2005.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. Formal bids were opened on February 14, 2002 (SA000153 GRW): 7 bids received: MAJ 7; 192 bids solicited: MAJ 187, MBE 4; FBE 1); Contracts FL001240 with Hite Parts Exchange Inc (contract compliance number 311244036). and FL001239 with Jim's Automotive Electric Service Co., (contract compliance number 310885922) were approved per Ordinance #1214-02, passed July 22, 2002.

1. Amount of additional funds: No funding is required to extend these option contracts. Fleet Management must obtain approval to expend from their own budgeted fund for their estimated expenditures. The annual expenditure estimate is \$70,000.00.
2. Reason additional needs were not foreseen: Not applicable. The original contract was established with the option to renew if all parties agree.
3. Reason other procurement processes not used: It is in the best interest of the city to continue to utilize the terms, conditions and pricing in the existing contracts.
4. How cost was determined: Pricing is in accordance with SA000153 GRW.

Title

To authorize and direct the Finance Director to modify and extend the citywide contracts for the option to purchase Starters and Alternators from Jim's Automotive Electric Service Co. and Hite Parts Exchange Inc. and to declare an emergency.

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 14, 2002 for the purchase of Starters and Alternators (SA000153 GRW) and entered into contract with Jim's Automotive Electric Service Co. and Hite Parts Exchange Inc. based on bids received; and

WHEREAS, both vendors have agreed to extend contracts number FL001239 and FL001240 until February 28, 2005 in accordance with the option to extend in the existing contract and it is in the best interest of the City to exercise this option; and

WHEREAS, this ordinance is being submitted as an emergency measure in order to maintain the existing supply matrix without interruption for the purchase of Starters and Alternators used in maintaining the City's fleet of vehicles; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL001239 and FL001240 for the option to purchase Starters and Alternators, thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL001239 with Jim's Automotive Electric Service Co. and FL001240 with Hite Parts Exchange Inc. to and including February 28, 2005.

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

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: 0480-2004

Drafting Date: 03/02/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Title

To authorize the appropriation and transfer of \$21,589.30 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Oxbow River and Stream Restoration, Inc., for the Glen Echo Ravine Restoration, to authorize the expenditure of \$24,063.00 as well as \$230,800.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$254,863.00)

Body

WHEREAS, proposals were received from two firms on January 30, 2004, for professional services in conjunction with the Glen Echo Ravine Riparian Restoration; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, and this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$21,589.30; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1995 and 1999 Parks and Recreation Bond Fund and to enter into said contract to allow work to begin during the low water time frame to meet the environmental conditions of this site; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Oxbow River and Stream Restoration, Inc., for the Glen Echo Ravine Riparian Restoration, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That from the unappropriated monies in the Special Income Tax Fund No. 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, the sum of \$21,589.30 is appropriated to the City Auditor, Department No. 22-01, Object Level 3 - 5502, OCA Code 902023.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995 and 1999 Parks and

Recreation 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 4. That the amount of \$21,589.30 is hereby appropriated to the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows:

Fund Type	Division	Fund No.	Project No.	Project Title	Object Level 3	OCA Code	Amount
Capital Proj.	51-01	702	440006	UIRF	6680	644526	\$21,589.30

SECTION 5. That the expenditure of \$254,863.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund and the Recreation and Parks Grant Fund, Dept. 51-01, as follows, to pay the cost thereof.

Fund Type	Fund No.	Grant or Proj. No.	Proj. Title	Object Level 3	OCA Code	Amount
Capital Proj.	764	514764	State Issue II	6680	514764	\$230,800.00
			Grant Project			
Capital Proj.	702	440006	UIRF	6680	644526	\$ 24,063.00

SECTION 6. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$20,000.000 has been included in Section 5, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

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

SECTION 8. That upon obtaining other funds for this project the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3, above; and said funds are hereby deemed appropriated for such purpose.

SECTION 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3, above.

SECTION 10. That the City intends that this ordinance constitutes 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 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0482-2004

Drafting Date: 03/02/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Title

To authorize the appropriation and transfer of \$165,423.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Jones Stuckey Ltd., for the design of the Clintonville/Olentangy Trail Bridge, to authorize the expenditure of said funds, and to declare an emergency. (\$165,423.00)

Body

WHEREAS, proposals were received from nine firms on February 6, 2004, for professional services in conjunction with the design of the Clintonville/Olentangy Trail Bridge; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, and this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$165,423.00; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1995 and 1999 Parks and Recreation Bond Fund and to enter into said contract to allow the initial stages of the project to begin to meet established time schedule; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Jones Stuckey Ltd., for the design of the Clintonville/Olentangy Trail Bridge, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That from the unappropriated monies in the Special Income Tax Fund No. 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, the sum of \$165,423.00 is appropriated to the City Auditor, Department No. 22-01, Object Level 3 - 5502, OCA Code 902023.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995 and 1999 Parks and Recreation 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 4. That the amount of \$165,423.00 is hereby appropriated to the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows:

<u>Fund Type</u>	<u>Division</u>	<u>Fund</u>	<u>Project No.</u>	<u>Project Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Capital Proj.	51-01	702	510316	Greenways	6680	644526	\$165,423.00

SECTION 5. That the expenditure of \$165,423.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, Dept. 51-01, as follows, to pay the cost thereof.

<u>Fund Type</u>	<u>Fund No.</u>	<u>Grant or Proj. No.</u>	<u>Proj. Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Capital Proj.	702	510316	Greenways	6680	644526	\$165,423.00

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 upon obtaining other funds for this project the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3, above; and said funds are hereby deemed appropriated for such purpose.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3, above.

SECTION 9. That the City intends that this ordinance constitutes 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 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0484-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded a grant from the Ohio Department of Health. This ordinance is needed to accept and appropriate \$53,000 in grant money to fund the Federal HIV Care grant program.

The Federal HIV Care grant program enables the Columbus Health Department to plan and evaluate activities related to improving local care services and to provide comprehensive case management services to persons living with HIV/AIDS and their support persons in central Ohio.

This grant is for the period April 1, 2004 through March 31, 2005.

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 partially funded by the Ohio Department of Health and does not generate revenue or require a City match.

Title

To authorize the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$53,000; to authorize the appropriation of \$53,000 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$53,000)

Body

WHEREAS,\$53,000 in grant funds have been made available through the Ohio Department of Health for the Federal HIV Care 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 Health Department in that it is immediately necessary to appropriate these funds for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in providing program services; Now, therefore,

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

SECTION 1. That the Columbus Health Department is hereby authorized and directed to accept a grant award of \$53,000 from the Ohio Department of Health for the Federal HIV Care grant program, for the period of April 1, 2004 through March 31, 2005.

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 \$53,000 is hereby appropriated to the Health Department, Department No. 50-01, as follows:

OCA: 504059; Grant: 504059; Object Level 1: 01; Amount: \$49,132

OCA: 504059; Grant: 504059; Object Level 1: 02; Amount: \$ 1,000

OCA: 504059; Grant: 504059; Object Level 1: 03; Amount: \$ 2,868

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 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: 0485-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded a grant from the U.S. Department of Housing and Urban Development (HUD). This ordinance is needed to accept and appropriate \$584,000 in grant money to fund the Housing Opportunities for Persons with AIDS (HOPWA) grant program.

The HOPWA program provides for the implementation of long-term comprehensive strategies for meeting the housing needs of low income persons with HIV/AIDS and their families. Eligible activities include providing housing information services; resource identification; acquisition, rehabilitation, conversion, lease, and repair of facilities to provide housing and services; new construction of housing units; project or tenant-based rental assistance; short-term rent, mortgage and utility payments; supportive services; technical assistance and administrative support.

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 HUD and does not generate revenue or require a City match.

Title

To authorize the Columbus Health Department to accept a grant from the U.S. Department of Housing and Urban Development in the amount of \$584,000; to authorize the appropriation of \$584,000 from the unappropriated balance of the General Government Grants Fund, and to declare an emergency. (\$584,000)

Body

WHEREAS,the Columbus Health Department has received funding from the U.S. Department of Housing and Urban Development for the implementation of comprehensive strategies for meeting the housing needs of persons with HIV/AIDS under the HOPWA program; and,

WHEREAS, this ordinance was submitted for consideration as an emergency so as to allow the financial transaction to be posted in the City's accounting system as soon as possible; and,

WHEREAS,an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to appropriate these funds for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in providing program services; Now, therefore,

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

SECTION 1. That the Columbus Health Department is hereby authorized and directed to accept a grant award of \$584,000 from the U.S. Department of Housing and Urban Development for the HOPWA grant program, for the period of January 1, 2004 through December 31, 2004.

SECTION 2. That from the monies in the Fund known as the General Government Grants Fund, Fund No. 220, 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 \$584,000 is hereby appropriated to the Health Department, Department No. 50-01, as follows:

OCA: 504276; Grant: 508274; Object Level 1: 01; Amount: \$17,520
OCA: 504277; Grant: 508274; Object Level 1: 03; Amount: \$566,480

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 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: 0486-2004

Drafting Date: 03/03/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The City of Columbus received funds for the Federal HIV grant program from the Ohio Department of Health. The Board of Health will contract with three community service agencies to provide health education and risk reduction services related to HIV/AIDS.

The Federal HIV Prevention Program enables the Board of Health to provide culturally and linguistically appropriate HIV counseling and testing/referral; partner counseling; and health education/risk reduction behavior modification programs. Services are provided to residents of Columbus and Franklin County, with special emphasis on men who have sex with men, individuals with high risk sexual contact, youth, and injection drug/substance users.

In 2003, a Request for Proposals was advertised in the City Bulletin in accordance with the City's competitive bidding requirements. Columbus AIDS Task Force, Children's Hospital, and the Tobias Project, Inc. were awarded two-year contracts. 2004 is the second year of the two-year contracts.

Emergency Action is required to ensure the continued operation of the HIV Prevention program.

FISCAL IMPACT: These contracts are entirely funded by a grant award from the Ohio Department of Health. This grant does not generate revenue or require a City match.

Title

To authorize the Board of Health to enter into contracts with three community service agencies for the provision of health education and risk reduction services related to HIV/AIDS for the period January 1, 2004 through December 31, 2004; to authorize the expenditure of \$279,000 from the Health Department Grants Fund to pay the costs thereof; and to declare an emergency. (\$279,000)

Body

WHEREAS,the Columbus Health Department has received funding from the Ohio Department of Health for the Federal HIV Prevention grant; and,

WHEREAS,in order to ensure continued services provisions under the program, it is necessary to enter into contracts with three community service agencies for the provision of health education and risk reduction services related to HIV/AIDS; and,

WHEREAS, the contract periods are January 1, 2004 through December 31, 2004; and,

WHEREAS,an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a contract with three community service agencies for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure the continued operation of the HIV Prevention Program; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized to enter into a contract with Columbus AIDS Task Force, Children's Hospital, and the Tobias Project, Inc. for the provision of services under the Federal HIV Prevention program, for the period of January 1, 2004 through December 31, 2004.

SECTION 2. That to pay the cost of said contracts, the expenditure of \$279,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50-01, Grant No. 504005, OCA Code 504005, Object Level One 03, Object Level Three 3337 as follows:

Columbus AIDS Task Force	\$147,000
Children's Hospital	\$ 45,000
Tobias Project	\$ 87,000

SECTION 3. That these contracts are awarded in accordance with Sections 329.11 and 329.14 of the Columbus City Code.

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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: 0487-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Ohio Department of Job and Family Services has a need to provide refugee health screens for individuals who have arrived in Central Ohio as refugees. The Board of Health contracts with the Columbus Neighborhood Health Center, Inc. (CNHC) to provide the refugee health screens throughout the community. This ordinance will authorize a revenue contract under which the Columbus Board of Health will contract with CNHC to provide the refugee health screens. Under this contract, the Ohio Department of Job and Family Services will reimburse the Columbus Health Department for all services provided by CNHC through its health center sites, and the Board of Health will then forward reimbursement to CNHC.

Emergency action is requested to ensure timely reimbursement to the Board of Health and CNHC.

FISCAL IMPACT: The Ohio Department of Job and Family Services will reimburse the Board of Health for costs related to each refugee health screen. The revenue from the Ohio Department of Job and Family Services will be deposited into the Health Special Revenue Fund.

Title

To authorize the Columbus Health Department to enter into a revenue contract with the Ohio Department of Job and Family Services to provide refugee health screens at various neighborhood health centers in an amount not to exceed \$120,000; and to declare an emergency. (\$120,000)

Body

WHEREAS,the Ohio Department of Job and Family Services has a need to provide refugee health screens; and,

WHEREAS, the Ohio Department of Job and Family Services has contracted with the Columbus Health Department to provide refugee health screens; and,

WHEREAS, emergency action is requested to ensure timely reimbursement to the Columbus Health Department and CNHC.

WHEREAS,an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in providing program services; Now, therefore,

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

SECTION 1. That the Columbus Health Department is hereby authorized and directed to enter into a revenue contract with the Ohio Department of Job and Family Services in an amount not to exceed \$120,000 for the period of January 1, 2004 through December 31, 2004.

SECTION 2. 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: 0488-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Ohio Department of Job and Family Services has a need to provide refugee health screens. This ordinance will authorize a contract with Columbus Neighborhood Health Center, Inc. (CNHC) to provide refugee health screens. Under this contract, the Ohio Department of Job and Family Services will reimburse the Board of Health for all services provided by CNHC through its health center sites, and the Board of Health will then forward reimbursement to CNHC. A request is made to waive the provisions of competitive bidding.

Emergency action is requested to ensure timely reimbursement to the Board of Health and CNHC.

FISCAL IMPACT: The Ohio Department of Job and Family Services will reimburse the Board of Health for costs related to each refugee health screen. The revenue from the Ohio Department of Job and Family Services will be deposited into the Health Special Revenue Fund and will provide funding for this contract with CNHC, Inc.

Title

To authorize the Board of Health to enter into a contract with the Columbus Neighborhood Health Center, Inc., to provide refugee health screens; to waive the provisions of competitive bidding; to authorize the expenditure of \$120,000 from the Health Special Revenue Fund to pay the cost thereof; and to declare an emergency. (\$120,000)

Body

WHEREAS,the Ohio Department of Job and Family Services has a need to provide refugee health screens; and,

WHEREAS, there is a need to enter into a contract with Columbus Neighborhood Health Center, Inc. to perform refugee health screens; and,

WHEREAS, emergency action is requested to ensure timely reimbursement to the Board of Health and CNHC.

WHEREAS,an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into these contracts for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in providing program services; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a contract with Columbus Neighborhood Health Center, Inc. in an amount not to exceed \$120,000 for the period of January 1, 2004 through December 31, 2004.

SECTION 2. That the expenditure of \$120,000 or so much thereof as may be necessary is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Department No. 50-01, Object Level One 03, Object Level Three 3337, OCA Code 503219.

SECTION 3. That Section 329.12 of the Columbus City Code is hereby waived.

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: 0489-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Purchasing Office is in the process of establishing a Universal Term Contract for liquid caustic soda, against Solicitation SA001052, with Univar USA Inc. This company submitted the lowest, responsive, responsible, and best bid. The Division of Water would like to establish a Blanket Purchase Order, based on this pending contract, for the purchase of this water treatment chemical during 2004. The Contract Compliance number for Univar USA Inc. is 91-1347935. They do not have certified MBE/FBE status.

It is requested that this Ordinance be handled in an emergency manner, as the proposed contract is scheduled to commence April 1, 2004, and the Division will need to place an order upon its immediate approval. The current contract will expire March 31, 2004.

FISCAL IMPACT: The Division of Water has only allocated \$105,088.00 for liquid caustic soda in the 2004 Budget. The Division was feeding more soda ash than liquid caustic soda in 2003, and thought we would continue to do so, however, we have decided to feed more caustic soda in 2004, therefore, enough funds are available in Object Level Three "2204" to cover the deficit.

\$ 688,426.00 was encumbered for liquid caustic soda during 2003.

\$ 999,783.00 was encumbered for liquid caustic soda during 2002.

Title

To authorize the Finance Director to establish a Blanket Purchase Order, for liquid caustic soda, from a Universal Term Contract in process with Univar USA Inc., for the Division of Water, to authorize the expenditure of \$1,403,850.00 from Water Systems Operating Fund, and to declare an emergency. (\$1,403,850.00)

Body

WHEREAS, the Purchasing Office is in the process of establishing a Universal Term Contract, for liquid caustic soda, against Solicitation SA001052, 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 Finance Director to establish a Blanket Purchase Order, for liquid caustic soda, as the proposed contract is scheduled to commence April 1, 2004 and the current contract will expire March 31, 2004, based on a Universal Term Contract in process, 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 Finance Director be and is hereby authorized to establish a Blanket Purchase Order, for liquid caustic soda, from a Universal Term Contract in process, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$1,403,850.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, Object Level One 02, Object Level Three 2189, OCA Codes and amounts listed below, to pay the cost thereof.

OCA CODE	AMOUNT
602417	992,250.00
602532	<u>411,600.00</u>
	\$ 1,403,850.00

Section 3. That 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: 0490-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

The purpose of this legislation is to authorize the appropriation and transfer of \$500,000.00 from the Special Income Tax Fund No. 430 to the Voted 1995 and 1999 Parks and Recreation Bond Fund No. 702, for facility improvements at the Central Ohio Area Agency on Aging.

Improvements will include HVAC renovations, painting, carpeting, exterior sealing, building entrance improvements, etc. All work will be based on estimates from qualified contractors after both formal and informal advertisements for work are made.

This ordinance is submitted as an emergency to allow these projects to proceed in a timely manner. New property acquisition requires immediate repairs to workspaces.

Fiscal Impact:

The transfer of \$500,000.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund is a temporary measure until the City sells notes or bonds to fund these improvements.

Title

To authorize the appropriation and transfer of \$500,000.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the expenditure of said funds for facility improvements at the Central Ohio Area Agency on Aging, and to declare an emergency. (\$500,000.00)

Body

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, and this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$500,000.00; and

WHEREAS, facility renovations are necessary at the Central Ohio Area Agency on Aging; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1995 and 1999 Parks and Recreation Bond Fund as new property acquisition requires immediate repairs to workspaces;

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 at the Central Ohio Area Agency on Aging.

SECTION 2. That from the unappropriated monies in the Special Income Tax Fund No. 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, the sum of \$500,000.00 is appropriated to the City Auditor, Department No. 22-01, Object Level 3 - 5502, OCA Code 902023.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995 and 1999 Parks and Recreation 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 4. That the amount of \$500,000.00 is hereby appropriated to the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows:

<u>Fund Type</u>	<u>Division</u>	<u>Fund No.</u>	<u>Project No.</u>	<u>Project Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Capital Proj.	51-01	702	510035	Facility Renovations	6620	644526	\$500,000.00

SECTION 5. That the expenditure of \$500,000.00, 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 estimates from qualified contractors after both formal and informal advertisements for work are made. 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.

<u>Fund Type</u>	<u>Fund No.</u>	<u>Grant or Proj. No.</u>	<u>Proj. Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Capital Proj.	702	510035	Facility Renovations	6620	644526	\$500,000.00

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 upon obtaining other funds for this project the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3, above; and said funds are hereby deemed appropriated for such purpose.

SECTION 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3, above.

SECTION 9. That the City intends that this ordinance constitutes 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 10. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0492-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND:

A. Need: To authorize and direct the Director of Public Safety, Division of Police, to enter into contract with Helicopter Minit-Men, Inc. for the purpose of providing maintenance for the helicopters that the Division of Police operates.

B. Bid Information: Since the company is the sole company offering this unique service in the Columbus area, this contract will be entered into in accordance with the sole source procurement provisions.

C. Contract Compliance No: 31-0648665

D. Emergency Designation: With payment of February invoice there will be an insufficient amount of funds for the March expenses.

2. FISCAL IMPACT

\$604,460.00 has been budgeted in the Police's General Fund budget in 2004 for helicopter maintenance. \$604,460.00 was encumbered for this contract in 2003.

Title

To authorize and direct the Director of Public Safety to enter into a contract for helicopter maintenance with Helicopter Minit-Men, Inc. for the Division of Police in accordance with the Sole Source procurement; to authorize the expenditure of \$604,460.00 from the General Fund; and to declare an emergency. (\$604,460.00)

Body

WHEREAS, the Director of Public Safety, Division of Police, wishes to enter into a maintenance contract with Helicopter Minit-Men, Inc.; and

WHEREAS, the Helicopter Minit-Men is the sole company in this area that can provide this unique service; and

WHEREAS, it is in the best interest of the City to enter into this contract in accordance with provisions of Section 329-07c (Sole Source) of the Columbus City Codes, 1959; and

WHEREAS, emergency legislation is requested because of insufficient funds for March expenses; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into contract for helicopter maintenance thereby preserving the public peace, property, health, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Public Safety, be and is hereby authorized and directed to enter into contract with Helicopter Minit-Men, for helicopter maintenance for police helicopters for the Division of Police.

Section 2. That the expenditure of \$604,460.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

<u>DEPT</u>	<u>FUND</u>	<u>OBJ LEV 1</u>	<u>OBJ LEV 3</u>	<u>OCA</u>
30-03	010	03	3378	300707

Section 3. That said contract shall be awarded in accordance with provisions of Section 329.07c (Sole Source) of the Columbus City Code, 1959.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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: 0493-2004

Drafting Date: 03/03/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

The purpose of this legislation is to authorize the appropriation and transfer of \$120,200.00 from the Special Income Tax Fund No. 430 to the Voted 1995 and 1999 Parks and Recreation Bond Fund No. 702; and, to authorize the Director of Recreation and Parks to enter into a contract with Field and Associates for the Beatty Recreation Center Improvements Project.

Bids were received by the Recreation and Parks Department on March 1, 2004 for the Beatty Recreation Center Improvements Project as follows:

	<u>Status</u>	<u>Amount</u>
Field and Associates	Majority	\$108,200.00
K & W Roofing	Majority	\$112,835.00
Phinney Roofing	Majority	\$130,600.00

Project includes removal of existing EPDM roofing, insulation and associated under laying BUR system, installation of new SBS modified bitumen system with insulation, flashing, metal edging, gutters and coping.

The Contract Compliance Number for Field and Associates is #31-0516695.

A contingency amount of \$10,000.00 is being included in this project.

The approximate cost of Recreation and Parks staff time on this project is \$2,000.00 (2-002).

This ordinance is submitted as an emergency to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up-to-date financial posting promotes accurate accounting and financial management. Additionally, legislation should be emergency per Mayor's letter of emergency signed March 2, 2004.

Fiscal Impact:

The transfer of \$120,200.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond

Fund is a temporary measure until the City sells notes or bonds to fund these improvements.

d

Title

To authorize the appropriation and transfer of \$120,200.00 from the Special Income Tax Fund to the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize the Director of Recreation and Parks to enter into contract with Fields and Associates for the Beatty Recreation Center Improvements Project, to authorize the expenditure of said funds, and to declare an emergency. (\$120,200.00)

Body

WHEREAS, bids were received by the Recreation and Parks Department on March 1, 2004, and the contract for the Beatty Recreation Center Improvements Project will be awarded on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, and this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$120,200.00; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds from the Special Income Tax Fund and transfer said funds into the Voted 1995 and 1999 Parks and Recreation Bond Fund per the Mayor's letter of emergency signed March 2, 2004; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Field and Associates for the Beatty Recreation Center Improvements Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That from the unappropriated monies in the Special Income Tax Fund No. 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, the sum of \$120,200.00 is appropriated to the City Auditor, Department No. 22-01, Object Level 3 - 5502, OCA Code 902023.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Voted 1995 and 1999 Parks and Recreation 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 4. That the amount of \$120,200.00 is hereby appropriated to the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows:

<u>Fund Type</u>	<u>Division</u>	<u>Fund No.</u>	<u>Project No.</u>	<u>Project Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Capital Proj.	51-01	702	510035	Facility Renovations	6620	644526	\$120,200.00

SECTION 5. That the expenditure of \$120,200.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, Dept. 51-01, as follows, to pay the cost thereof.

<u>Fund Type</u>	<u>Fund No.</u>	<u>Grant or Proj. No.</u>	<u>Proj. Title</u>	<u>Object Level 3</u>	<u>OCA Code</u>	<u>Amount</u>
Capital Proj.	702	510035	Facility	6620	644526	\$118,200.00

Capital Proj.	702	510035	Renovations Facility	6681	644526	\$ 2,000.00
			Renovations			

SECTION 6. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$10,000.000 has been included in Section 5, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

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

SECTION 8. That upon obtaining other funds for this project the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3, above; and said funds are hereby deemed appropriated for such purpose.

SECTION 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3, above.

SECTION 10. That the City intends that this ordinance constitutes 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 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0494-2004

Drafting Date: 03/03/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase rental of Portable Toilets for the Recreation and Parks Department, the largest user. The term of the proposed option contract will be three years with an option to renew for one additional year if mutually agreed. Contract expiration date is March 31, 2007.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA0010143). Formal bids were opened on January 29, 2004. Seven (MAJ:7) bids solicited; two (MAJ:2) bids received.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder:

Porta Kleen, MAJ, CC#31-1428980

Total Estimated Annual Expenditure: \$60,000.00

This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Recreation and Parks Department will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into a contract for an option to purchase rental of Portable Toilets with Porta Kleen, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on January 29, 2004 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, this ordinance was submitted for consideration as an emergency measure so a citywide contract for the rental of Portable Toilets for the Recreation and Parks Department can be established prior to the beginning of summer recreation activities in City parks and without emergency action, no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed; and

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

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase rental of Portable Toilets in accordance with Solicitation No. SA0010143 as follows:

Porta Kleen, All Items (1-7), Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0496-2004

Drafting Date: 03/03/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This ordinance is submitted to present to Council the transcript of proceedings and papers relating to Annexation AN03-040RF a certain petition for annexation as described in the

ordinance and transcript which is attached hereto. More than sixty days have elapsed since February 12, 2004, 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 (AN03-040RF) of Kevin M. Donley, et al. for the annexation of certain territory containing 2.58 ± Acres in Plain Township.

Body

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by Kevin M. Donley, et al. on December 31, 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 February 3, 2004; 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 February 12, 2004; 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 Kevin M. Donley, 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 Franklin County, Ohio December 31, 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 February 3, 2004, 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 Plain, being in Range 16, Township 2, Quarter Township 3, United States Military Lands and being all of that 1.633 acre tract described in a deed to KEVIN M. DONLEY and THOMAS J. DONLEY of record in Instrument 199804010076342 (all references are to the records in the Recorder's Office, Franklin County, Ohio) also road right-of-way for Hamilton Road lying 30 feet on the west side of the centerline and 40 feet on the east side of the centerline, all bound and described as follows:

Beginning at a point at a corner of an existing corporation line of the City of Columbus, Ohio, as said line was established by Columbus Ordinance No. 724-99 and as shown of record in Instrument 19990920037691 and on the westerly right-of-way line of Hamilton Road (variable width), said point being at the intersection of the westerly extension of the northerly line of said 1.633 acre tract;

Thence easterly along said existing corporation line as established by Columbus Ordinance No. 724-99 being along the northerly line of said 1.633 acre tract and the southerly line of that 2.168 acre tract described in a deed to TIRELESS LIMITED PARTNERSHIP of record in Instrument 200305300161606, a distance of approximately 742 feet to a point on the westerly line of THE PRESERVE SECTION 6, PART 1, a subdivision of record in Plat Book 97, Page 71;

Thence southerly along an existing corporation line as established by Columbus Ordinance No. 1158-78 and as shown of record in Miscellaneous Record 170, Page 268, and along the easterly line of said 1.633 acre tract, and along a westerly line of said subdivision, a distance of approximately 100 feet, to the southeasterly corner of said 1.633 acre tract and the northeasterly corner of that 2.0 acre tract described in deeds to April L. Gates of record in O.R. 2365J10 and O.R. 17887D09;

Thence westerly along the southerly line of said 1.633 acre tract and the northerly line of said 2.0 acre tract, a distance of approximately 671 feet, to a point on the easterly right-of-way line of Hamilton Road;

Thence southerly along said easterly right-of-way line, being 40 feet easterly from (as measured at right angles) and parallel to the centerline of Hamilton Road, crossing said 2.0 acre tract and that 1.956 acre tract of Zahra Rastegar & Scott R. Harper, and the 1.943 and 2.0 acre tracts of Norma F. Connett, a distance of approximately 548 feet, to a point on the existing corporation line of the City of Columbus, Ohio as said line was established by Columbus Ordinance No. 1024-98 and as shown of record in Instrument 199806160148683 and being on the northerly line of that 1.971 acre tract of BJH Land LLC;

Thence westerly on the westerly extension of said northerly line, a distance of approximately 70 feet, to a point on the existing corporation line of the City of Columbus, Ohio as said line was established by Columbus Ordinance No. 2208-87 and as shown or record in O.R. 10763H10;

Thence northerly along said existing corporation line as established by Columbus Ordinance No. 2208-87 being along the westerly right-of-way line of Hamilton Road, being 30 feet westerly from (as measured at right angles) and parallel to the centerline of Hamilton Road, and being along an easterly line of that 20.36 acre tract described in a deed to the New Albany Company, a distance of approximately 648 feet to the place of beginning.

Containing 2.58 acres of land, more or less.

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: 0499-2004

Drafting Date: 03/04/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase Zinc Orthophosphate for the Water Division, the largest user. The term of the proposed option contract will be three years with an option to renew for one additional year if mutually agreed. Contract expiration date is March 31, 2007.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001012). Formal bids were opened on January 29, 2004. Sixty (MAJ:58, M1A:2) bids solicited; five (MAJ:5) bids received.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder:

Carus Chemical Company, a Division of Carus Corporation, MAJ, CC#36-0877400

Total Estimated Annual Expenditure: \$465,000.00

This company is not debarred according to the Federal Excluded Parties Listing.

This ordinance is being submitted as an emergency because without emergency action, no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Water Division will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into a contract for an option to purchase Zinc Orthophosphate, with Carus Chemical Company, a Division of Carus Corporation, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on January 29, 2004 and selected the lowest,

responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, this ordinance was submitted for consideration as an emergency measure to establish a supply matrix for the purchase of Zinc Orthophosphate for the Water Division in order to ensure the uninterrupted delivery of water to Columbus citizens and without emergency action, no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed; and

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

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Zinc Orthophosphate in accordance with Solicitation No. SA001012 as follows:

Carus Chemical Company, a Division of Carus Corporation, All Items (1-3), Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0500-2004

Drafting Date: 03/04/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

The Director of Recreation and Parks desires to enter into a five-year lease agreement with the Central Ohio Bicycle Racing Association, Inc., for the use of the Heer Park BMX Track.

The Recreation and Parks Department has leased the BMX track to the Central Ohio Bicycle Racing Association since 1988. The current lease has expired. Dates for the new lease will be April 1, 2004, through May 31, 2009. The Bicycle Association represents a positive presence and use of the park has maintained Recreation and Parks' standards.

The lease is for five years at a \$1.00 per year.

Emergency action is necessary to allow the lease to be signed and in place for the 2004 BMX season.

Fiscal Impact:

Revenue - \$1.00 per year

Title

To authorize and direct the Director of Recreation and Parks to enter into a five-year lease agreement in the amount of

\$1.00 per year, with the Central Ohio Bicycle Racing Association, Inc., for use of the Heer Park BMX Track, and to declare an emergency.

Body

WHEREAS, the Central Ohio Bicycle Racing Association Inc., wishes to lease the Heer Park BMX track; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said lease to allow the lease to be signed and in place for the 2004 BMX season; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into a five-year lease agreement from April 1, 2004 through May 31, 2009, at the rate of \$1.00 per year, with the Central Ohio Bicycle Racing Association, Inc., for the use of the Heer Park BMX Track.

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: 0501-2004

Drafting Date: 03/04/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase Non-Membrane Dissolved Oxygen Probes for the Sewerage & Drainage Division, the largest user. The term of the proposed option contract will be two years with an option to renew for one additional year if mutually agreed. Contract expiration date is October 31, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001017). Bids were opened on February 5, 2004. One-Hundred and Forty Eight (MAJ:143), (M1A:2), (F1:2) and (MBR:1) bids solicited; two (MAJ:2) bids received.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder:

Hach Company c/o CKM Industrial Sales, MAJ, CC#42-0704420

Total Estimated Annual Expenditure: \$50,000.00

This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Sewerage & Drainage Division will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into a contract for an option to purchase Non-Membrane Dissolved Oxygen Probes with Hach Company c/o CKM Industrial Sales, to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 5, 2004 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, this ordinance was submitted for consideration as an emergency measure to avoid interruption in providing Non-Membrane Dissolve Oxygen Probes for the Division of Sewerage & Drainage plant operations and without emergency action, no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed; and

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

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Non-Membrane Dissolved Oxygen Probes in accordance with Solicitation No. SA001017 as follows:

Hach Company c/o CKM Industrial Sales, All Items (1-4), Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0510-2004

Drafting Date: 03/04/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase Hydrofluosilicic Acid for the Water Division, the largest user. The term of the proposed option contract will be three years with an option to renew for one additional year if mutually agreed. Contract expiration date is March 31, 2007.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001011). Formal bids were opened on January 29, 2004. Fifty nine (MAJ:57, M1A:2) bids solicited; four (MAJ:4) bids received.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder:

Lucier Chemical Industries Ltd., dba LCI, Ltd., MAJ, CC#13-3158103

Total Estimated Annual Expenditure: \$690,000.00

This company is not debarred according to the Federal Excluded Parties Listing.

This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Water Division will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into a contract for an option to purchase Hydrofluosilicic Acid, with Lucier Chemical Industries Ltd., dba LCI, Ltd., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on January 29, 2004 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, this ordinance was submitted for consideration as an emergency measure to ensure the City's water supply is maintained without interruption and without emergency action, no less than thirty-seven days will be added to the procurement cycle and the efficient delivery of valuable public services will be slowed; and

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

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Hydrofluosilicic Acid in accordance with Solicitation No. SA001011 as follows:

Lucier Chemical Industries Ltd., dba LCI, Ltd., All Items (1-3), Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0515-2004

Drafting Date: 03/05/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded a grant from the Ohio Department of Health. This ordinance is needed to accept and appropriate \$54,000 in grant money to fund the Women's Health Initiative grant program, for the period January 12, 2004 through June 30, 2004.

The Women's Health Initiative program will allow for comprehensive women's health services including family planning. Eligible patients will include women from the CHD Perinatal Program at post partum and women who have had a negative pregnancy test through our walk-in pregnancy testing service.

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: The Women's Health Initiative program is entirely funded by the Ohio Department of Health. This grant program does not generate revenue nor require a City match.

Title

To authorize and direct the Columbus Health Department to accept this grant from the Ohio Department of Health in the amount of \$54,000; to authorize the appropriation of \$54,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$54,000)

Body

WHEREAS,\$54,000 in grant funds have been made available through the Ohio Department of Health for the Women's Health Initiative program for the period of January 12, 2004 through June 30, 2004; and,

WHEREAS,it is necessary to accept and appropriate these funds from the Ohio Department of Health for the support of the Women's Health Initiative 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 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, and to ensure immediate delivery of Women's Health services; Now, therefore,

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

SECTION 1. That the Columbus Health Department is hereby authorized and directed to accept a grant award totaling \$54,000 from the Ohio Department of Health for the Women's Health Initiative program for the period January 12, 2004 through June 30, 2004.

SECTION 2. That from the unappropriated monies in 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 \$54,000 is hereby appropriated to the Health Department, Division No. 50, as follows:

OCA: 504058; Grant No.: 504058; OL1: 01; Amount: \$14,770

OCA: 504058; Grant No.: 504058; OL1: 02; Amount: \$26,790

OCA: 504058; Grant No.: 504058; OL1: 03; Amount: \$12,440

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: 0522-2004

Drafting Date: 03/08/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase Liquid Caustic Soda for the Water Division, the largest user. The term of the proposed option contract will be one year with an option to renew for one additional year if mutually agreed. Contract expiration date is March 31, 2005.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001052). Formal bids were opened on February 26, 2004. Sixty nine (MAJ:66, M1A:3) bids solicited; five (MAJ:5) bids received.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder:

Univar USA Inc., MAJ, CC#91-1347935

Total Estimated Annual Expenditure: \$1,400,000.00

This company is not debarred according to the Federal Excluded Parties Listing.

This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Water Division will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into a contract for an option to purchase Liquid Caustic Soda, with Univar USA Inc., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 26, 2004 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, the Water Division uses liquid caustic soda to treat the City's water supply and the current contract is near expiration; and

WHEREAS, this ordinance is being submitted for consideration as an emergency measure to ensure the City's water supply is safely maintained without interruption because without emergency action, no less than thirty-seven days will be added to the procurement cycle and that timing puts the availability of supplies at risk; and

WHEREAS, an emergency exists in the usual daily operation of the Water Division in that it is immediately necessary to enter into a contract for an option to purchase Liquid Caustic Soda, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Liquid Caustic Soda in accordance with Solicitation No. SA001052 as follows:

Univar USA Inc., All Items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0523-2004

Drafting Date: 03/08/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase Soda Ash for the Water Division, the largest user. The term of the proposed option contract will be one year with an option to renew for one additional year if mutually agreed. Contract expiration date is March 31, 2005.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001051). Formal bids were opened on February 26, 2004. Sixty four (MAJ:61, M1A:3) bids solicited; two (MAJ:2) bids received.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder:

OCI Chemical Corp., MAJ, CC#06-1446396

Total Estimated Annual Expenditure: \$294,000.00

This company is not debarred according to the Federal Excluded Parties Listing.

This ordinance is being submitted as an emergency because, without emergency action, no less than thirty-seven days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing Contract Account. The Water

Division will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into a contract for an option to purchase Soda Ash, with OCI Chemical Corp., to authorize the expenditure of one dollar to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 26, 2004 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objectives of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, the Water Division uses soda ash to treat the City's water supply and the current contract is near expiration; and

WHEREAS, this ordinance is being submitted for consideration as an emergency measure to ensure the City's water supply is safely maintained without interruption because without emergency action, no less than thirty-seven days will be added to the procurement cycle and that timing puts the availability of supplies at risk; and

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

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into a contract for an option to purchase Soda Ash in accordance with Solicitation No. SA001051 as follows:

OCI Chemical Corp., All Items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 0524-2004

Drafting Date: 03/08/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The U.S. Department of Housing and Urban Development (HUD) requires grantees and their subrecipients to maintain Community Development Block Grant (CDBG) revolving loan funds in interest bearing accounts, and to remit said interest to the federal treasury no less frequently than annually. During 2003, the City's revolving loan fund earned \$39,889.12 of

interest. Included in this amount is \$2,139.56 related to additional interest received from a check for \$130,000 which was not presented for payment between December 9, 2002 through July 23, 2003. The calculation of CDBG interest earnings during this period did not take the uncashed check into account. This legislation will authorize the expenditure of monies from the revolving loan subfund for the transmittal of investment earnings to HUD.

This legislation is presented as an emergency to facilitate the timely remittance of monies to HUD.

FISCAL IMPACT: Investment earnings have been deposited into the CDBG revolving loan fund and are available for disbursement to HUD from said fund.

Title

To authorize the Director of the Department of Finance to expend \$39,889.12 from the CDBG revolving loan fund for payment of investment earnings to the U.S. Department of Housing and Urban Development (HUD); and to declare an emergency. (\$39,889.12)

Body

WHEREAS, federal regulations require Community Development Block Grant (CDBG) grantees and subrecipients to remit to the federal treasury all investment earnings paid on CDBG revolving loan accounts; and

WHEREAS, investment earnings have been deposited into the CDBG revolving loan subfund and are available for this expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance in that it is immediately necessary to expend the aforementioned funds, thereby preserving the public peace, health, safety, and welfare; Now, therefore,

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

SECTION 1. That the director of the Department of Finance is hereby authorized to expend \$39,889.12 from the Community Development Block Grant Fund, Fund No. 248, Subfund 002, Department 45-01, OCA 454017, Object Level One: 05, Object Level Three: 5544.

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

Legislation Number: 0525-2004

Drafting Date: 03/08/2004

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

SOVEREIGN DEVELOPMENT CORPORATION, an Ohio Corporation, by THEODORE P. URITUS, President, has submitted the plat titled NORTH GROVE 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 east of Gantz Road and south of Willow Run Road.

Title

To accept the plat titled NORTH GROVE, from SOVEREIGN DEVELOPMENT CORPORATION, an Ohio Corporation, by THEODORE P. URITUS, President **and to declare an emergency.**

Body

WHEREAS, the plat titled NORTH GROVE (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, SOVEREIGN DEVELOPMENT CORPORATION, an Ohio Corporation, by THEODORE P. URITUS, President, owner of the platted land, desires to dedicate to the public use all or such parts of the Courts and Place 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; ~~and now,~~ ~~therefore~~

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the aggressive construction schedule necessary to reduce construction impact to the area 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 plat titled NORTH GROVE 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.~~ **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: 0526-2004

Drafting Date: 03/08/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. **NEED:** This ordinance declare City Council's determination for the City to proceed with the cosntruction of the McDannald Estates Area Assessment Sewer Project. The cost of which is to be assessed against the abounding and abutting lots and lands benefitting from the project. Upon passage of this ordinance the Director of Public Utilities will solicit sealed bids for the construction of the improvements. Once the lowest, best, responsive and responsible bidder has been identified, the Division of Sewerage and Drainage will request the appropriate project funding. Immediately upon receiving said funding, legislation will be submitted to City Council requesting authority to award the construction contract and to provide for the payment of construction inspection services.

2. **HISTORICAL DATA:** Resolution 103X-2003, adopted May 12, 2003, declared a necessity of providing sanitary sewer improvements in connection with the subject project; and declared it necessary for the Director of Public Utilities to cause the preparation of plans and specifications required for the construction sanitary sewers under an assessment procedure. On December 5, 2003, the Board of Revision members appointed and acting in pursuance to Resolution

380X-2003, adopted November 3, 2003, respectfully approved the estimated assessment of the cost and expense of the improving the McDannald Estates area by installing the sanitary sewers as made by the Division of Sewerage and Drainage. The estimated assessments as mailed to the affected property owners and shown on the Assessment Report remain unchanged. The plans and specifications are complete, and all of the necessary construction and permanent easements have been acquired.

3. EMERGENCY LEGISLATION: The Division of Sewerage and Drainage is requesting Council to consider this measure an emergency measure for purposes of immediately causing the procurement of the construction services necessary to install the urgently required sanitary sewer system that is needed to address groundwater pollution concerns in the McDannald Estates community.

TitleTo declare the determination of City Council to proceed with the construction of the sanitary sewer improvements associated with the McDannald Estates Area Assessment Sewer Project, in accordance with the assessment procedures set forth by Columbus City Charter, for the Division of Sewerage and Drainage; and to declare an emergency. (\$0.00)

BodyWHEREAS, the City of Columbus's Health Department has identified the residential development known as McDannald Estates to have documented groundwater pollution concerns primarily due to the lack of centralized sanitary sewer service; and

WHEREAS, Resolution 103X-03, adopted May 12, 2003, established City Council's declaration for the necessity to construction sanitary sewer improvements known as the McDannald Estates Area Assessment Sewer Project, and to approve the plans, specifications, estimates and profiles in accordance with the assessment procedures of the Columbus City Charter; and

WHEREAS, the construction plans and specifications have been prepared and completed; all of the necessary construction and permanent easements have been acquired; and

WHEREAS, in accordance with Section 168 of the Columbus City Charter, the Division of Sewerage and Drainage has submitted an Assessment Report to the City Clerk, and whereby all benefiting property owners of this assessment project have been notified by either certified U.S. Postal Service or publication of the notice twice within the Columbus City Bulletin; and

WHEREAS, a Board of Revision was convened for purposes of hearing objections to the aforementioned assessment project, as appointed and acting in pursuance to Resolution 380X-2003, adopted November 3, 2003, whereupon the Board of Revision respectfully approved the estimated assessment of the cost and expense of the improving the McDannald Estates area by installing the sanitary sewers as made by the Division of Sewerage and Drainage; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that is immediately necessary for this Council to declare it necessary to proceed with the installation of this urgently needed sanitary sewer infrastructure in accordance with Section 173 of the City Charter 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 it is the determination of the City Council that the City proceed with the construction of the McDannald Estates Area Assessment Sewer Project as declared necessary within Resolution 103X-2003, adopted May 12, 2003, for purposes of constructing sanitary sewer improvements in accordance with the plans and profile marked CC-12108, together with the specifications and estimate of cost therefor which have been approved and are now on file in the offices of the Division of Sewerage and Drainage, Department of Public Utilities, 910 Dublin Road, Room 3031, Columbus, Ohio 43215-9053.

Section 2. That a portion of the cost of the said sewerage improvements together with the interest on notes issued in anticipation of bonds and on bonds issued in anticipation of the collection of the assessments, shall be assessed in proportion to the special benefits which may result from such improvement upon all lots and lands bounding and abutting upon said improvement. Each property owner in the proposed project area has been duly provided with estimated

assessments for their parcel, by the City Clerk of the City of Columbus, and are on file in the Division of Sewerage and Drainage's Sewer System Engineering Section.

Section 3. That the assessments so to be levied shall be paid in twenty semi-annual installments with interest on the deferred payments at a rate not exceeding the prevailing interest rate received by the City for such purposes, provided however, that the owner of any property assessed may, at his option, pay such assessment or any number of installments thereof, at any time after such assessment has been levied.

Section 4. That the City's share in the cost of the improvements shall include the cost of the project design services; inspection; and the construction costs associated with the right-of-way pavement restoration; and intersection crossings.

Section 5. That notes of the City of Columbus, Ohio, shall be issued in anticipation of the issuance of bonds to be issued in the anticipation of the collection of the assessments by installments, and in an amount equal thereto.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, 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: 0528-2004

Drafting Date: 03/09/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Ohio Department of Health (ODH) has identified funds from the Tobacco Settlement Priorities Trust to enhance the prevention and control of tuberculosis in Franklin County. ODH has awarded the funding through a grant to the Columbus Health Department. This ordinance is needed to accept and appropriate \$137,000 for the period ending June 30, 2004. 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: This grant provides funding in the amount of \$137,000 for the enhancement of the TB Clinic services.

Title

To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Health for the Tuberculosis Clinic; to authorize the appropriation of \$137,000.00 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$137,000.00)

Body

WHEREAS, grant funds have been made available through the Ohio Department of Health for the Tuberculosis Clinic for the period ending June 30, 2004; and,

WHEREAS, it is necessary to accept and appropriate these funds from the Ohio Department of Health for the enhancement of the operations of the Tuberculosis Clinic; 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 to assure continued services; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus 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 Columbus Health Department is hereby authorized and directed to accept a grant award totaling \$137,000.00 from the Ohio Department of Health for the Tuberculosis Clinic for the period ending June 30, 2004.

SECTION 2. That from the unappropriated monies in 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 period ending June 30, 2004, the sum of \$137,000.00 is hereby appropriated to the Health Department, Division No. 50, Fund No. 251 as follows:

OCA: 501032; Grant: 501032; Object Level 1:01; Amount: \$100,000
OCA: 501032; Grant: 501032; Object Level 1:03; Amount: \$ 37,000

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

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

Legislation Number: 0531-2004

Drafting Date: 03/09/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

Need: An appropriation is needed for the Federal Fiscal Year 2003 Local Law Enforcement Block Grant (LLEBG) award. The purpose of the LLEBG program is to provide units of local government with funds to underwrite projects to reduce crime and improve public safety. Specialized computer equipment, services and supplies are needed to continue LLEBG projects for police cruiser mobile data transmission (MDT), the computerized records management system and criminal case management.

Emergency Designation: Emergency legislation is necessary to make the current funds available as soon as possible to meet the ongoing program costs.

FISCAL IMPACT:

There is no impact on the City General Fund Account. All appropriated funds will come from the grant award and any

interest income accrued by them.

Title

To authorize an appropriation of \$607,635.00 from the unappropriated balance of the Local Law Enforcement Block Grant Fund to the Division of Police to cover the costs of the ongoing Local Law Enforcement Block Grant projects and to declare an emergency. (\$607,635.00)

Body

WHEREAS, the City of Columbus Division of Police has received funding through a FY03 Local Law Enforcement Block Grant award; and

WHEREAS, the ongoing Local Law Enforcement Block Grant projects have an immediate need for funds to continue purchasing specialized computer equipment, services and supplies; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize an appropriation for the FY2003 Local Law Enforcement Block Grant projects 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 from the unappropriated monies in the Local Law Enforcement Block Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project period the sum of \$607,635.00 is appropriated as follows:

<u>DIV</u>	<u>FUND</u>	<u>OBJ#1</u>	<u>OBJ#3</u>	<u>OCACD</u>	<u>GRANT</u>	<u>AMOUNT</u>
30-03	222	02	2193	338008	338008	52,635.00
30-03	222	03	3336	338008	338008	355,000.00
30-03	222	06	6649	338008	338008	200,000.00

Section 2. That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Director of Public Safety; 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 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: 0532-2004

Drafting Date: 03/09/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This Ordinance is to levy a special assessment upon the lots and lands benefited by the installation of a high pressure sodium street lighting system with ornamental poles and underground wiring in the Woodstream East Subdivision including: Woodstream Drive from Sunbury Road to Woodstream Court, Pleasant Woods Court, Still Breeze Court, Whisper Cove Court, Big Walnutview Drive, Twig Court and Big Walnutview Court.

All costs of the street lighting system now have been assembled, the final assessment report prepared, and the assessing ordinance should be passed. Emergency action is requested in order that the assessment process may be completed prior to the street lighting notes becoming due.

Title

To authorize the Director of Public Utilities to levy a special assessment upon the lots and lands benefited by the installation of a street lighting system with underground wiring and ornamental poles in the Woodstream East Subdivision, and to declare an emergency.

Body

WHEREAS, property owners have submitted a petition for a high pressure sodium street lighting system with ornamental poles and underground wiring in the Woodstream East Subdivision including: Woodstream Drive from Sunbury Road to Woodstream Court, Pleasant Woods Court, Still Breeze Court, Whisper Cove Court, Big Walnutview Drive, Twig Court and Big Walnutview Court; and

WHEREAS, Ordinance 0617-03, passed April 21, 2003, authorized the installation of said street lighting system under the assessment procedure; and

WHEREAS, all costs of the street lighting system now have been assembled, the final assessment report prepared, and the assessing ordinance should be passed; and

WHEREAS, emergency action is required in order that the assessment process may be completed prior to the street lighting notes becoming due; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Electricity, Department of Public Utilities, in that it is immediately necessary to levy a special assessment upon the lots and lands benefited by the installation of underground ornamental street lighting for Woodstream East Subdivision, including: Woodstream Drive from Sunbury Road to Woodstream Court, Pleasant Woods Court, Still Breeze Court, Whisper Cove Court, Big Walnutview Drive, Twig Court and Big Walnutview Court for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized and directed to levy an assessment for the cost and expense of installing underground ornamental street lighting on Woodstream East Subdivision, including: Woodstream Drive from Sunbury Road to Woodstream Court, Pleasant Woods Court, Still Breeze Court, Whisper Cove Court, Big Walnutview Drive, Twig Court and Big Walnutview Court in accordance with Ordinance Number 0617-03, passed April 21, 2003, in the City of Columbus, Franklin County, Ohio as prepared by the Division of Electricity and the same is hereby confirmed and that there be and hereby levied and assessed upon the lots and lands hereinafter set forth, the several amounts as therein set forth, it being hereby determined and declared that each said lots and lands is specially benefited by said improvements and in an amount equal to said improvement:

Total Amount of Contract	\$ 94,010.00
Inspection and Prevailing Wage	8,375.10
Design Engineering	10,315.80
Division of Electricity Engineering	5,027.41
Division of Electricity - Certified Mail - Notices	493.68
Division of Electricity - Certified Mail - Invoices	499.46
AEP Expenses	1,649.08
Cost of Issuance of Bonds	7,500.00
1.6% Interest on \$140,000 for 15 Months	2,800.00
Total Cost	\$ 130,670.53
Less City Portion	(27,000.00)

Total Property Portion

\$ 103,670.53

Property Portion of \$103,670.53 divided by 113 assessable *units, equaling \$917.44 per assessable unit. (*One unit equals one lot of property).

Refer to attachment Ord0532-2004.xls.

SECTION 2. That the total assessment shall be payable at the office of the City Treasurer of Columbus, Franklin County, Ohio, within thirty days from the effective date of this ordinance or, at the option of the owner, in twenty semi-annual installments with interest upon deferred payment at the same rate as shall be borne by the bonds to be issued in anticipation of the collection of the same at the Office of the County Treasurer of Franklin County, Ohio, after the same have been certified to the County Auditor of Franklin County, Ohio for collection in the manner provided by law.

SECTION 3. That the said assessment, and all portions thereof, when collected, shall be paid into the Sinking Fund and shall be applied to the payment of the bonds issued for said improvement and the interest thereon, as the same shall become due and to no other purpose whatsoever.

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

Legislation Number: 0535-2004

Drafting Date: 03/09/2004

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 declare an emergency.

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. 19S

Situated in the City of Columbus, County of Franklin, State of Ohio, and being part of Lot No. 67, of Lewis Southern Heights Addition, as recorded in Instrument No. 200005100091521 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 northwest property corner, said point being at the northeast corner of said Lot 67 and in the southerly right of way line of Lock Avenue, and being the TRUE point of beginning for the Parcel herein conveyed;

Thence along said southerly right of way line South 86°00'00" East a distance of 5.00 feet to a point on the proposed easement line;

Thence along said easement line South 03°47'00" West a distance of 132.90 feet to a point on the Grantor's southerly property line and southerly line of Lot 67;

Thence along said property line North 86°00'00" West a distance of 5.00 feet to a point on the Grantor's westerly property line and westerly line of Lot 67;

Thence along said property line North 03°47'00" East a distance of 132.90 feet to the TRUE point of beginning and containing 0.015 acres, more or less.

The above take area is from Auditor's Parcel No. 010-114287, 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 southerly 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 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 4. That for the reasons state in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0542-2004

Drafting Date: 03/11/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

Need: The City of Columbus Division of Police has established a contract with intellinetics, Inc. (PC19032 & PC19032A) to provide for a document imaging and criminal mug shot system. The original contract included options to purchase system maintenance for 1-year terms. The Division of Police would like to modify this contact to purchase the 5th 1-year maintenance term.

Bid Information: N/A

Contact Compliance No: 311491111

Emergency Designation: Emergency legislation is requested for this ordinance so as to allow for the funds to become available for the purchase of the maintenance and support agreement for the continued operation of the Division of Police. Need is critical due to the fact that the current maintenance agreement expired February 12th 2004.

Fiscal Impact:

Funds are budgeted in the Division of the Police General Funds under the maintenance code. \$137,831.00 was spent in 2003 for this systems maintenance and support.

Title

To authorize and direct the Finance Director to modify an existing contact with intellinetics, Inc. for the Division of Police for the purchase of the 5th year of the maintenance and support agreement and to authorize the expenditure \$104,000.00 from the General Fund; and to declare an emergency. (\$104,000.00)

Body

WHEREAS, a maintenance and support agreement in needed to maintain the overall efficiency of the Division of the Police's document imaging and mug shot system; and

WHEREAS, a contract was awarded to intellinetics, Inc., for a customized document imaging and mug shot system; and

WHEREAS, contract #PC19032 and PC#19032A needs to be modified in order to purchase the 5th year maintenance and support plan identified in the original contract; and

WHEREAS, funds from the Division of Police's General Fund comprise this purchase and those funds have been budgeted and appropriated; and

WHEREAS, emergency legislation is needed because the current maintenance agreement expired February 12, 2004; and

WHEREAS, an emergency exists in the usual operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to modify contract PC19032 and PC19032A for the purchase of the 5th year of maintenance and support in order to maintain the system for the preservation of public health, peace, property, safety and welfare; now

therefore

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

Section 1. That the Finance Director be and is hereby authorized to modify the existing contract with intellinetics, Inc. in order to purchase the 5th year maintenance term in the total amount of \$104,000.00 for the Division of Police, Department of Safety.

Section 2. That the expenditure of \$104,000.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV	FUND	OBJ#1	OBJ#3	OCA	AMOUNT
30-03	010	03	3372	301564	\$104,000.00

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

Legislation Number: 0543-2004

Drafting Date: 03/11/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

Need: In 2003 the Division of Police implemented an electronic records management system (RMS) for offense and complaint/incident reports. As part of the original purchase contract the Division was provided the option to purchase (5) one-year annual software and maintenance terms. The Division wants to modify the contract in order to purchase the 2nd year of the maintenance term. Additionally, the Division needs to transfer funds within the 2002 Local Law Enforcement Block Grant to purchase this maintenance term.

Bid Information: N/A

Contract Compliance No.: 54-1210813

Emergency Designation: Emergency legislation is requested for this ordinance so as to allow for the purchase of the maintenance term, due March 1st, 2004.

FISCAL IMPACT:

This second year maintenance term will be purchased with Local Law Enforcement Block Grant Fund; therefore, there will be no impact on the financial status for the General Fund.

Title

To authorize the transfer of funds within the Local Law Enforcement Block Grant fund and to authorize and direct the Finance Director to modify the contract with Meggs Associates, D.B.A. CRISNet for the Division of Police for the

purchase of the second year of maintenance and support, and to authorize the expenditure of \$154,867.00 from the Law Enforcement Block Grant Funds; and to declare an emergency. (\$154,867.00)

Body

WHEREAS, the Division of Police implemented an electronic records management system for offense and complaint/incident reports; and

WHEREAS, the Division of Police wants to purchase the second year of system maintenance and support; and

WHEREAS, funds need to be transferred within the 2002 Local Law Enforcement Block Grant Fund to purchase the 2nd year of maintenance; and

WHEREAS, emergency legislation is needed because the current maintenance term expired on February 29, 2004; and

WHEREAS, an emergency exists in the usual operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to purchase the second year of maintenance and support and transfer funds for the preservation of public health, peace, property, safety and welfare; now therefore

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

Section 1. That funds needed for the purchase of the second year of maintenance be transferred as follows:

From:

DIV	FUND	OBJ LEV (01)	OBJ LEV (03)	OCA	AMT
30-03	222	02		338007	77,098.91
30-03		222 06	338007	120,000.00	

To:

DIV	FUND	OBJ LEV (01)	OBJ LEV (03)	OCA	AMT
30-03	222	03	3372338007		197,098.91

Section 2. That the Finance Director be and hereby authorized to modify the contract in the total amount of \$154,867.00 to Meggs Associates, D.B.A. CRISNet for the purchase of the second year of maintenance and support for the Division of Police, Department of Safety.

Section 3. That the expenditure of \$154,867.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV	FUND	OBJ LEV (01)	OBJ LEV (03)	OCA	GRANT#	AMT
30-03	222	03	3372	33800	338007	\$154,867.00

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: 0546-2004

Drafting Date: 03/11/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded a grant from The Columbus Affiliate of the Susan G. Komen Breast Cancer Foundation. This ordinance is needed to accept and appropriate \$69,670.00 in grant money to fund the Breast Education Screening and Treatment (BEST) grant program.

The BEST program enables the Columbus Health Department to provide culturally competent breast cancer screenings, diagnostic services and linkage to treatment for Somali women in Fayette county, as well as in Franklin and its contiguous counties.

This grant is for the period April 1, 2004 through March 31, 2005.

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 Columbus Affiliate of the Susan G. Komen Breast Cancer Foundation and does not generate revenue or require a City match. .

Title

To authorize and direct the Columbus Health Department to accept a grant from The Columbus Affiliate of the Susan G. Komen Breast Cancer Foundation in the amount of \$69,670.00; to authorize the appropriation of \$69,670.00 from the unappropriated balance of the Private Grants Fund, and to declare an emergency. (\$69,670.00)

Body

WHEREAS,\$69,670 in additional grant funds have been made available through The Columbus Affiliate of the Susan G. Komen Breast Cancer Foundation for the Breast Education, Screening and Treatment(BEST) grant program; and,

WHEREAS, this ordinance was submitted for emergency consideration so as to allow the financial transaction to be posted in the City's accounting system as soon as possible and to ensure the immediate availability of these funds for providing essential health services; 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 Columbus Affiliate of the Susan G. Komen Breast Cancer Foundation 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 Columbus Health Department is hereby authorized and directed to accept a grant award of \$69,670.00 from The Columbus Affiliate of the Susan G. Komen Breast Cancer Foundation for the Breast Education, Screening and Treatment grant program for the period April 1, 2004, through March 31, 2005.

SECTION 2. That from the monies in the Fund known as the Private Grants Fund, Fund No. 291, 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 \$69,670 is hereby appropriated to the Health Department, Division No. 50-01, as follows:

OCA: 504041; Grant: 504041; Obj Level One: 01; Amount: \$34,325

OCA: 504041; Grant: 504041; Obj Level One: 02; Amount: \$ 500

OCA: 504041; Grant: 504041; Obj Level One: 03; Amount: \$34,845

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: 0553-2004

Drafting Date: 03/12/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Since 2001 the Columbus Urban Growth Corporation has purchased 42 acres and developed the former Sullivant Gardens site as the West Edge Business Center. Currently, four large organizations have built facilities and located their respective operations on the site. Negotiations are continuing for development of the final 12 acres. In August 2003 construction started on the realignment of the Mound and Souder intersection and construction of new curbs and sidewalks along the northern and eastern edges of the Center and along the main entrance into the site. In September 2003 the opportunity arose to purchase an additional 5.244 undeveloped acres on the east side of Harmon Avenue directly east of West Edge. Given the success of West Edge and the completion of the Franklinton Floodwall, which will ease construction standards, Columbus Urban Growth Corporation (CUGC) purchased the property. In anticipation of future expansion and development of the West Edge Business Center, referred to as West Edge 2, and the need for additional right-of-way for the widening of Harmon Avenue from Buchanan Street to Greenlawn Avenue the City is purchasing the 5.244 acres and is agreeing to hold the property in the City's Land Bank until such time that a development project is identified.

Fiscal Impact: \$200,000 from the Special Income Tax Fund. This legislation authorizes the appropriation, transfer and the expenditure of funds.

Emergency Justification: Emergency action is requested in order to meet the purchase contract deadlines for closing on the transaction.

Title

To authorize the Director of the Department of Development to enter into real estate purchase agreements and to execute those documents necessary to purchase certain real property along Harmon Avenue for the future expansion of West Edge Business Center and widening of Harmon Avenue; to authorize the appropriation and transfer of \$200,000 from the Special Income Tax Fund to the Northland and Other Acquisition Fund; to authorize the expenditure of \$200,000; and to declare an emergency. (\$200,000)

Body

WHEREAS,In 2001, Columbus Urban Growth Corporation commenced redevelopment of the former site of Sullivant Gardens public housing, bounded by Mound Street on the north, Harmon Avenue on the east, Renick Street on the south and Mt Calvary Avenue on the west, as the West Edge Business Center; and

WHEREAS, the construction of right-of-way improvements to the Mound and Souder intersection and construction of sidewalks and curbs on the northern and eastern perimeter of West Edge and construction of sidewalks and curbs on the interior entranceway to the site is underway; and

WHEREAS, the West Edge Business Center has successfully attracted large entities to construct on and occupy sites within the Business Center; and

WHEREAS, the completion of the Franklinton Floodwall will relax construction codes so that undertaking new developments are more cost attractive; and

WHEREAS, the recently completed public improvements to Greenlawn Avenue is contributing to increased traffic flow to and from West Edge presenting a need to acquire right-of-way to widen Harmon Avenue; and

WHEREAS, Columbus Urban Growth Corporation acted on the opportunity to purchase 5.244 acres directly east of West Edge on the east side of Harmon Avenue and more fully described on the attached map; and

WHEREAS, the Department of Development has agreed to purchase the 5.244 acres and place it in the City's Land Bank to hold for future expansion, development and right-of-way needs; and

WHEREAS, an emergency exists in the daily operation of the Department of Development, in that it is immediately necessary to authorize the Development Director to enter into real estate purchase agreements and to execute those documents necessary to purchase 5.244 acres known as West Edge 2 in order to meet the deadlines for closing under the Agreement for Purchase of the West Edge 2 Properties, **now therefore**,

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

Section 1. That the Director of the Department of Development be authorized to enter into real estate purchase agreements for Two Hundred Thousand Dollars (\$200,000.00) and to execute those documents necessary to purchase 5.244 acres of real property on the east side of Harmon Avenue directly east of the West Edge Business Center from the Columbus Urban Growth Corporation.

Section 2. That the Department of Development has agreed to hold the property in its Land Bank until such time that a development project is identified.

Section 3. That for the purpose stated in Section 1, the sum of \$200,000 is hereby appropriated from the unappropriated balance of the Special Income Tax Fund No. 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, Dept./Div. No. 22-01, Object Level One 10, OCA Code 902023, Object Level Three, 5502.

Section 4. That the City Auditor is hereby authorized to transfer said funds to the Northland and Other Acquisition Fund No. 735, Project No. 441739, at such time as is deemed necessary by the City Auditor.

Section 5. That the sum of \$200,000.00 is hereby authorized to be appropriated and expended from the Northland and Other Acquisition Fund 735, Development, Department No. 44-01, Object Level One 6601, OCA Code 441739, Project No. 441739.

Section 6. That upon obtaining other funds for the West Edge 2 Project No. 441739, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 1 above, and said funds are hereby deemed appropriated for such purpose.

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

Section 8. That funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated.

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

Legislation Number: 0554-2004

Drafting Date: 03/12/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Ordinance No. 2018-2003 passed September 29, 2003, authorizing the City Attorney to acquire certain property rights, and to expend certain monies in connection with the Morse Road 36" Water Main from the Morse Road Booster Station to Johnstown Road. The original amount of funding made available for this project was done so with the understanding that additional monies may be needed at a later date. It is now necessary to increase the Auditor's Certificate established by the aforementioned ordinance by the amount of \$150,000.00 to pay for additional costs in connection with this project.

Fiscal Impact: The Department of Public Utilities, Division of Water has determined funding for this increase will be from the Water Limited Fund.

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

Title

To increase an existing Auditor's Certificate by \$150,000.00 from the Water Limited Fund, for the **Morse Road Booster Station to Johnstown Road Project** and to declare an emergency. **(\$150,000.00).**

Body

WHEREAS, the City of Columbus is engaged in the acquisition of real estate in connection with the Morse Road Booster Station to Johnstown Road Project; and

WHEREAS, an emergency exists in that it is immediately necessary to increase an Auditor's Certificate by \$150,000.00, from the **Morse Road Booster Station to Johnstown Road Project**, to pay additional professional service costs and other fees incidental to the acquisition of real estate for the above referenced project for the preservation of the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the City Auditor be, and he hereby is, authorized to increase Auditor's Certificate # AC-029015 in the amount of \$150,000.00 from the Water Limited Fund for the purpose of paying costs incidental to the acquisition of land for the **Morse Road Booster Station to Johnstown Road Project, Project #690474.**

Section 2. That the expenditure of \$150,000.00, or so much thereof as may be necessary for the Department of Public Utilities, Division of Water, Project #690474, from the 607 Fund, OCA Code 607474, Object Level Three, 6601, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby

authorized.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made apart 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: 0559-2004

Drafting Date: 03/12/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

Need: The City of Columbus Division of Police (CPD) has been awarded funding through the federal Violence Against Women Act (VAWA) Initiative. The Fiscal Year 2002 funding is for software and customization to enable documentation via diagramming of domestic violence injuries on the CPD electronic reporting system. The City must act as subgrantee to the Franklin County Board of Commissioners through the Justice Programs Unit according to federal grant guidelines. Therefore the Mayor is required to sign a subgrantee award and contract document to accept the award on behalf of the City.

Emergency Designation: Emergency legislation is needed to expedite making the funds available as soon as possible due to the short 3-month grant period.

FISCAL IMPACT:

There is no impact for the General Fund Account. The City through the Division of Police will provide an in-kind match for the grant and all appropriated funds will be reimbursed through the grant.

Title

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award and enter into a contract with the Franklin County Board of Commissioners via the Justice Programs Unit for a FY 2002 Violence Against Women Act (VAWA) grant, to authorize an appropriation of \$64,533.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the CPD-Scene PD grant project and to declare an emergency. (\$64,533.00)

Body

WHEREAS, the City of Columbus Division of Police has been awarded a FY 2002 Violence Against Women Act grant to enable documentation via diagramming of domestic violence injuries on the CPD electronic reporting system; and

WHEREAS, the grant funding is for specialized software and customization costs for the CPD-Scene PD project; and

WHEREAS, the 3-month limited grant award period started March 1, 2004; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety in that it is immediately necessary to authorize the Mayor to accept a FY02 VAWA grant for the CPD-Scene PD project and to authorize an appropriation for the above grant project for the preservation of the public health, peace, property, safety and welfare; now therefore

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

Section 1. That the Mayor of the City of Columbus be and is hereby authorized and directed to enter into contract with the Franklin County Board of Commissioners to accept a Fiscal Year 2002 Violence Against Women Act subgrantee award for the CPD-Scene PD Project.

Section 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the award period the sum of \$64,533.00 is appropriated as follows:

<u>DIV</u>	<u>FD</u>	<u>OBJ #1</u>	<u>OBJ #3</u>	<u>OCACD</u>	<u>GRANT</u>	<u>AMOUNT</u>
30-03	220	02	2224	334022	334022	\$64,533.00

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Safety; 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 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: 0576-2004

Drafting Date: 03/15/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To modify and extend the existing city-wide contract for the option to purchase Miscellaneous Medical Supplies for the Division of Fire, the largest user to and including March 31, 2005. Formal bids were opened by the Purchasing Office on January 31, 2002. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA000119DRM). FL001203, with Bound Tree Medical LLC, contract compliance number 31-1739487, and FL001205, with Emergency Medical Products, contract compliance number 39-1164909, were established in accordance with bids received. These companies are not debarred according to the Federal Excluded Parties Listing.

- 1) Amount of additional funds: The estimated annual expenditure for the contract is \$324,000.00. The Division of Fire must obtain approval to expend from their own budgeted funds for their estimated expenditures.
- 2) Reason additional needs were not foreseen: The need was foreseen. An extension is provided for in the original contract.
- 3) Reason other procurement processes not used: Time is of the essence and the extension will allow the Division of Fire to provide Miscellaneous Medical Supplies to the Firefighters in a timely manner.
- 4) How cost was determined: The cost, terms and conditions are in accordance with the original agreement

FISCAL IMPACT: No funding is required to extend the option contracts. The Division of Fire must set aside their own funding for their estimated expenditures.

To maintain an uninterrupted supply of goods to the City Agency using the Universal Term Contract, this ordinance is submitted as an emergency.

Title

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Miscellaneous Medical Supplies, with Bound Tree Medical LLC and Emergency Medical Products, and to declare an emergency.

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bids; and

WHEREAS, vendors have agreed to extend FL001203 and FL001205 at current prices and conditions to and including March 31, 2005, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid a lapse in our ability to provide necessary miscellaneous medical supplies, this was submitted for approval as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL001055 for an option to purchase Uniforms thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL001203 with Bound Tree Medical LLC and FL001205 with Emergency Medical Products to and including March 31, 2005.

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

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

Legislation Number: 0577-2004

Drafting Date: 03/15/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:** This contract provides for a portion of the Waggoner Road 30 inch Water Main project. The Franklin County Engineer's office presently has a Waggoner Road Widening project under contract. The contractor for the widening project is the Complete General Construction Company. Construction of the improvement will begin within the next 45 days. The City of Columbus Division of Water is proposing a 30" water main to be constructed along 1900 linear feet of said roadway widening. It is in the best interest of the City of Columbus that the provisions of competitive bidding be waived and to immediately contract with the Complete General Construction Company so that said water main may be constructed prior to or in conjunction with the county project. The water main design consultant has already fast tracked the design of the 30" water main.

CONTRACT COMPLIANCE NUMBER: 31-4366382

FISCAL IMPACT: This project is included in the C.I.B. and funds are being transferred to provide the monies needed for this project.

EMERGENCY: This ordinance is submitted as an emergency so as to allow the contractor to order and install the proposed water line and still meet the road widening schedule.

TitleTo authorize the Director of Public Utilities to enter into a contract with Complete General Construction Company for

a portion of the Waggoner Road 30 inch Water Main project for the Division of Water, to waive the provision of competitive bidding, to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund, to authorize the expenditure of \$500,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$500,000.00)

Body

WHEREAS, the City of Columbus, Division of Water has plans to install a 30 inch water main along Waggoner Road as part of Capital Improvement Project No. 458, and

WHEREAS, the Franklin County Engineer's office presently has a Waggoner Road Widening project under contract with Complete General Construction Company, and

WHEREAS, the construction of this improvement will begin within the next 45 days, and

WHEREAS, the City of Columbus would receive numerous benefits from a joint venture including cost savings, and reduced traffic control issues, 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 enter into a contract with Complete General Construction Company for a portion of the Waggoner Road 30 inch Water Main project for the Division of Water so as to allow this joint venture project to move forward for the immediate preservation of public health, peace, property, safety and welfare; Now, Therefore,

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

Section 1. That the Director of Public Utilities be and he is hereby authorized to enter into a contract with to Complete General Construction Company , 1221 East Fifth Avenue, Columbus, Ohio, 43219, in the amount of \$500,000.00 for a portion of the Waggoner Road 30 inch Water Main project for the Division of Water, Department of Public Utilities, Contract No. 1024, Project No. 690458.

Section 2. That it is in the best interest of the City to waive the provisions of section 329 of the Columbus City Code, 1959 and such provisions are hereby waived.

Section 3. 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:

690265 HCWP Raw Water Line,		
	OCA Code 690265	\$269,135.00
690335 DRWP Olentangy Intake,		
	OCA Code 606335	\$230,865.00

To:

690458 Waggoner Road 30 inch Water Main,		
	OCA Code 690458	\$500,000.00

Section 4. That the expenditure of \$500,000.00 or as much thereof as may be needed be, and the same is hereby authorized from the Water Works Enlargement Voted 1991 Bonds Fund No. 606, Department 60, Division 09, OCA Code 690458, Object Level Three Code 6629, Object Level One 06, Project No. 690458.

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 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 thereof, 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: 0600-2004

Drafting Date: 03/18/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN04-006

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 Franklin 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 (AN04-006) of 24.09± Acres in Franklin 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 Franklin Township was duly filed by Ralph P. Dematteo, et al on March 17, 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

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 24.09± acres in Franklin 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: Station 17, 2250 W. Broad Street, 12 Personnel/ 7 Paramedics.
Apparatus responding: Paramedic/Engine, Rescue, Medic, Battalion Chief, and EMS Supervisor.
Time: 4.0 minutes

Second response from Station: Station 12, 3200 Sullivant Avenue, 10 Personnel/ 3 Paramedics.
Apparatus responding: Paramedic/Engine, Medic, and Ladder.
Time: 6.0 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 existing 8 inch and 20 inch water mains located in Hague Avenue.

Sewer:

Sanitary Sewer:

This site is tributary to an existing 15 inch subtrunk located in the vicinity of the south property line of the proposed annexation. Mainline extension will be required at the expense 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 24.09 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 Franklin 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 Franklin 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: 0601-2004

Drafting Date: 03/18/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

AN04-005

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 Jefferson 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 (AN04-005) of 6.4± Acres in Jefferson 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 Jefferson Township was duly filed by MI Homes of Central Ohio LLC on March 17, 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

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 6.4± acres in Jefferson 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 5, 211 McNaughten Road, 7 Personnel/ 4 Paramedics
Apparatus responding: Paramedic/Engine, Medic, and EMS Supervisor.
Time: 3.0 miles

Second response from: Station 23, 4451 E. Livingston Avenue, 10 Personnel/ 3 Paramedics.
Apparatus responding: Paramedic/Engine, Medic, and Ladder.
Time: 11.0 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, however, the City of Columbus shall assume no maintenance or inspection responsibility for that portion of the Taylor Station Road bridge that falls within the limits of this annexation. The Franklin County Engineer's office has assured the City that they shall retain these responsibilities. 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 8 inch main located about 350 feet to the south. Extension of this main will be at the developers expense.

Sewer:

Sanitary Sewer:

This site can be served by either a 12 inch sewer located about 2000 feet to the southwest or an 8 inch stub located about 1375 feet from the site along the south side of Westbourne Road. Mainline extensions would be at the expense 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 6.4 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 Jefferson 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 Jefferson 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: 0604-2004

Drafting Date: 03/18/2004

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The need exists to enter into an Enterprise Zone Agreement with Larkins Associates, LP. and NFI Industries. The Ohio Enterprise Zone law O.R.C. Section 5709.62 (3) requires the City to enter into a Council-approved agreement between the City and participating companies.

Larkins Associates, LP. plans to build a 140,000 square foot facility to accommodate relocation of NFI Industries (tenant). The project will include an investment of \$4,200,000.00, the retention of 16 (sixteen) full-time positions, and the creation of 40 (forty) full-time jobs by NFI Industries.

The Department of Development recommends a 60%/6 year tax abatement on real property improvements. The proposal is consistent with Columbus Tax Incentive Policy under Edge City Area projects.

The Columbus Public School District has been advised of this project.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Director of Development to enter into an agreement with Larkins Associates, LP. and NFI Industries for a tax abatement of sixty percent (60%) for a period of six (6) years in consideration of a proposed \$4.2 million investment in real property improvements, the retention of 16 (sixteen) full-time positions, and the creation of 40 (forty) new jobs; and to declare an emergency.

Body

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and

WHEREAS, the Ohio Development Department approved this designation under State of Ohio enterprise law, by letter dated June 12, 1985; and

WHEREAS, Larkins Associates, LP. plans to build a 140,000 square foot facility to accommodate relocation; and

WHEREAS, the relocation will add approximately \$4.2 million in investment within the City; and

WHEREAS, the relocation will create 40 (forty) new full time jobs; and

WHEREAS, an emergency exists in that the developer must immediately begin construction to accommodate the deadline of their tenant; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into contract with Larkins Associates, LP and NFI Industries for the preservation of public health, peace, property and safety; **NOW, THEREFORE,**

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

Section 1. That the Director of Development is hereby authorized to enter into an Enterprise Zone Agreement with Larkins Associates, LP. and NFI Industries and to provide therewith an exemption of sixty percent (60%) on real property improvements for a term of six (6) taxable years in association with the project's proposed \$4.2 million investment.

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

Legislation Number: 0605-2004

Drafting Date: 03/18/2004

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The need exists to enter into an Enterprise Zone Agreement with Cabot Properties, Inc. The Ohio Enterprise Zone law O.R.C. Section 5709.62 (3) requires the City to enter into a Council-approved agreement between the City and participating companies.

Cabot Properties, Inc. plans to build a 500,000 square foot facility to accommodate construction. The project will include an investment of \$11.2 million and the creation of 150 full-time jobs.

The Department of Development recommends a 75%/10 year tax abatement on real property improvements. The proposal is consistent with Columbus Tax Incentive Policy under Edge City projects.

The Columbus Public School District has been advised of this project.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Director of Development to enter into an agreement with Cabot Properties, Inc. for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed \$11.2 million investment in real property improvements and the creation of 150 new jobs; and to declare an emergency.

Body

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and

WHEREAS, the Ohio Development Department approved this designation under State of Ohio enterprise law, by letter dated June 12, 1985; and

WHEREAS, Cabot Properties, Inc. plans to build a 500,000 square foot facility to accommodate construction; and

WHEREAS, the expansion will add approximately \$11.2 investment within the City; and

WHEREAS, the construction will create 150 new full time jobs; and

WHEREAS, an emergency exists in that the developer must immediately begin construction to successfully compete with neighboring municipalities in the Foreign Trade Zone; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into contract with Cabot Properties, Inc. for the preservation of public health, peace, property and safety, **NOW, THEREFORE,**

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

Section 1. That the Director of Development is hereby authorized to enter into an Enterprise Zone Agreement with Cabot Properties, Inc. and to provide therewith an exemption of seventy-five percent (75%) on real property improvements for a term of ten (10) taxable years in association with the project's proposed \$11.2 million investment and the creation of 150 new full time jobs.

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

Legislation Number: 0611-2004

Drafting Date: 03/19/2004

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 permanent easements in and to real estate necessary for the **Sunbury Road 12" Water Line Improvement Project**.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested to allow right-of-way acquisition to begin immediately so that the City can meet current schedules that require the acquisition of all necessary additional right-of-way to be completed with out delay.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the **Sunbury Road 12" Water Line Improvement Project**, and to declare an emergency.

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Sunbury Road 12" Water Line Improvement Project, #690468**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 401X-2003, on the 15th day of December, 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 Water, 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 permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the **Sunbury Road 12" Water Line Improvement Project, Project 690468**

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 1P

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 3, Township 1 North, Range 17 West, United States Military Lands and being an easement thirty (30) feet in width for waterline purposes through a portion of a 1.828 acre tract of land conveyed to James T. & Jean E. Wilson by deed of record in Deed Book 3344, Page 174, all references to the Recorder's Office, Franklin County, Ohio, said easement bounded and described as follows:

Beginning at a point in a north line of said 1.828 acre tract, in the south line of a 2.971 acre tract of land conveyed as Parcel 3 to Frances V. Bailey by deed of record in Official Record 3765, Page B 01 and in the westerly right-of-way line of Sunbury Road (60 feet in width) said point being N 75° 11' 32" W a distance of 30.01 feet from a point in the centerline of Sunbury Road, at a northeast corner of said 1.828 acre tract and at the southeast corner of said 2.971 acre tract;

Thence S 16° 08' 28" W crossing a portion of said 1.828 are tract and along the westerly right-of-way line of Sunbury Road a distance of 55.90 feet to a point at the intersection of the westerly right-of-way line of Sunbury Road with the northeasterly right-of-way line of Mock Road (60 feet in width);

Thence N 49° 16' 23" W crossing a portion of said 1.828 acre tract and along a portion of the northeasterly right-of-way line of Mock Road a distance of 32.99 feet to a point;

Thence N 16° 08' 28" E crossing a portion of said 1.828 acre tract and parallel with and thirty (30) feet westerly by perpendicular measurement from the westerly right-of-way line of Sunbury Road a distance of 41.48 feet to a point in a north line of said 1.828 acre tract and in the south line of said 2.971 acre tract;

Thence S 75° 11' 32" E along a portion of a north line of said 1.828 acre tract and along a portion of the south line of said 2.971 acre tract a distance of 30.01 feet to the place of beginning;

Containing 1,461 square feet (=0.034 acre) of land more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio from best available Court House research in January, 2003. Basis of bearings are based on the azimuth of 305° 44' 58" between Franklin County Monuments Nos. "Frank 64" and "Frank 164", and all other bearings are based upon this meridian. Kevin L. Baxter, Ohio Surveyor #7697.

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

Legislation Number: 068X-2004

Drafting Date: 03/04/2004

Version: 1

Current Status: Passed

Matter Type: Resolution

[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 in order to commence construction within this year's construction season.

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 Department of 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 described real estate 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:

PARCEL 28A-WD (0.043 Ac.)

(Revised 3-04-04)

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 18, United States Military Lands, and being part of 2.584 acres of land described in a Certificate of Transfer to Anne D. Milano of record in Official Record 33136 B11, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 28WD being more particularly described as follows:

Beginning for Reference at a 1" diameter iron pin centerline monument for Morse Road found in a monument box at centerline Sta. 105+06.64;

Thence N 84° 52' 20" W with the centerline of Morse Road, a distance of 131.28 feet to a point being at centerline Station 103+75.36;

Thence N 5° 07' 40" E leaving the centerline of Morse Road, a distance of 83.11 feet to a point at the southeast corner of said 2.584 acres of land, at the northeast corner of a 0.380 acre tract described in a deed to the City of Columbus, Ohio of record in Deed Book 2655 Page 90, in the northerly right-of-way limits of Morse Road, being 83.11' left of Station 103+75.36 and being the True Place of Beginning for the parcel described herein;

Thence N 86° 13' 59" W with the southerly line of said 2.584 acres of land, the northerly line of said 0.380 acre tract, the northerly right-of-way limits of Morse Road, a distance of 50.37 feet to an iron pin set, being 81.91' Left of Station 103+25.00;

Thence N 05° 07' 40" E into said 2.584 acres of land, a distance of 38.09 feet to an iron pin set, being 120.00' Left of Station 103+25.00;

Thence S 84° 52' 20" E continuing through said 2.584 acres of land, a distance of 49.66 feet to an iron pin set in the easterly line of said 2.584 acres of land, being 120.00' Left of Station 103+74.66;

Thence S 04° 02' 45" W with the easterly line of said 2.584 acres of land, a distance of 36.90 feet to the True Place of Beginning.

The above described tract contains 0.043 acres of land from Auditor's Parcel # 010-132395.

Iron Pin(s) Set in the above description are 5/8 inch dia. rebar 30" inches long with a yellow plastic cap stamped "7159-MS CONSULTANTS".

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth " and "Clark 1928 1982 ", located along Karl Road, south of Morse Road. The bearing between these monuments is S0°39'58"W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records.

JAMES P. VILLACRES

Professional Surveyor No. 7912

PARCEL 28A T (0.099 Ac.)
TEMPORARY CONSTRUCTION EASEMENT

(Revised 3-04-04)

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 18, United States Military Lands, and being part of 2.584 acres of land, described in a Certificate of Transfer to Patrick J. Carter of record in Instrument Number 200311190369967, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 28A T being more particularly described as follows:

Beginning for Reference at a 1" diameter iron pin centerline monument for Morse Road found in a monument box at Sta. 105+06.64;

Thence N 84° 04' 55" with the centerline of Morse Road, a distance of 181.64 feet to a point being at centerline Station 103+25.00

Thence N 5° 07' 40" E leaving the centerline of Morse Road, a distance of 81.91 feet to an iron pin set in the southerly line of said lands of Patrick J. Carter, the northerly right-of-way limits of Morse Road, being 81.91 feet left of Station 103+25.00 and being the True Place of Beginning for the parcel described herein;

Thence N 86° 13' 59" W with the northerly right-of-way limits of Morse Road a distance of 195.04 feet to a point at the southwest corner of said lands of Patrick J. Carter, the southeast corner of a 0.170 acre tract described in a Certificate of Transfer to Patrick J. Carter et. al. of record in Instrument Number 200311190369969; being 77.28' Left of Station 101+30.02;

Thence N 03° 11' 14" E with the westerly line of said lands of Patrick J. Carter and the easterly line of said 0.170 acre tract, a distance of 11.12 feet to a point, being 88.40' Left of Station 101+29.64;

Thence S 86° 35' 08" E into said lands of Patrick J. Carter, a distance of 120.41 feet to a point, being 92.00' Left of Station 102+50.00;

Thence N 05° 07' 40" E continuing through said lands of Patrick J. Carter, a distance of 28.00 feet to a point, being 120.00' Left of Station 102+50.00;

Thence S 84° 52' 20" E continuing through said lands of Patrick J. Carter, a distance of 75.00 feet to an iron pin set, being 120.00' Left of Station 103+25.00;

Thence S 05° 07' 40" W continuing through said lands of Patrick J. Carter, a distance of 38.09 feet to the True Place of Beginning.

The above described tract contains 0.099 acres from Auditor's Parcel # 010-132395.

Iron Pin(s) Set in the above description are 5/8 inch dia. rebar 30" inches long with a yellow plastic cap stamped "7159-MS CONSULTANTS".

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth " and "Clark 1928 1982 ", located along Karl Road, south of Morse Road. The bearing between these monuments is S0°39'58"W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records. JAMES P.

VILLACRES, Professional Surveyor No. 7912,

Revised 2/13/04

PARCEL 28 T (0.028 Ac.)
TEMPORARY CONSTRUCTION EASEMENT
(Revised)

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 4, Township 2, Range 18, United States Military Lands, and being part of a 0.281 acre tract of land, and a 0.170 acre tract of land, described in Certificates of Transfer to Patrick J. Carter et. al. of record in Instrument numbers 200311190369968 and 200311190369969 respectively, all records are on file in the Recorder's Office, Franklin County, Ohio, all stations and offsets reference the centerline of survey and construction of Morse Road prepared by ms consultants, inc. for the City of Columbus, said Parcel 28 T being more particularly described as follows:

Beginning for Reference at a 1" diameter iron pin centerline monument for Morse Road found in a monument box at Sta. 105+06.64;

Thence N 84° 04' 55" with the centerline of Morse Road, a distance of 376.62 feet to a point being at centerline Station 101+30.02;

Thence N 5° 07' 40" E leaving the centerline of Morse Road, a distance of 77.28 feet to a point at the southeast corner of said 0.170 acre tract, at the southwest corner of 2.584 acres of land described in a Certificate of Transfer to Patrick J. Carter of record in Instrument Number 200311190369967, the northerly right-of-way limits of Morse Road, being 77.28 feet left of Station 101+30.02 and being the True Place of Beginning for the parcel described herein;

Thence N 86° 13' 59" W with the northerly right-of-way limits of Morse Road a distance of 113.67 feet to a point at the southwest corner of said lands of Patrick J. Carter et. al., the northwest corner of a 0.147 acre tract in a deed described to City of Columbus, Ohio of record in Deed Book 2655, Page 86; being 74.58' Left of Station 100+16.35;

Thence N 03° 04' 55" E with the westerly line of said lands of Patrick J. Carter et. al. and the easterly line of a 0.280 acre tract of land described in a deed to Michael A. Verhage of record in Official Record 008904 A11, a distance of 10.43 feet to a point, being 85.00' Left of Station 100+16.01;

Thence S 86° 35' 08" E through said lands of Patrick J. Carter et. al., a distance of 113.68 feet to a point in the easterly line of said 0.170 acre tract, in the westerly line of said of 2.584 acres of land, being 88.40' Left of Station 101+29.64;

Thence S 03° 11' 14" W with the easterly line of said 0.170 acre tract, the westerly line of said of 2.584 acres of land, a distance of 11.12 feet to the True Place of Beginning.

The above described tract contains 0.028 acres of land (0.025 acres from Auditor's Parcel 010-132394, 0.003 acres from Auditor's Parcel # 010-100696).

The bearings for this description are based on the Ohio State Plane Coordinate System, South Zone and the North American Datum of 1983(1986), established by a field traverse originating on Franklin County survey control monuments "Clark Azimuth " and "Clark 1928 1982 ", located along Karl Road, south of Morse Road. The bearing between these monuments is S0°39'58"W. This description was prepared by ms consultants, inc. from an actual field survey (2002) and existing records. JAMES P. VILLACRES, Professional Surveyor No. 7912,
Revised 2/13/04

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: 073X-2004

Drafting Date:

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation March, National Purchasing Month, is the time to celebrate the contributions that public and private purchasers have made to the profession and the integrity they provide to the taxpayers as a purchasing professional. Recognition is not only important to the individual, but it provides an opportunity for government officials and the public to learn about what value the public purchasing profession provides to the successful management of government and business.

Title To recognize and celebrate National Purchasing Month during March, by commending public and private purchasers for their commitment to excellence in the purchasing profession.

Body **WHEREAS**, the purchasing and supply management professionals have a significant influence on the economic conditions of the City of Columbus, with an aggregate purchasing power of billions of dollars; and

WHEREAS, The Central Ohio Organization of Public Purchasers, local Chapter of the National Institute of Governmental Purchasing (NIGP) and the Columbus National Association of Purchasing Managers, local Chapter of the Institute of Supply Management (ISM) conduct activities and special events in March to celebrate "National Purchasing Month" to further educate and inform people of the purchasing profession within business, industry and government; and

WHEREAS, The Central Ohio Organization of Public Purchasers (COOPP) celebrates their Tenth Anniversary of Excellence in providing a network of peers, providing professional development opportunities, and sharing resources to promote cooperative purchasing activities - - which included bringing a major conference event and visitors to Columbus in 2001; and

WHEREAS, The City of Columbus, Finance Department, Purchasing Office is a key leader in developing and implementing a purchasing system of quality and integrity that will maximize the value of public funds and provide fair and equitable treatment to all persons involved in public purchasing; and

WHEREAS; The City of Columbus, City Council joins with professional purchasers in business and government to celebrate "National Purchasing Month"; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1.0 That this Council does hereby recognize and commend members of the following public and private purchasers for their commitment to excellence in the purchasing profession;

CENTRAL OHIO ORGANIZATION OF PUBLIC PURCHASERS

NATIONAL ASSOCIATION OF PURCHASING MANAGERS - COLUMBUS

CITY OF COLUMBUS - FINANCE/PURCHASING OFFICE

for which this Council, on behalf of the citizens of Columbus, Ohio expresses its congratulations on the achievements of professional purchasers and their organizations during "National Purchasing Month" events.

Legislation Number: 075X-2004

Drafting Date: 03/18/2004

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

BACKGROUND:

On May 20, 2002, Council adopted Resolution 092x-02 to support the creation of the Columbus Downtown Office Incentive Program as one of the development tools needed to implement the Downtown Business Plan. On July 22, 2002 Council adopted Resolution 144X-02 providing a job creation component to the Columbus Downtown Office Incentive Program to assist with expansion and retention of downtown employers. A second revision must now be made to the incentive qualifications for larger potential employers that requires a repeal of the previous resolution and adoption of this revised resolution.

The City of Columbus has a one of the highest downtown office vacancy rate in the nation. This high vacancy rate is having a negative impact on all business activity downtown and throughout the city. The Downtown Development Office, working in accordance with the Downtown Business Plan, is proposing this revised Columbus Downtown Office Incentive Program. This program is an essential component of the stabilization of the downtown office market. This program as revised is an important part of the overall revitalization strategy for our downtown.

FISCAL IMPACT:

No funding is required for this legislation.

Title

To support the creation of the Columbus Downtown Office Incentive Program as one of the development tools needed to implement the Downtown Business Plan; to repeal Resolution 144X-02, adopted July 22, 2002; and to declare an emergency.

Body

WHEREAS, the City desires to increase employment opportunities and encourage creation of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, to carry out this public purpose the City seeks to pursue all reasonable and legitimate incentives to accomplish downtown development and redevelopment; and

WHEREAS, the Downtown Office Incentive Program is one of several vehicles implemented to help create a growing, healthy downtown; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to repeal Resolution 144X-02 and adopt this revised version of the resolution to ensure the program's continued competitiveness in the downtown office market, all for the immediate preservation of the public health, property, safety and welfare; **NOW, THEREFORE:**

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

Section 1. That Resolution 144X-02, adopted July 22, 2002, be and is hereby repealed.

- Section 2.** That this Council with the full support of the Mayor of the City of Columbus, does hereby support the creation of the Columbus Downtown Office Incentive Program as one of the development tools needed to implement the Downtown Business Plan in accordance with the principles expressed herein above.
- Section 3.** That the City of Columbus creates an employment-based office incentive equal to 50% of the municipal income tax paid through withholding for the new jobs created by an employer in downtown as defined in Section 4 below.
- Section 4.** For the purpose of this resolution, the boundaries of downtown are defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.
- Section 5.** At the end of 5 years from the time resolution 144X-02 was passed by City Council, July 22, 2002, the effective date this program concludes unless otherwise extended by Council action.
- Section 6.** The minimum employment requirement to qualify for this incentive is 10 new employees (net job creation). The jobs must be newly created positions or moved from outside the city of Columbus to the downtown as defined in Section 4 above.
- Section 7.** Only private sector employees qualify for this incentive.
- Section 8.** This program will be applied on a case-by-case basis and when criteria are met, legislation will be prepared and forwarded to Council to approve the incentive.
- Section 9.** Program term eligibility will be determined by qualifying under either paragraph A or B of this Section:
- A) The term of the incentive for qualifying employers occupying leased space shall be two (2) years less than the lease term not to exceed five (5) years term; for employers using owner occupied space the term is five (5) years.
 - B) The term of the incentive based on new to Columbus jobs shall be:
 - 1.) 10 to 49 new employees - one (1) year,
 - 2.) 50 to 149 new employees - two (2) years,
 - 3.) 150 to 249 new employees - three (3) years,
 - 4.) 250 to 399 new employees - five (5) years,
 - 5.) 400 plus new employees - eight (8) years
- Section 10.** The availability of this incentive is contingent on the one time approval of the incentive for a company by City Council and the City's obligation to pay the incentive each year is expressly contingent upon the passing of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.
- Section 11.** 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: 077X-2004

Drafting Date: 03/19/2004

Version: 1

Current Status: Passed

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 **North High Streetscapes Improvement Project**.

Fiscal Impact:

N/A

Emergency Justification:

Emergency action is requested to allow right-of-way acquisition to begin immediately so that the City can meet current schedules that require the acquisition of all necessary additional right-of-way to be completed 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 **North High Streetscapes Improvement Project**, and to declare an emergency.

Body

WHEREAS, the City of Columbus is engaged in the **North High Streetscapes 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 L** attached hereto and made a part hereof as though fully written herein, necessary for the **North High Streetscapes Improvement Project, Project # 530050** 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 1T White Castle Systems Inc

B 2P, P-1, A, T, T-1, T-2 Charlotte P Kessler & Park Nat'l Bank, Tr

C 6SH, WD, T, T-1 Olentangy Village Assn III Ltd

D 13P, A Columbia Gas of Oh Inc

E 16T Northern Trading Co, Trustee

F 20P, T LRES Investments LLC dba Advance Auto Prts.

G 22P Transportation Communica. Consultnts Inc Db a Scarlet & Hayes car lot

H 23SH Sam Williams, Jr db a Sammy's Used Cars

I 30SH Buckeye P H Inc; Pizza Hut?

J 34SH, AE Emerald Light Investments, Ltd db a Donatos

K 39WD State Savings Bank
L 40SH Roger Berlin, Tr

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: 078X-2004

Drafting Date:

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title To honor and recognize Gregory J. Behnke for receiving the 2004 George Meany Award.

Body Whereas Gregory Behnke has been a member of the United Food and Commercial Workers Local 1059 since 1973, currently serving the Union as Secretary-Treasurer, and

Whereas Gregory Behnke has taken a leadership position in the labor community's charitable activities, and

Whereas Gregory Behnke has served as state chair of the Ohio AFL-CIO United Way Labor Liaisons, helped to lead the AFL-CIO's One New Toy Program for 17 years and coordinated the 2000 and 2001 United Labor Weekend Cruise-In, and

Whereas Gregory Behnke served as the United Way of Central Ohio's labor co-chair in 1998 where he helped to raise \$42.7 million, and

Whereas Gregory Behnke has worked to fight hunger in Central Ohio as the labor co-chair of Operation Feed in 2003, and

Whereas Gregory Behnke has served on the United Cerebral Palsy Executive Board since 1997, currently serving as vice president of the board,

Therefore be it resolved by the Council of the City of Columbus that Gregory J. Behnke is to be applauded for his tireless leadership in support of the health, welfare and recreational services that benefit so many in Columbus, Ohio.

Legislation Number: 079X-2004

Drafting Date: 03/29/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To honor and recognize Monsignor Joseph M. Hendricks for receiving the 2004 AFL-CIO Community Service Award.

BodyWhereas Monsignor Hendricks was ordained to the Roman Catholic priesthood in 1972 and has since served numerous appointments currently as pastor of St. Brigid of Kildare Church, and

Whereas Monsignor Hendricks is Vice President of the Seton Square Housing Corporation and President of The Villas at St. Therese, and

Whereas Monsignor Hendricks is the clergy coordinator of the Diocese of Columbus' capitol campaign, and

Whereas Monsignor Hendricks has exhibited his commitment to the community by serving on numerous boards and committees including YMCA of Central Ohio, Goodwill Columbus, Ohio Dominican University and the Center for Christian Leadership at Methesco Seminary, and

Whereas Monsignor Hendricks is a member of the United Way of Central Ohio's Resource Development Committee and chair of the Education Vision Council,

Now therefore be it resolved by the Council of the City of Columbus that Monsignor Joseph M. Hendricks is to be recognized and congratulated for the commitment he has shown to improving the lives of those in need in Columbus, Ohio

Legislation Number: 080X-2004

Drafting Date:

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To honor and recognize Amy Hernandez for receiving the 2004 Columbus Franklin County AFL-CIO Scouting Award.

Body

Whereas Amy Hernandez is a member of the Ohio Civil Service Employees Association/American Federation of State City and Municipal Employees Union Local 11, Chapter 2597, and

Whereas Amy Hernandez has worked as leader of the Schillwind Girl Scout Service Unit at St. Mary's in German Village for the past three years, and

Whereas Amy Hernandez has provided steady leadership which saved the troop from disbanding, and

Whereas Amy Hernandez has inspired the members of her troop to plan for the future by taking them on a trip to Hocking College, and

Whereas Amy Hernandez has led the members of the Schillwind Girl Scout Service Unit to earn many merit badges including eat right, stay healthy, write away, caring and sharing, outdoor adventure and ready, set go camping as well as numerous COSI and bowling patches,

Therefore be it resolved by the Council of the City of Columbus that Amy Hernandez is to be praised for her commitment to the youth of Columbus, Ohio.

Legislation Number: 081X-2004

Drafting Date: 03/29/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

TitleTo declare March 29th to April 4th Crew Week in Columbus, Ohio.

BodyWhereas, in 1996 Major League Soccer chose Columbus, Ohio as "Home" for one of its original ten teams, the COLUMBUS CREW, and

Whereas, The COLUMBUS CREW and Major League Soccer are poised to begin their ninth season of bringing major league soccer excitement to the Citizens of Columbus, and

Whereas, The COLUMBUS CREW will celebrate the 5th Anniversary of the first soccer specific stadium in Major League Soccer, Crew Stadium, on Saturday May 15, 2004, and

Whereas, the COLUMBUS CREW team members and coaching staff have well represented the City of Columbus both nationally and internationally by exhibiting a high level of skill, determination, confidence, and character, and

Whereas, the COLUMBUS CREW has worked to strengthen our community by introducing the sport of soccer to countless area youngsters with a variety of public soccer clinics, and

Whereas, the COLUMBUS CREW will begin their quest for the 2004 MLS Championship when the season begins April 3, with the Crew taking on the NY/NJ MetroStars at 7:30 p.m. in Crew Stadium, therefore

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

That this Council declares March 29th to April 4th Crew Week in Columbus, Ohio and offers best wishes for a championship season.

Legislation Number: 082X-2004

Drafting Date:

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

Title

To Honor and Recognize The American Red Cross of Greater Columbus during American Red Cross Month

Body

WHEREAS, the American Red Cross of Greater Columbus has served our community by providing lifesaving information, training, and disaster relief to individuals and families since July 16, 1916; and,

WHEREAS, nearly 100 years ago, the U.S. Congress chartered the American Red Cross with two primary tasks - to be the medium for communication between members of our armed forces and their families and to provide national and international disaster relief. In the new and unsettling world of nonspecific terrorist threats and heightened military action, the century-old role of the Red Cross couldn't be clearer; and,

WHEREAS, the American Red Cross believes preparing families is the best way to bring peace of mind to the American public and has launched the *Together We Prepare* campaign to help all citizens get ready for an emergency by taking five simple action steps: making a disaster plan, building a supply kit, getting trained, volunteering and donating blood; and,

WHEREAS, the Red Cross has trained thousands in our community in essential skills such as first aid and CPR, and provided HIV/AIDS prevention education and disaster preparedness information, saving untold numbers of lives; and,

WHEREAS, March has been designated as "Red Cross Month" by U.S. Presidential Proclamation to celebrate the achievement of the Red Cross in the services it provides to communities nationwide.

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

That the Council does recognize the Red Cross as the lead voluntary agency to help families prepare for a disaster and meet the immediate needs of individuals affected by disaster, and the leading voluntary agency training families in lifesaving skills; and providing other needed services,

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to the Red Cross of Greater Columbus as a token of our esteem.

Legislation Number: 084X-2004

Drafting Date:

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

Title

To honor and recognize the Southeast Career Center Carpentry Class for receiving the 2004 Central Ohio AFL-CIO Youth Services Award.

Body

Whereas, the Southeast Career Center Carpentry Class has shown a dedication to community service; and,

Whereas, the students of Southeast Career Center Carpentry Class have individually donated more than 300 hours each working on two different Habitat for Humanity houses in Columbus; and,

Whereas, the work of the Southeast Career Center Carpentry Class truly personifies the commitment to volunteer service that the George Meany Awards Banquet represents.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: that the Southeast Career Center Carpentry Class be applauded for their extensive volunteer work in Columbus, Ohio.

BE IT FURTHER RESOLVED that a copy be presented to the Southeast Career Center as a token of our esteem.

Legislation Number: 085X-2004

Drafting Date:

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

Title

To honor and recognize Amelia Gerst for receiving the 2004 Central Ohio AFL-CIO Youth Services Award.

Body

Whereas, Amelia Gerst is a senior at Westerville North High School and President of the Key Club; and ,

Whereas, Amelia Gerst has been a leader in actively promoting community service in her school; and,

Whereas, Amelia Gerst has led two of the most successful "Caring and Sharing" charity campaigns in her school's history; and,

Whereas, Amelia Gerst's efforts raised over \$19,000 for charity in the past year.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: that Amelia Gerst be recognized for her commitment to community service.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS: that a copy of this Resolution be presented to Amelia Gerst as a token of our esteem.

Legislation Number: 087X-2004

Drafting Date: 03/29/2004

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Explanation

N/A

Title

To recognize the month of April 2004 as Child Abuse Prevention Month.

Body**WHEREAS**, Child abuse and neglect continue to threaten the lives of children in Central Ohio. Their physical and emotional suffering challenges us as parents, neighbors and citizens to increase efforts to protect and prevent their maltreatment; and
WHEREAS, Everyday in this country, four children die due to abuse and neglect. Over three million children are reported for abuse and neglect nationwide every year. In 1999, nearly 100,000 children were reported as abused or neglected in Ohio; and
WHEREAS, Since 1990, more than 10,000 children have died while in the care of a parent or caretaker. Each year, more than 9,000 abuse and neglect investigations are completed in Franklin County. Studies have shown a growing correlation between domestic violence and child abuse; and
WHEREAS, Keeping our children and families safe is a community responsibility. Public concern and response to neglect can help raise awareness and reduce the occurrence of abuse. Every segment of society must be involved in this effort, including health and law enforcement professionals, schools, faith organizations, and most importantly parents; and
WHEREAS, All citizens are urged to take an active stand in support of Child Abuse Prevention Month by connecting with programs, services, and volunteer opportunities to aid victims and survivors of child abuse; now therefore
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:
That this council does hereby recognize the Month of April 2004 as Child Abuse Prevention Month and extends its gratitude to those who work to keep our children safe and take action in our communities to make them healthy places where children can grow and thrive.

Legislation Number: 2621-2003

Drafting Date: 11/21/2003

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Rezoning Application Z03-010

APPLICANT: Cardinal Title Holding Co.; c/o Mike Shannon, Atty.; 500 South Front Street, 12th Floor; Columbus, Ohio 43215.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on June 12, 2003

ROCKY FORK-BLACKLICK ACCORD IMPLEMENTATION PANEL: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is located along a recently completed section of Hamilton zonings have established a commercial node to the south of the site at the State Route 161 and Hamilton Road interchange, and a smaller commercial node to the north of the site at the Warner and Hamilton Roads intersection, all of which is undeveloped. These two nodes are separated by undeveloped office -manufacturing and apartment residential zonings along Hamilton Road. The applicant requests the CPD, Commercial Planned Development District to develop commercial uses along the frontage that is currently zoned for apartment residential uses, thereby establishing commercial and manufacturing uses along the half-mile Hamilton Road corridor from State Route 161 to Warner Road.

Title

To rezone **5333 WARNER ROAD (43081)**, being 16.00 ± acres located on the south side of Warner Road, east and west of the Hamilton Road extension, From: L-C-3, Limited Commercial, L-M-2, Limited Manufacturing, L-AR-12, and L-ARLD Limited Apartment Residential Districts, To: CPD, Commercial Planned Development District. (Rezoning #

Z03-010)

BodyWHEREAS, application #Z03-010 is on file with the Building Services Division of the Department of Development requesting rezoning of 16.00± acres from: L-C-3, Limited Commercial, L-M-2, Limited Manufacturing, L-AR-12, and L-ARLD, Limited Apartment Residential Districts, to: CPD, Commercial Planned Development District; and

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

WHEREAS, the Rocky Fork-Blacklick Accord Implementation Panel recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because the applicant requests the CPD, Commercial Planned Development District to develop commercial uses along the frontage that is currently zoned for apartment residential uses, thereby establishing commercial and manufacturing uses along the half-mile Hamilton Road corridor from State Route 161 to Warner Road, now, therefore:

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

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

5333 WARNER ROAD (43081), being 16.00± acres located on the south side of Warner Road, east and west of the Hamilton Road extension and being more particularly described as follows:

3.688 Acres
Subarea A
Z03-010

Situated in the State of Ohio, County of Franklin, City of Columbus Quarter Section 3, Township 2, Range 16, United States Military Lands and being 3.688 acres out of a 33.918 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 12417-G06 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a Franklin County Geodetic Survey (FCE 6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (FCE 1207) monument found at the southwesterly corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 15655 A03;

Thence, continuing with the centerline of said Warner Road South 86°17'30" East, a distance of 712.99 feet to a point at the intersection of said Warner Road and of Hamilton Road as recorded Plat Book 100, Page 3;

Thence with the centerline of said Hamilton Road, the following (3) three courses;

- 1) South 03°42'30" West with the centerline of said Hamilton Road, a distance of 64.11 feet to a point;
- 2) With a curve southwesterly and to the right having a radius of 1000.00 feet, a central angle of 45°02'45", a chord bearing of South 26°13'52" West, and a chord distance of 766.10 feet;
- 3) South 48°45'15" West with the centerline of said Hamilton Road, a distance of 119.52 feet to a point;

Thence South 41°14'45" East crossing said Hamilton Road, a distance of 50.00 feet to the point on the easterly right of way line of said Hamilton Road and being the true point of beginning;

Thence through said 33.918 acre tract, the following three (3) courses;

- 1) South 41°14'45" East, a distance of 250.00 feet to a point;
- 2) South 48°45'15" West, a distance of 262.00 feet to a point;
- 3) South 04°05'45" West, a distance of 150.36 feet to the southerly line of said 33.918 acre and the northerly line of a 143.579 acre tract as conveyed to Daniel J. Kerscher Trustee of record in Inst. No. 199806100142753

Thence North 86°00'49" West with said line, a distance of 500.99 feet to the easterly right of way line of said Hamilton Road;

Thence North 48°45'15" East with said right of way line, a distance of 721.77 feet to the true point of beginning and containing 3.688 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The Basis of Bearing is South 86°17'30" East for the centerline of Warner Road.

To Rezone From: L-ARLD, Limited Apartment Residential District,

To: CPD, Commercial Planned Development District.

4.237 Acres
Subarea B
Z03-010

Situated in the State of Ohio, County of Franklin, City of Columbus Quarter Section 3, Township 2, Range 16, United States Military Lands and being 4.237 acres out of a 33.918 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 12417-G06 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a Franklin County Geodetic Survey (FCE 6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (FCE 1207) monument found at the southwesterly corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 15655 A03;

Thence, continuing with the centerline of said Warner Road South 86°17'30" East, a distance of 712.99 feet to a point at the intersection of said Warner Road and of Hamilton Road as recorded Plat Book 100, Page 3;

Thence with the centerline of said Hamilton Road, the following two (2) courses;

- 1) South 03°42'30" West with the centerline of said Hamilton Road, a distance of 64.11 feet to a point;
- 2) With a curve southwesterly and to the right having a radius of 1000.00 feet, a central angle of 45°02'45", a chord bearing of South 26°13'52" West, and a chord distance of 766.10 feet to a point of tangency;
- 2) South 48°45'15" West with the centerline of said Hamilton Road, a distance of 146.88 feet to a point;

Thence North 41°14'45" West crossing said Hamilton Road, a distance of 50.00 feet to the point on the westerly right of way line of said Hamilton Road and being the true point of beginning;

Thence South 48°45'15" West with said westerly right of way line, a distance of 554.20 feet to a point;

Thence through said 33.918 acre tract, the following four (4) courses;

- 1) North 41°14'45" West, a distance of 325.00 feet to a point;
- 2) North 48°45'15" East, a distance of 510.51 feet to a point;
- 3) South 86°17'30" East, a distance of 115.78 feet to a point;
- 4) South 32°18'32" East, a distance of 246.18 feet to a point on the westerly right of way line of said Hamilton Road to the true point of beginning and containing 4.237 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The Basis of Bearing is South 86°17'30" East for the centerline of Warner Road.

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

To: CPD, Commercial Planned Development District.

3.283 Acres
Subarea C
Z03-010

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Section 3, Township 2, Range 16, United States Military Lands and being 1.729 acres out of a 33.918 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 12417-G06 and 1.355 acres out of a 1.810 acre tract as conveyed to Daniel Kerscher Trustee of record in Inst. No. 199903030054237 and 0.199 acres out of a 143.579 acre tract as conveyed to Daniel Kerscher, Trustee of record in Inst.No.199806100142753 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a Franklin County Geodetic Survey (FCE 6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (FCE 1207) monument found at the southwesterly corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 15655 A03;

Thence, continuing with the centerline of said Warner Road South 86°17'30" East, a distance of 712.99 feet to a point at the intersection of said Warner Road and of Hamilton Road as recorded Plat Book 100, Page 3;

Thence with the centerline of said Hamilton Road, the following two (2) courses;

- 1) South 03°42'30" West with the centerline of said Hamilton Road, a distance of 64.11 feet to a point;
- 2) With a curve southwesterly and to the right having a radius of 1000.00 feet, a central angle of 45°02'45", a chord bearing of South 26°13'52" West, and a chord distance of 766.10 feet;
- 3) South 48°45'15" West with the centerline of said Hamilton Road, a distance of 851.08 feet to a point;

Thence North 41°14'45" West crossing said Hamilton Road, a distance of 50.00 feet to the point on the westerly right of way line of said Hamilton Road and being the true point of beginning;

Thence South 48°45'15" West with said right of way line, a distance of 548.68 feet to a point at the southerly line of said

1.810 acre tract;

Thence North 83°50'55" West with the southerly line of said 1.810 acre tract, a distance of 31.52 feet to a point of curvature;

Thence with a curve to the right having a radius of 29.99 feet, a central angle of 87°16'34", a chord bearing of North 40°12'38" West, a chord distance of 41.39 feet to a point of compound curvature;

Thence with a curve to the right having a radius of 2440.00 feet, a central angle of 6°59'20", a chord bearing of North 11°01'20" East, a chord distance of 297.45 feet to a point at the northeasterly corner of said 1.810 acre tract;

Thence crossing said 33.918 acre tract with the following (3) three courses;

- 1) North 03°59'11" East, a distance of 111.30 feet to a point;
- 2) North 48°45'15" East, a distance of 255.00 feet to a point;
- 3) South 41°14'45" East, a distance of 325.00 feet to the westerly right of way line of said Hamilton Road and the true point of beginning and containing 3.283 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The basis of Bearing is South 86°17'30" East for the centerline of Warner Road.

To Rezone From: L-AR-12, Limited Apartment Residential and L-M-2, Limited Manufacturing Districts,

To: CPD, Commercial Planned Development District.

1.818 Acres
Subarea D-1
Z03-010

Situated in the State of Ohio, County of Franklin, City of Columbus Quarter Section 3, Township 2, Range 16, United States Military Lands and being 1.818 acres out of a 33.918 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 12417-G06 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a Franklin County Geodetic Survey (FCE 6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (FCE 1207) monument found at the southwesterly corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 15655 A03;

Thence, continuing with the centerline of said Warner Road South 86°17'30" East, a distance of 712.99 feet to a point at the intersection of said Warner Road and of Hamilton Road as recorded Plat Book 100, Page 3;

Thence South 03°42'30" West with the centerline of said Hamilton Road, a distance of 64.11 feet to a point;

Thence North 87°20'02" West a distance of 50.01 feet to the true point of beginning and a point of curvature on the westerly right of way line of said Hamilton Road;

Thence with said right of way line and a curve southwesterly and to the right having a radius of 950.00 feet, a central angle of 15°05'04", a chord bearing of South 11°18'19" West, and a chord distance of 249.39 feet to a point;

Thence North 86°17'30" West, a distance of 262.09 feet to a point on the easterly line of a 1.795 acre tract as conveyed to Cardinal Title Holding Company of record in Instr. No. 200209060222038;

Thence North 01°03'00" East with said line, a distance of 272.51 feet to a point on the southerly right of way line of said Warner Road;

Thence South 86°17'30" East with said right of way line, a distance of 282.70 feet to a curve on the westerly right of way line of said Hamilton Road;

Thence with said right of way line and a curve southeasterly and to the right having a radius of 25.00 feet, a central angle of 90°03'17", a chord bearing of South 41°15'51" East, and a chord distance of 35.37 feet to the true point of beginning and containing 1.818 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The Basis of Bearing is South 86°17'30" East for the centerline of Warner Road.

To Rezone From: L-C-3, Commercial District,

To: CPD, Commercial Planned Development District.

1.154 Acres
Subarea D-2
Z03-010

Situated in the State of Ohio, County of Franklin, City of Columbus Quarter Section 3, Township 2, Range 16, United States Military Lands and being 1.154 acres out of a 33.918 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 12417-G06 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a Franklin County Geodetic Survey (FCE 6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (FCE 1207) monument found at the southwest corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 15655 A03;

Thence, continuing with the centerline of said Warner Road South 86°17'30" East, a distance of 712.99 feet to a point at the intersection of said Warner Road and of Hamilton Road as recorded Plat Book 100, Page 3;

Thence South 03°42'30" West with the centerline of said Hamilton Road, a distance of 64.11 feet to a point;

Thence with said centerline and a curve southwesterly and to the right having a radius of 1000.00 feet, a central angle of 15°08'21", a chord bearing of South 11°16'40" West, and a chord distance of 263.46 feet to a point;

Thence North 71°09'09" West, a distance of 50.00 feet to the true point of beginning and a point of curvature on the westerly right of way line of said Hamilton Road;

Thence with said right of way line and a curve southwesterly and to the right having a radius of 950.00 feet, a central angle of 18°17'22", a chord bearing of South 27°59'32" West, and a chord distance of 301.97 feet to a point;

Thence North 52°10'43" West, a distance of 156.03 feet to a point on the southeasterly corner of a 1.795 acre tract as conveyed to Cardinal Title Holding Company of record in Instr. No. 200209060222038;

Thence North 01°03'00" East with said line, a distance of 187.94 feet to a point;

Thence South 86°17'30" East, a distance of 262.09 feet to the true point of beginning and containing 1.154 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The Basis of Bearing is South 86°17'30" East for the centerline of Warner Road.

To Rezone From: L-C-3, Commercial District,

To: CPD, Commercial Planned Development District.

1.825 Acres
Subarea D-3
Z03-010

Situated in the State of Ohio, County of Franklin, City of Columbus Quarter Section 3, Township 2, Range 16, United States Military Lands and being 1.825 acres out of a 33.918 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 12417-G06 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a Franklin County Geodetic Survey (FCE 6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (FCE 1207) monument found at the southwesterly corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 15655 A03;

Thence, continuing with the centerline of said Warner Road South 86°17'30" East, a distance of 712.99 feet to a point at the intersection of said Warner Road and of Hamilton Road as recorded Plat Book 100, Page 3;

Thence South 03°42'30" West with the centerline of said Hamilton Road, a distance of 64.11 feet to a point;

Thence with said centerline and a curve southwesterly and to the right having a radius of 1000.00 feet, a central angle of 33°25'43", a chord bearing of South 20°25'22" West, and a chord distance of 575.20 feet to a point;

Thence North 52°51'47" West a distance of 50.00 feet to the true point of beginning and a point of curvature on the westerly right of way line of said Hamilton Road;

Thence with said right of way line and a curve southwesterly and to the right having a radius of 950.00 feet, a central angle of 11°37'01", a chord bearing of South 42°56'44" West, and a chord distance of 192.29 feet to a point;

Thence South 48°45'15" West, a distance of 146.88 feet to a point;

Thence North 32°18'32" West, a distance of 246.18 feet to a point;

Thence North 03°42'30" East, a distance of 141.10 feet to a point on the southerly line of a 1.951 acre tract as conveyed to Cardinal Title Holding Company of record in Instr. No. 200307080207589;

Thence South 86°17'30" East with said line a distance of 241.15 feet to a point at the southeasterly corner of a 1.795 acre tract as conveyed to Cardinal Title Holding Company of record in Instr. No. 200209060222038;

Thence South 52°10'43" East, a distance of 156.03 feet to the true point of beginning and containing 1.825 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The Basis of Bearing is South 86°17'30" East for the centerline of Warner Road.

To Rezone From: L-C-3, Commercial District,

To: CPD, Commercial Planned Development District.

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

Break1

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**WEST ALBANY SOUTH**", signed by Michael T. Shannon, attorney for the Applicant, and dated October 31, 2003 and text titled, "**DEVELOPMENT TEXT**", signed by Michael T. Shannon, attorney for the Applicant, and dated January 23, 2004, and the text reading as follows:

**DEVELOPMENT TEXT
WEST ALBANY Z03-010
16.032 ACRES**

EXISTING DISTRICTS: L-ARLD;LAR12; LC3; LM

PROPOSED DISTRICTS: CPD - COMMERCIAL PLANNED DEVELOPMENT

PROPERTY ADDRESS: 5233 Warner Rd., Columbus OH 43081

OWNERS/APPLICANTS:

CARDINAL TITLE HOLDING CO. and TOWNSEND CONSTRUCTION
c/o CRABBE, BROWN & JAMES, LLP
Michael T. Shannon, Esq.
500 S. Front Street, Ste. 1200
Columbus, Ohio 43215
(614) 229-4506 FAX: (614) 229-4559
mshannon@cbjlawyers.com

DATE OF TEXT: January 23, 2004

APPLICATION NUMBER: Z03-010

INTRODUCTION:

The subject property ("Site") is currently zoned pursuant to Ordinances #92-060B and #97-090, and consists of 16.032 acres zoned for a variety of multi-family and commercial uses. Applicant proposes to rezone the 16.032 acres generally located south of the intersections of Warner Road and the newly constructed Hamilton Road, from the existing zonings to several CPD sub-areas.

This acreage was initially zoned in 1992 as part of a significant 350 acre multi sub-area rezoning. Subsequently, in 1998, additional property was added and this area rezoned to L-AR-12 densities by Ordinance #97-090. Also at that time, the northwest corner of Warner and Hamilton Roads was rezoned to L-C-3, which zoning included the Rocky Fork-Blacklick Accord standards. The L-C-3 tract is proposed as CPD in this application. In March 2002, the northeast corner of Warner and Hamilton Roads was rezoned CPD, with two commercial sub-area and a sub-area of 19.1± acres of L-AR-12, added

with limitation text to comply with the Rocky Fork-Blacklick Accord standards. Consistent with the Rocky Fork-Blacklick Accord, which recommends the placement of commercial property in close proximity to the 161 interchange, this application seeks to rezone three sub-areas from L-AR-12, L-ARLD, L-M and L-C-3 to the CPD, Commercial Planned Development district. The Limitation Text herein is intended to comply with the Rocky Fork-Blacklick Accord.

As stated above, the Applicant has constructed Hamilton Road from its former terminus at the Hamilton Road/New Albany Expressway interchange, north to Central College Road. Hamilton Road is designated as a 4-2D arterial in the City of Columbus Thoroughfare Plan. The Rocky Fork-Blacklick Accord ("Accord") designates the Hamilton Road/New Albany Expressway interchange as the gateway to the planning area. The recent construction of Hamilton Road by the applicant is a key component to both the gateway concept of the interchange and to the arterial road system within the Accord. The Hamilton Road construction extends over one (1) mile and provides connectivity from the Hamilton Road/New Albany Expressway. A goal of the Accord is to create and implement an arterial road system that provides for the efficient and effective movement of vehicles through the Accord area while reducing vehicular impact on sub-arterial roads to preserve rural roadways. The Accord implementation strategies, Accord land use plan, general planning principles associated with the location of more intense uses on arterials and at major entrance points, and existing anticipated Plain Township and City of Columbus zonings in the area of Hamilton Road and Warner Road, all support Applicant's proposed commercial rezoning.

The locations of Sub-Areas A, B, C, D1, D2 and D3 are depicted on the plan entitled Z03-010, dated October 27, 2003. Sub-Area A is 3.688± acres located along the east side of Hamilton Road extended. Sub-Area A is proposed to be rezoned from L-AR-LD to CPD to permit commercial uses consistent with Accord recommendation. Sub-Area B is 4.237± acres generally located south of Warner Road, currently zoned L-C-3, pursuant to Ordinance No. Z97-090, and fronts on Hamilton Road. Sub-Area C is 3.283± acres located on the west side of Hamilton Road. Sub-Area C is proposed to be rezoned from L-AR-12 and L-M to CPD, to permit commercial uses directly south of Sub-Area B. To the extent Sub-Area C is being rezoned from L-M (originally enacted by Ordinance No. Z90-166), that portion of the application reflects a significant down-zoning. Sub-Area D1 consists of 1.818± acres and is proposed to be rezoned from L-C-3 to CPD to incorporate auto related uses previously proposed in Sub-Areas A and B. Sub-Area D2 consists of 1.154± acres and is likewise proposed for rezoning from L-C-3 to CPD. Finally, Sub-Area D3 consists of 1.852± acres and is also proposed for rezoning from L-C-3 to CPD. All sub-area acreage is net of right-of-way dedicated by the Applicant for the construction of Hamilton Road.

SUB-AREA A
COMMERCIAL PLANNED DEVELOPMENT
3.688± ACRES

1. PERMITTED USES: The following uses shall be permitted in Sub-Area A: All uses of Chapter 3355, C-3 Commercial District, and the following specified C-4 uses in Chapter 3356:

Appliance store, automobile driving training facility, caterers, community food pantry, consumer goods rental, discount department stores, electronic stores, general merchandise stores, home center, household/personal goods, maintenance and repair, linen and uniform supply, re-upholster and furniture repair, sporting goods and outfitter stores, supermarkets, used merchandise store, vending machine operators, carpet and upholstery cleaning services, exterminating and pest control services, farm equipment and supply store, gardening, landscaping and nursery sales and center, hospitals, janitorial services, lawn and garden equipment supplies and services, paint and wallpaper stores, performing arts, spectator sports and related industries, theaters, dance companies and dinner theater, animal shelter, amusement arcade and veterinarians.

In addition to Sub-Areas D1, D2 and D3, herein, the Applicant shall be entitled to one additional sub-area (specifically A, B or C), wherein the following C-4 uses of Chapter 3356 shall also be allowed, at any one time: automotive accessories parts and tire store, and motor vehicle accessories and parts store.

2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards shall be as specified in Chapter 3356, C-4 Commercial District.

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

1. **Building Setback:** The minimum setback on Hamilton Road shall be 50 feet. The minimum rear yard building setback shall be 25 feet.
2. **Parking Setback:** The minimum parking and pavement setback, other than driveways from curb cuts on Hamilton Roads shall be 30 feet. The rear yard parking setback shall be a minimum of 10 feet and shall be maintained as landscaped green space.
3. Lot coverage for all building and pavement for Sub-Area A shall not exceed 70%.
4. The maximum square footage of any structure in these proposed sub-areas shall be 10,000 sq. ft., and no structure shall have more than 200 feet of building frontage.

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

1. Curb cuts shall be approved by the City of Columbus Transportation Division.
2. Driveway access points and aisles may be divided by property lines and sub-area lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum Code requirements, and easements, as applicable, are provided to insure the function of shared driveways and aisles.
3. There shall be no required parking for seasonal outside seating areas.
4. Code-required parking may be reduced with the administrative approval of the Transportation Division upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated Code-required parking.
5. The Applicant and/or owner/developer shall construct a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cut(s) and/or access points are included within the City-approved traffic access study for this project. Required construction of said turn lanes shall provide a minimum 35-foot wide pavement, consisting of one 12-foot wide through lane in each direction, and one 11-foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road.

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

1. The parking setback areas for Hamilton Road shall be maintained in live vegetation and shall include tree and shrub planting at the rate of four (4) trees and four (4) shrubs per 100 lineal feet of street frontage. The trees shall be placed randomly to stimulate natural hedge rows. These trees are in addition to the street trees required in No. 2, below. The Applicant reserves the right to place some of these trees in the parking and maneuvering areas of the sub-areas to achieve the 70% lot coverage requirement of the Accord.
2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.
3. All parking areas adjacent to Hamilton Road shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding or walls. The height of headlight screening may be reduced as needed adjacent to curb cuts to provide adequate vision clearance.
4. Tree planting shall be required within the Site parking area and service areas. The number of trees shall be determined by the following applicable ratios of total inches of tree caliper to total Site coverage by buildings and pavement:

0-20,000 square feet: 6 inches of trunk plus 1 inch added for every 4,000 square feet of total Site covered by building and pavement.

20,000 - 100,000 square feet: 10 inches of trunk size plus 1 inch for every 4,000 square feet of total Site covered by building and pavement.

5. The landscaping requirements of this section and/or the requirements of Chapter 3342 may be offset by the preservation of existing vegetation. Street tree planting along the Hamilton Road parking setback shall not be counted to offset requirements of Chapter 3342 for tree planting within the Site parking area.

6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.

7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches; Ornamental - 1 ½ inches; Evergreen - 5 feet. The minimum size of shrubs shall be two (2) gallons. Caliper shall be measured 6 inches above grade.

8. There shall be no required loading space pursuant to the requirements of §3342.13, Loading Space, and §3342.29, Minimum Number of Loading Spaces Required. Loading/service areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings, used individually or in combination.

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

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level to the height of the equipment by the same material utilized on the building roof or exterior. Decorative cornices may be used. Color shall also match the building exterior or roof. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping, or any fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco, EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block, buildings featuring an exterior finish consisting entirely of glass, and the use of reflective or mirrored glass are not permitted.

4. A minimum of 50% of the exterior of any building, exclusive of windows, doors, roofs, soffit and similar or comparable areas, shall be finished with wood or masonry building material such as brick, stone, EIFS, stucco, and/or comparable materials.

5. Building(s) shall be finished on all sides/elevations with the same or similar level and quality of finish.

6. The primary roof of any building shall be pitched, sloped with a minimum slope of 6:12, or flat with decorative cornices, to screen mechanicals.

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

1. All parking lot or ground-mounted lighting shall use fully shielded cutoff fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.

4. Building-mounted area lighting within the parcel shall utilize fully shielded cutoff style fixtures and be designed in such a way to minimize any off-site light spillage.
5. Any new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.
6. All lighting shall be positioned as to not be directed toward any residential area.
7. Dumpsters shall be screened from view on all four (4) sides to a height of six (6) feet.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.
2. All ground-mounted signage shall be monument style, except for incidental onsite ground-mounted directional signs, if any.

SUB-AREA B
CPD, COMMERCIAL PLANNED DEVELOPMENT
4.237+ ACRES

1. **PERMITTED USES:** The following uses shall be permitted in Sub-Area B: All uses of Chapter 3355, C-3 Commercial District, and the following specified C-4 uses of Chapter 3356:

Appliance store, automobile driving training facility, caterers, community food pantry, consumer goods rental, discount department stores, electronic stores, general merchandise stores, home center, household/personal goods, maintenance and repair, linen and uniform supply, re-upholster and furniture repair, sporting goods and outfitter stores, supermarkets, used merchandise store, vending machine operators, carpet and upholstery cleaning services, exterminating and pest control services, farm equipment and supply store, gardening, landscaping and nursery sales and center, hospitals, janitorial services, lawn and garden equipment supplies and services, paint and wallpaper stores, performing arts, spectator sports and related industries, theaters, dance companies and dinner theater, animal shelter, amusement arcade and veterinarians.

In addition to Sub-Areas D1, D2 and D3, herein, the Applicant shall be entitled to one additional sub-area (specifically A, B or C), wherein the following C4 uses of Chapter 3356 shall also be allowed, at any one time: automotive accessories parts and tire store, and motor vehicle accessories and parts store.

2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards shall be as specified in Chapter 3356, C-4 Commercial District.

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

1. **Building Setback:** The minimum setback on Hamilton Road shall be 50 feet. The minimum rear yard building setback shall be 25 feet.
2. **Parking Setback:** The minimum parking and pavement setback, other than driveways from curb cuts on Hamilton Roads shall be 30 feet. The rear yard parking setback shall be a minimum of 10 feet and shall be maintained as landscaped green space.
3. Lot coverage for all building and pavement for the total area combined shall not exceed 70%.
4. The maximum square footage of any structure in these proposed sub-areas shall be 10,000 sq. ft.

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

1. Curb cuts shall be approved by the City of Columbus Transportation Division.

2. Driveway access points and aisles may be divided by property lines and sub-area lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum Code requirements, and easements, as applicable, are provided to insure the function of shared driveways and aisles.

3. Required Parking:

(a) To provide the most efficient design and layout of parking and thereby minimize unnecessary paving to meet Code requirements for each driveway, aisle, parking space, number of Code-required spaces, and each parcel, to independently meet all design criteria and number of parking spaces within each parcel or sub-area, parking lots may be designed without regard to property lines internal to sub-areas. Cross access easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Code-required parking shall be determined by the sum of required parking for all uses within Sub-Areas B and C shall be provided within the overall area of Sub-Areas B and C, without regard to internal property lines or sub-area boundaries. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

(b) Code-required parking may be reduced with the administrative approval of the Transportation Division upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated Code-required parking.

4. There shall be no required parking for seasonal outside seating areas.

5. The Applicant and/or owner/developer shall construct a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cut(s) and/or access points are included within the City-approved traffic access study for this project. Required construction of said turn lanes shall provide a minimum 35-foot wide pavement, consisting of one 12-foot wide through lane in each direction, and one 11-foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road.

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

1. The parking setback areas for Hamilton Road shall be maintained in live vegetation and shall include tree and shrub planting at the rate of four (4) trees and four (4) shrubs per 100 lineal feet of street frontage. The trees shall be placed randomly to stimulate natural hedge rows. These trees are in addition to the street trees required in No. 2, below. The Applicant reserves the right to place some of these trees in the parking and maneuvering areas of the sub-areas to achieve the 70% lot coverage requirement of the Accord.

2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.

3. All parking areas adjacent to Hamilton Road shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding or walls. The height of headlight screening may be reduced as needed adjacent to curb cuts.

4. Tree planting shall be required within the Site parking area and service areas. The number of trees shall be determined by the following applicable ratios of total inches of tree caliper to total Site coverage by buildings and pavement:

0-20,000 square feet: 6 inches of trunk plus 1 inch added for every 4,000 square feet of total Site covered by building and pavement.

20,000 - 100,000 square feet: 10 inches of trunk size plus 1 inch for every 4,000 square feet of total Site covered by building and pavement.

5. The landscaping requirements of this section and/or the requirements of Chapter 3342 may be offset by the preservation of existing vegetation. Street tree planting along the Hamilton and Warner Road parking setback shall not be counted to offset requirements of Chapter 3342 for tree planting within the Site parking area.

6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.

7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches; Ornamental - 1 ½ inches; Evergreen - 5 feet. The minimum size of shrubs shall be two 2 gallon. Caliper shall be measured 6 inches above grade.

8. There shall be no required loading space pursuant to the requirements of §3342.13, Loading Space, and §3342.29, Minimum Number of Loading Spaces Required. Loading/service areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings, used individually or in combination.

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

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level to the height of the equipment by the same material utilized on the building roof or exterior. Decorative cornices may also be used. Color shall also match the building exterior or roof. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco, EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block, buildings featuring an exterior finish consisting entirely of glass, and the use of reflective or mirrored glass are not permitted.

4. A minimum of 50% of the exterior of any building, exclusive of windows, doors, roofs, soffit and similar or comparable areas, shall be finished with wood and/or masonry building material such as brick, stone, EIFS, stucco and/or comparable materials.

5. Building(s) shall be finished on all sides/elevations with the same or similar level and quality of finish.

6. The primary roof of any building shall be pitched, with a minimum slope of 6:12, or flat with decorative cornices, to screen mechanicals.

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

1. All parking lot or ground-mounted lighting shall use fully shielded cutoff fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.

4. Building-mounted area lighting within the parcel shall utilize fully shielded cutoff style fixtures and be designed in such a way to minimize any off-site light spillage.

5. All new or relocated utility lines within Sub-Area B shall be installed underground unless the applicable utility company directs or requires otherwise.

6. All lighting shall be positioned as to not be directed toward any residential area.

7. Dumpsters shall be screened from view on all four (4) sides to a height of six (6) feet.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.
2. All ground-mounted signage shall be monument style, except for incidental onsite ground-mounted directional signs, if any.

break2

SUB-AREA C
CPD COMMERCIAL PLANNED DEVELOPMENT
3.283ACRES

1. **PERMITTED USES:** The following uses shall be permitted in Sub-Area C: All uses of Chapter 3355, C-3 Commercial District, and the following specified C-4 uses in Chapter 3356:

Appliance store, automobile driving training facility, caterers, community food pantry, consumer goods rental, discount department stores, electronic stores, general merchandise stores, home center, household/personal goods maintenance and repair, linen and uniform supply, re-upholster and furniture repair, sporting goods and outfitter stores, supermarkets, used merchandise store, vending machine operators, carpet and upholstery cleaning services, exterminating and pest control services, farm equipment and supply store, gardening, landscaping and nursery sales and center, hospitals, janitorial services, lawn and garden equipment supplies and services, paint and wallpaper stores, performing arts, spectator sports and related industries, theaters, dance companies and dinner theater, animal shelter, amusement arcade and veterinarians.

In addition to Sub-Areas D1, D2 and D3, herein, the Applicant shall be entitled to one additional sub-area (specifically A, B or C), wherein the following C4 uses of Chapter 3356 shall also be allowed, at any one time: automotive accessories parts and tire store, and motor vehicle accessories and parts store.

2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards shall be as specified in Chapter 3356, C-4 Commercial District.

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

1. **Building Setback:** The minimum setback on Hamilton Road shall be 50 feet. The minimum rear yard setback shall be 25 feet.
2. **Parking Setback:** The minimum parking and pavement setback, other than driveways from curb cuts, on Hamilton Roads shall be 30 feet. The rear yard set back shall be a minimum of 10 ft. and shall be maintained as landscaped green space.
3. Lot coverage for all building and pavement for the total area combined shall not exceed 70%.
4. The maximum sq. footage of any structure in these proposed sub-areas shall be 10,000 sq. ft. and no structure shall have more than 200 feet of building frontage.

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

1. Curb cuts shall be approved by the City of Columbus Transportation Division.
2. Driveway access points and aisles may be divided by property lines and sub-area lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum Code requirements, and easements, as applicable, are provided to insure the function of shared driveways and aisles.
3. **Required Parking:**
 - (a) To provide the most efficient design and layout of parking and thereby minimize unnecessary paving to meet Code requirements for each driveway, aisle, parking space, number of Code-required spaces, and each parcel, to independently

meet all design criteria and number of parking spaces within each parcel or sub-area, parking lots may be designed without regard to property lines internal to sub-areas. Cross access easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Code-required parking shall be determined by the sum of required parking for all uses within Sub-Areas B and C shall be provided within the overall area of Sub-Areas B and C, without regard to internal property lines or sub-area boundaries. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

(b) Code-required parking may be reduced with the administrative approval of the Transportation Division upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated Code-required parking.

4. There shall be no required parking for seasonal outside seating areas.

5. The Applicant and/or owner/developer shall construct a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cut(s) and/or access points are included within the City-approved traffic access study for this project. Required construction of said turn lanes shall provide a minimum 35-foot wide pavement, consisting of one 12-foot wide through lane in each direction, and one 11-foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road.

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

1. The parking setback areas for Hamilton Road shall be maintained in live vegetation and shall include tree and shrub planting at the rate of four (4) trees and four (4) shrubs per 100 lineal feet of street frontage. The trees shall be placed randomly to stimulate natural hedge rows. These trees are in addition to the street trees required in C-2, below. The Applicant reserves the right to place some of the trees in the parking and maneuvering areas of the sub-areas to achieve the 70% lot coverage requirement of the Accord.

2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.

3. All parking areas adjacent to Hamilton Road shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding or walls. The height of headlight screening may be reduced as needed adjacent to curb cuts or to provide adequate vision clearance.

4. Tree planting shall be required within the Site parking area and service areas. The number of trees shall be determined by the following applicable ratios of total inches of tree caliper to total Site coverage by buildings and pavement

0-20,000 square feet: 6 inches of trunk plus 1 inch added for every 4,000 square feet of total Site covered by building and pavement.

20,000 - 100,000 square feet: 10 inches of trunk size plus 1 inch for every 4,000 square feet of total Site covered by building and pavement.

5. The landscaping requirements of this section and/or the requirements of Chapter 3342 may be offset by the preservation of existing vegetation. Street tree planting along the Hamilton Road parking setback shall not be counted to offset requirements of Chapter 3342 for tree planting within the Site parking area.

6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.

7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches; Ornamental - 1 ½ inches; Evergreen - 5 feet. The minimum size of shrubs shall be two 2 gallon. Caliper shall be measured 6 inches above grade.

8. There shall be no required loading space pursuant to the requirements of §3342.13, Loading Space, and §3342.29, Minimum Number of Loading Spaces Required. Loading/service areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings, used individually or in combination.

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

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level to the height of the equipment by the same material utilized on the building roof or exterior. Decorative cornices may also be used. Color shall also match the building exterior or roof. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.
3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco, EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block, buildings featuring an exterior finish consisting entirely of glass, and the use of reflective or mirrored glass are not permitted.
4. A minimum of 50% of the exterior of any building, exclusive of windows, doors, roofs, soffit and similar or comparable areas, shall be finished with wood and/or masonry building material such as brick, stone, EIFS, stucco and/or comparable materials.
5. Building(s) shall be finished on all sides/elevations with the same or similar level and quality of finish.
6. The primary roof of any building shall be pitched, sloped with a minimum slope of 6:12, or flat with decorative cornices, to screen mechanicals.

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

1. All parking lot or ground-mounted lighting shall use fully shielded cutoff fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.
4. Building-mounted area lighting within the parcel shall utilize fully shielded cutoff style fixtures and be designed in such a way to minimize any off-site light spillage.
5. All new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.
6. All lighting shall be positioned as to not be directed toward any residential area.
7. Dumpsters shall be screened from view on all four() sides to a height of six (6) feet.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.
2. All ground-mounted signage shall be monument style, except for incidental onsite ground-mounted directional signs, if

any.

G. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development, and designed and located in cooperation with the Columbus Recreation and Parks Department. This Text shall not be construed to require off-site construction of any such sidewalks and/or bikeways.
2. A paved surface, a minimum of four (4) feet wide, shall be provided between any future sub-areas to facilitate pedestrian movement between all sub-areas. Pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between any future sub-areas.
3. Bicycle parking will be provided.

SUB-AREA D1

CPD, COMMERCIAL PLANNED DEVELOPMENT

1.818 ACRES

1. PERMITTED USES:

All the uses of Chapters 3357, C-5 Commercial District, and Chapter 3356, C-4 Commercial District, shall be permitted excepting therefrom:

Electric substation, public parking, motor bus terminal, outdoor amphitheater, asset product sales, auctioneer's auditorium, ballrooms (commercial, for profit), coliseum, dance hall (commercial), bars, armored ar service garage, sale of firearms at loan or pawn shops, or outdoor storage pursuant to C.C.C. §3363.41; cabaret, danc hall, private club, pool room, skating rink, or veterinary hospital.

In addition to Sub-Areas D1, D2 and D3, herein, the Applicant shall be entitled to one additional sub-area (specifically A, B or C), wherein the following C4 uses of Chapter 3356 shall also be allowed, at any one time: automotive accessories parts and tire store and motor vehicle accessories and parts store.

2. DEVELOPMENT STANDARDS:

Except s specified herein, the applicable development standards shall be as specified in Chapter 3356, C-4 Commercial District.

A. Density, Height, Lot and/or Setbacks.

1. Building/Canopy Setback:

The minimum setback along Hamilton Road shall be 25 feet. The minimum setback along Warner Road shall be 30 feet. The rear yard building setback shall be a minimum of 25 feet.

2. Parking Setback:

The minimum parking/paving setback, other than driveways and sidewalks, shall be 25 feet from Hamilton Road, and 10 feet from Warner Road. The rear yard parking setback shall be a minimum of 10 feet and shall be maintained as landscaped green space.

3. Lot coverage for all building and pavement shall be a maximum of 70% of lot area.

4. The maximum square footage of any structure in these proposed sub-areas shall be 10,000 sq. ft., and no structure shall have more than 200 feet of building frontage.

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

1. Curb cuts and access points shall be approved according to the specifications of the City of Columbus Transportation Division. One (1) full-service access point along Warner Road shall be permitted. One (1) full-service access point on Hamilton Roads shall be permitted within the entire Sub-Area D, to service Sub-Areas D1, D2 and D3.

2. Driveway access points and aisles may be divided by property lines and sub-area lines without regard to minimum dimensions within any single property as long as the overall driveway or aisle dimensions meet minimum Code requirements and easements, as applicable, are provided to ensure the function of shared driveways and aisles.

3. Required Parking:

(a) To provide the most efficient design and layout of parking and thereby minimize unnecessary paving to meet Code requirements for each driveway, aisle, parking space, number of Code-required spaces, and each parcel, to independently meet all design criteria and number of parking spaces within each parcel or sub-area, parking lots may be designed without regard to property lines internal to sub-areas. Cross access easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Code-required parking shall be determined by the sum of required parking for all uses within Sub-Areas D1 through D3 and shall be provided within the overall area of Sub-Areas D1 through D3, without regard to internal property lines or sub-area boundaries. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

(b) Code-required parking may be reduced with the administrative approval of the Transportation Division upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated Code-required parking.

4. Applicant shall deed and dedicate 40 feet of right-of-way (from centerline) along Warner Road to the City of Columbus.

5. The Applicant and/or owner/developer shall construct a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cut(s) and/or access points are included within the City-approved traffic access study for this project. Required construction of said turn lanes shall provide a minimum 35-foot wide pavement, consisting of one 12-foot wide through lane in each direction, and one 11-foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road.

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

1. The Hamilton Road parking setbacks shall be maintained in live vegetation and shall include tree planting at the rate of four (4) trees per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedge rows. These trees are in addition to the street trees required in C2, below.

2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.

3. A minimum of one (1) tree shall be planted for every ten (10) parking spaces. Trees required by this section shall be integrated into parking areas in landscaping islands a minimum of five (5) feet wide. Preservation of existing trees where preserved and integrated into parking areas shall be counted on a one-for-one basis in offsetting tree planting requirements of this section.

4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.

5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches; Ornamental - 1 ½ inches; Evergreen - 6 feet.

6. The Applicant shall install a continuous 30 inch "hedge row" within the parking setback along Hamilton Road. Headlight screening may be reduced as needed adjacent to curb cuts, to provide adequate vision clearance.

7. The landscaping requirements of this section and/or the requirements of Chapter 3342 shall be offset by the preservation of existing vegetation.

D. Building Design and/or Interior Exterior Treatments:

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level by the same materials utilized on the building, roof or exterior. Decorative cornices may also be used to screen mechanicals. Colors shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level, by landscaping or any fence or wall utilizing comparable or compatible materials as building materials.

2. Building illumination shall be permitted, provided such light source(s) are concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, and may include wood, brick, stone, stucco, EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block buildings featuring an exterior finish, consisting entirely of glass and the use of reflective or mirrored glass are not permitted.

(a) A minimum of 50% of the exterior of any building, exclusive of windows, doors, roof, soffit and similar or comparable areas, shall be finished with wood or masonry building materials, such as brick, stone, EIFS, and/or stucco or comparable materials.

(b) The columns of any canopy over motor vehicle fuel pumps shall be wrapped in the same wood or masonry material as the primary wood or masonry material used on retail building(s) to coordinate the architectural theme between the canopy/columns and the retail building.

4. Building(s) shall be finished on all sides/elevations with the same or similar level and quality of finish.

5. The primary roof of any building shall be pitched, with a minimum slope of 6:12, or flat with decorative cornices, to screen mechanicals. Canopy(s) used over motor vehicle fuel sales pump islands shall have a pitched roof with a minimum slope of 6:12.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up-lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to ensure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 20 feet in height.

4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any off-site light spillage.

5. All new or relocated utility lines shall be installed underground.

6. All lighting shall be positioned as to not be directed toward any residential area.

7. Canopy lighting over gasoline pump islands shall be recessed or shielded to control glare and off-site light.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area D1 is flat to agricultural fields.
2. Existing Land Use: The property is presently undeveloped and used for agricultural purposes.
3. Circulation: Access to and from Sub-Area D1 will be from Hamilton Road and Warner Road with internal vehicular circulation between Sub-Areas D1 through D3, contiguous to the north and south.
4. Visual Form of the Environment: The area surrounding Sub-Area D1 to the north and west is primarily undeveloped.
5. Visibility: Sub-Area D1 fronts on existing Warner Road and will front on the future extended Hamilton Road.
6. Proposed Development: Commercial development which may include a convenience store with gasoline sales and carwash is contemplated.
7. Behavior Patterns: The Site is located on existing Warner Road and will be located at the southwest corner of Hamilton Road and Warner Road upon construction of Hamilton Road north from the present Hamilton Road/New Albany Expressway interchange. Vehicular access will be principally from future Hamilton Road and also from Warner Road. Pedestrian access will be via a sidewalk on Hamilton Road and internal access between Sub-Area D1 through D3.
8. Emissions: Development on Sub-Area D1 will conform to City of Columbus requirements as further controlled by development standards of this Development Text for light levels, sounds and dust. There will be no objectionable emissions.
9. Variances: The Code-required Hamilton Road building setback is reduced through the CPD mechanism. Curb cuts, driveways and aisles are permitted to straddle a property line, subject to the overall width meeting minimum Code requirements. Provision is made for review of shared parking and reduction of Code-required parking based on appropriate and applicable review by the Transportation Division.

H. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development and designed and located in cooperation with the Columbus Recreation and Parks Department. Sidewalks along Hamilton Road shall be located per the specifications and recommendations of the City of Columbus Transportation Division. This Text shall not be construed to require off-site construction of any such sidewalks and/or bikeways.
2. A paved surface a minimum of four (4) feet wide, shall be provided between Sub-Areas D1 through D3, to facilitate pedestrian movement between all sub-areas. Pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between sub-areas.
3. Bicycle parking will be provided.

break3

SUB-AREA D2
CPD, COMMERCIAL PLANNED DEVELOPMENT
1.154 ACRES

1. PERMITTED USES:

All the uses of Chapter 3355, C-3 Commercial District shall be permitted and the uses in Chapter 3356, C-4, Commercial District, excluding the following:

Electric substation, public parking, motor bus terminal, outdoor amphitheater, asbestos product sales, auctioneer's auditorium, ballrooms (commercial, for profit), coliseum, dance hall (commercial), bars, armored car service garage, sale of firearms at loan or pawn shops, outdoor storage pursuant to C.C.C. §3363.41; cabaret, dance hall, private club, pool room, skating rink, or veterinary hospital.

In addition to Sub-Areas D1, D2 and D3, herein, the Applicant shall be entitled to one additional sub-area (specifically A, B or C), wherein the following C-4 uses of Chapter 3356 shall also be allowed, at any one time: automotive accessories parts and tire store, and motor vehicle accessories and parts store.

2. DEVELOPMENT STANDARDS:

Except as specified herein, the applicable development standards shall be as specified in Chapter 3356, C-4 Commercial District.

A. Density, Height, Lot and/or Setbacks.

1. Building/Setback: The minimum setback along Hamilton Road shall be 25 feet. The rear yard building setback shall be a minimum of 25 feet.
2. Parking Setback: The minimum parking/paving setback other than driveways and sidewalks, shall be 25 feet from Hamilton Road. The rear yard parking setback shall be a minimum of 10 feet and shall be maintained as landscaped green space.
3. Lot coverage for all building and pavement shall be a maximum of 70% of lot area.
4. The maximum square footage of any structure in these proposed sub-areas shall be 10,000 sq. ft. and no structure shall have more than 200 feet of building frontage.

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

1. Curb cuts and access points shall be approved according to the specifications of the City of Columbus Transportation Division. One (1) full-service access point on Hamilton Road shall be permitted within Sub-Area D, to service Sub-Areas D1, D2 and D3.
2. Driveway access points and aisles may be divided by property lines and sub-area lines without regard to minimum dimensions within any single property as long as the overall driveway or aisle dimensions meet minimum Code requirements and easements, as applicable, are provided to ensure the function of shared driveways and aisles.
3. Required Parking:
 - (a) To provide the most efficient design and layout of parking and thereby minimizing unnecessary paving to meet Code requirements for each driveway, aisle, parking space, number of Code-required spaces and each parcel to independently meet all design criteria and number of parking spaces within each parcel or sub-area, parking lots may be designed without regard to property lines internal to sub-areas. Cross -access easements shall be provided as applicable to ensure the designed function of the parking and internal vehicular circulation system. Code-required parking shall be determined by the sum of required parking for all uses within Sub-Areas D1 through D3, and shall be provided within the overall area of Sub-Areas D1 through D3 without regard to internal property lines or sub-area boundaries. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.
 - (b) Code-required parking may be reduced with the administrative approval of the Transportation Division upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated Code-required parking.
4. The Applicant and/or owner/developer shall construct a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cut(s) and/or access points are included within the City-approved traffic access study for this project. Required construction of said turn lanes shall provide a minimum 35-foot wide pavement, consisting of one 12-foot wide through lane in each direction, and one 11-foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road.

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

1. The Hamilton Road parking setbacks shall be maintained in live vegetation and shall include tree planting at the rate of four (4) trees per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedge rows.

These trees are in addition to the street trees required in C2, below.

2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.
3. A minimum of one (1) tree shall be planted for every ten (10) parking spaces. Trees required by this section shall be integrated into parking areas in landscaping islands a minimum of five (5) feet wide. Preservation of existing trees where preserved and integrated into parking areas shall be counted on a one-for-one basis in offsetting tree planting requirements of this section.
4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.
5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches; Ornamental - 1 ½ inches; Evergreen - 6 feet.
6. The Applicant shall install a continuous 30 inch "hedge row" within the parking setback along Hamilton Road. Headlight screening may be reduced as needed adjacent to curb cuts, to provide adequate vision clearance.
7. The landscaping requirements of this section and/or the requirements of Chapter 3342 shall be offset by the preservation of existing vegetation.

D. Building Design and/or Interior Exterior Treatments:

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level by the same materials utilized on the building, roof or exterior. Colors shall also match the building exterior or roof. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level, by landscaping or any fence or wall utilizing comparable or compatible materials as building materials.
2. Building illumination shall be permitted, provided such light source(s) are concealed. No colored light shall be used to light the exterior of any building.
3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco, EIFS glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block buildings featuring an exterior finish, consisting entirely of glass and the use of reflective or mirrored glass are not permitted.
 - (a) A minimum of 50% of the exterior of any building, exclusive of windows, doors, roof, soffit and similar or comparable areas, shall be finished with wood or masonry building materials, such as brick, stone, EIFS, and/or stucco or comparable materials.
4. Building(s) shall be finished on all sides/elevations with the same or similar level and quality of finish.
5. The primary roof of any building shall be pitched, with a minimum slope of 6:12, or flat with decorative cornices, to screen mechanicals.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up-lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to ensure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 20 feet in height.
4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any off-site light spillage.
5. All new or relocated utility lines shall be installed underground.
6. All lighting shall be positioned as to not be directed toward any residential area.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area D2 is flat to agricultural fields.
2. Existing Land Use: The property is presently undeveloped and used for agricultural purposes.
3. Circulation: Access to and from Sub-Area D2 will be from Hamilton Road with internal vehicular circulation between Sub-Areas D1 through D3, contiguous to the north and south.
4. Visual Form of the Environment: The area surrounding Sub-Area D1 to the north and west is undeveloped.
5. Visibility: Sub-Area D2 will front on the future extended Hamilton Road.
6. Proposed Development: Commercial development which may include a convenience store with gasoline sales and car wash.
7. Behavior Patterns: The Site is located south of the southwest corner of Hamilton Road and Warner Road upon construction of Hamilton Road north from the present Hamilton Road/New Albany Expressway interchange. Vehicular access will be from future Hamilton Road. Pedestrian access will be via a sidewalk on Hamilton Road and internal access between Sub-Areas D1 through D3.
8. Emissions: Development on Sub-Area D2 will conform to City of Columbus requirements as further controlled by development standards of this Development Text for light levels, sounds and dust. There will be no objectionable emissions.
9. Variances: The Code-required Hamilton Road building setback is reduced through the CPD mechanism. Curb cuts, driveways and aisles are permitted to straddle a property line, subject to the overall width meeting minimum Code requirements. Provision is made for review of shared parking and reduction of Code-required parking based on appropriate and applicable review by the Transportation Division.

H. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development and designed and located in cooperation with the Columbus Recreation and Parks Department. Sidewalks along Hamilton Road shall be located per the specifications and recommendations of the Transportation Division. This Text shall not be construed to require off-site construction of any such sidewalks and/or bikeways.
2. A paved surface a minimum of four (4) feet wide, shall be provided between Sub-Areas D1 through D3, to facilitate pedestrian movement between all sub-areas. Pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between sub-areas.
3. Bicycle parking will be provided.

SUB-AREA D3
CPD, COMMERCIAL PLANNED DEVELOPMENT
1.852 ACRES

1. PERMITTED USES:

All the uses of Chapter 3355, C-3 Commercial District shall be permitted, and the uses of Chapter 3356, C-4, Commercial District, excluding the following:

Electric substation, public parking, motor bus terminal, outdoor amphitheater, asbestos product sales, auctioneer's auditorium, ballrooms (commercial, for profit), coliseum, dance hall (commercial), bars, armored car service garage, sale of firearms at loan or pawn shops, outdoor storage pursuant to C.C.C. §3363.41; cabaret, dance hall, private club, pool room, skating rink, or veterinary hospital.

In addition to those uses included in Sub-Areas D1, D2 and D3, herein, the Applicant shall be entitled to one additional sub-area (specifically A, B or C), wherein the following C4 uses of Chapter 3356 shall also be allowed, at any one time:

automotive accessories parts and tire store, and motor vehicle accessories and parts store.

2. DEVELOPMENT STANDARDS:

Except as specified herein, the applicable development standards shall be as specified in Chapter 3356, C4 Commercial District.

A. Density, Height, Lot and/or Setbacks.

1. Building Setback: The minimum setback along Hamilton Road shall be 25 feet. The minimum rear yard building setback shall be 25 feet.

2. Parking Setback:

The minimum parking/paving setback other than driveways and sidewalks, shall be 25 feet from Hamilton Road. The minimum rear yard parking setback shall be a minimum of 10 feet and shall be maintained as landscaped green space.

3. Lot coverage for all building and pavement shall be a maximum of 70% of lot area.

4. No structure shall exceed 10,000 sq. ft. and no structure shall have more than 200 feet of building frontage.

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

1. Curb cuts and access points shall be approved according to the specifications of the City of Columbus Transportation Division. One (1) full-service access point on Hamilton Road shall be permitted within Sub-Area D, to service Sub-Areas D1, D2 and D3. Access shall also be provided to the contemplated access point/street located at the south end of Sub-Area D. This access point will also serve Sub-Areas D1, D2 and D3.

2. Driveway access points and aisles may be divided by property lines and sub-area lines without regard to minimum dimensions within any single property as long as the overall driveway or aisle dimensions meet minimum Code requirements and easements, as applicable, are provided to ensure the function of shared driveways and aisles.

3. Required Parking:

(a) To provide the most efficient design and layout of parking and thereby minimizing unnecessary paving to meet Code requirements for each driveway, aisle, parking space, number of code required spaces and each parcel to independently meet all design criteria and number of parking spaces within each parcel or sub-area, parking lots may be designed without regard to property lines internal to sub-areas. Cross-easements shl be provided as applicable to ensure the designed function of the parking and internal vehicular circulation system. Code-required parking shall be etermined by the um of required parking for all uses within Sub-Areas D1 through D3 and shall be provided within the overall area of Sub-Areas D1 through D3 without regard to internal property lines or sub-area boundaries. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

(b) Code-required parking may be reduced with the administrative approval of the Transportation Division upon

submission of appropriate and applicable data regarding shared parking, or other demonstration of parking needs being less than calculated Code-required parking.

4. The Applicant and/or owner/developer shall construct a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cut(s) and/or access points are included within the City-approved traffic access study for this project. Required construction of said turn lanes shall provide a minimum 35-foot wide pavement, consisting of one 12-foot wide through lane in each direction, and one 11-foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road.

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

1. The Hamilton Road parking setbacks shall be maintained in live vegetation and shall include tree planting at the rate of four (4) trees per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedge rows. These trees are in addition to the street trees required in C2, below.

2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.

3. A minimum of one (1) tree shall be planted for every ten (10) parking spaces. Trees required by this section shall be integrated into parking areas in landscaping islands a minimum of five (5) feet wide. Preservation of existing trees where preserved and integrated into parking areas shall be counted on a one-for-one basis in offsetting tree planting requirements of this section.

4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.

5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches; Ornamental - 1 ½ inches; Evergreen - 6 feet.

6. The Applicant shall install a continuous 30 inch "hedge row" within the parking setback along Hamilton Road. Headlight screening may be reduced as needed adjacent to curb cuts, to provide adequate vision clearance.

7. The landscaping requirements of this section and/or the requirements of Chapter 3342 shall be offset by the preservation of existing vegetation.

D. Building Design and/or Interior Exterior Treatments:

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level by the same materials utilized on the building, roof or exterior. Decorative cornices may be used. Colors shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level, by landscaping or any fence or wall utilizing comparable or compatible materials as building materials.

2. Building illumination shall be permitted, provided such light source(s) are concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco, EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block buildings featuring an exterior finish, consisting entirely of glass and the use of reflective or mirrored glass are not permitted.

(a) A minimum of 50% of the exterior of any building, exclusive of windows, doors, roof, soffit and similar or comparable areas, shall be finished with wood or masonry building materials, such as brick, stone, EIFS, and/or stucco or comparable materials.

4. Building(s) shall be finished on all sides/elevations with the same or similar level and quality of finish.

5. The primary roof of any building shall be either pitched, with a minimum slope of 6:12, or flat with decorative cornices, to screen mechanicals.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up-lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to ensure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 20 feet in height.

4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any off-site light spillage.

5. All new or relocated utility lines shall be installed underground.

6. All lighting shall be positioned as to not be directed toward any residential area.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area D3 is flat to agricultural fields.

2. Existing Land Use: The property is presently undeveloped and used for agricultural purposes.

3. Circulation: Access to and from Sub-Area D3 will be from Hamilton Road with internal vehicular circulation between Sub-Areas D1 through D3 contiguous to the north.

4. Visual Form of the Environment: The area surrounding Sub-Area D3 to the north and west is undeveloped.

5. Visibility: Sub-Area D3 will front on the future extended Hamilton Road.

6. Proposed Development: Commercial development which may include a convenience store with gasoline sales and carwash.

7. Behavior Patterns: Vehicular access will be principally from future Hamilton Road and also from sub-area access. Pedestrian access will be via a sidewalk on Hamilton Road and internal access between Sub-Areas D1 through D3.

8. Emissions: Development on Sub-Area D3 will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: The Code-required Hamilton Road building setback is reduced through the CPD mechanism. Curb cuts, driveways and aisles are permitted to straddle a property line, subject to the overall width meeting minimum code requirements. Provision is made for review of shared parking and reduction of Code-required parking based on appropriate and applicable review by the Transportation Division.

H. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development and designed and located in cooperation with the Columbus Recreation and Parks Department. Sidewalks

along Hamilton Road shall be located per the specifications and recommendations of the City of Columbus Transportation Division. This Text shall not be construed to require off-site construction of any such sidewalks and/or bikeways.

2. A paved surface a minimum of four (4) feet wide, shall be provided between Sub-Areas D1 through D3, to facilitate pedestrian movement between all sub-areas. Pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between sub-areas.

3. Bicycle parking will be provided.

I. GENERAL PROVISIONS APPLICABLE TO ALL SUB-AREAS

The Site shall be developed in accordance with the Site Plan submitted herewith. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other Site data, developed at the time development or engineering plans are completed. Any slight adjustments to the plan must be reviewed and approved by the Director of the Department of Development, or his/her designee, upon submission of appropriate data regarding the proposed adjustment.

ADDITIONAL TRAFFIC-RELATED COMMITMENTS:

Traffic signals that are required to be installed at private drives shall be subject to maintenance costs in accordance with City policy.

The Applicant and/or owner/developer shall construct a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cut(s) and/or access points are included within the City-approved traffic access study for this project. Required construction of said turn lanes shall provide a minimum 35-foot wide pavement, consisting of one 12-foot wide through lane in each direction, and one 11-foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road.

SEVERABILITY:

Sub-Areas A, B, C D1, D2 and D3 are included together in this one application solely for the purpose of rezoning contiguous property under one application process. At all times in the future, Sub-Areas A, B, C, D1, D2 and D3 may be rezoned individually, in combination with each other or individually in combination with other abutting land not part of this application at any time in the future.

FORUM FOR VARIANCE:

The Board of Zoning Adjustment shall be the body to hear any and all variance requests to Site development standards including any and all specific Site development standards contained in this ordinance.

PARKLAND DEDICATION:

The Applicant shall comply with the requirements of the Parkland Dedication Ordinance, to the specifications of the City of Columbus Recreation and Parks Department.

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

City of Columbus
City Bulletin Report

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

Legislation Number: 0200-2004

Drafting Date: 01/21/2004

Version: 1

Current Status: Defeated

Matter Type: Ordinance

Explanation

Rezoning Application Z03-009

APPLICANT: Cardinal Title Holding Co. and Townsend Construction; c/o Mike Shannon, Atty.; 500 South Front Street, 12th Floor; Columbus, Ohio 43215.

PROPOSED USE: Commercial and multi-family residential.

DEVELOPMENT COMMISSION RECOMMENDATION: Disapproval (0-6) on July 10, 2003.

ROCKY FORK-BLACKLICK ACCORD IMPLEMENTATION PANEL: Disapproval.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. The applicant requests to rezone 65± acres currently zoned for multi-family, two-family, and single-family uses to the L-AR-12, Limited Apartment Residential and CPD, Commercial Planned Development Districts for a multi-family residential and office-commercial development. The site lies within the boundaries of the *Rocky Fork-Blacklick Accord (1997)* and the *Rocky Fork-Blacklick Accord 2003 Update*. Both plans require the applicant to submit site, elevation, and general landscaping plans to the Accord Planning Staff to review for compliance with the "West Village" design standards. The Applicant has been unwilling to commit to specific site plans that meet the design recommendations of either plan. Staff is concerned that a lack of integration between land uses and the inability to illustrate the location of parking and building areas contradict the village concept recommended in the Plan. Staff reports submitted to the Rocky Fork Blacklick Accord Panel are attached and highlight these inconsistencies.

Title

To rezone **5373 CENTRAL COLLEGE ROAD** (43081), being 65.16± acres located on the south side of Central College Road, east and west of the Hamilton Road extension, **From:** L-AR-12, Limited Apartment Residential, L-R-2, Limited Residential, L-R-2F, Limited Residential, and R, Rural Districts, **To:** L-AR-12, Limited Apartment Residential and CPD, Commercial Planned Development Districts. (Rezoning # Z03-009)

Body

WHEREAS, application #Z03-009 is on file with the Building Services Division of the Department of Development requesting rezoning of 65.16± acres from L-AR-12, Limited Apartment Residential, L-R-2F, Limited Residential, L-R-2, Limited Residential, and R, Rural Districts to L-AR-12, Limited Apartment Residential and CPD, Commercial Planned Development Districts; and

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

WHEREAS, the Rocky Fork-Blacklick Accord Implementation Panel recommends disapproval of said zoning change; and

WHEREAS, the City Departments recommend disapproval of said zoning change because the applicant requests to rezone 65± acres currently zoned for multi-family, two-family, and single-family uses to the L-AR-12, Limited Apartment Residential and CPD, Commercial Planned Development Districts for a multi-family residential and office-commercial development. The site lies within the boundaries of the *Rocky Fork-Blacklick Accord (1997)* and the *Rocky Fork-Blacklick Accord 2003 Update*. Both plans require the applicant to submit site, elevation, and general landscaping plans to the Accord Planning Staff to review for compliance with the "West Village" design standards. The Applicant has

been unwilling to commit to specific site plans that meet the design recommendations of either plan. Staff is concerned that a lack of integration between land uses and the inability to illustrate the location of parking and building areas contradict the village concept recommended in the Plan. Staff reports submitted to the Rocky Fork Blacklick Accord Panel are attached and highlight these inconsistencies, now, therefore:

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

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

5373 CENTRAL COLLEGE ROAD (43081), being 65.16± acres located on the south side of Central College Road, east and west of the Hamilton Road extension and being more particularly described as follows:

42.287 Acres
Subarea A
Z03-009

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands and being 41.251 acres out of a 91.645 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 28103-I08 and all of a 1.032 acre tract as conveyed to the City of Columbus of record in Official Record 22623I-17 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a found Franklin County monument, (FCE 8823) at the centerline of Central College Road;

Thence North 85°37'19" West with the centerline of said Central College Road, a distance of 366.03 feet to the centerline intersection of said Central College Road with the centerline of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3;

Thence South 02°08'14" West with the centerline of said Hamilton Road, a distance of 652.39 feet to a point;

Thence South 87°51'46" East crossing said Hamilton Road, a distance of 50.00 feet to the true point of beginning;

Thence South 85°37'19" East, a distance of 391.95 feet to a point;

Thence North 47°30'40" East, a distance of 315.12 feet to a point;

Thence North 03°41'47" East, a distance of 366.28 feet to a point on the southerly right of way line of said Central College Road;

Thence South 84°56'31" East, with the southerly right of way line of said Central College Road, a distance of 454.64 feet to a point on the westerly line of said 1.032 acre tract;

Thence North 04°32'09" East with said line, a distance of 10.00 feet to a point;

Thence South 84°56'31" East with said right of way line, a distance of 60.00 feet to a point on the westerly line of a 1.157 acre tract as conveyed to RER Properties, LLC of record in Inst. No. 200309170296485;

Thence South 04°32'09" West with said westerly line of said 1.157 acre tract, a distance of 201.56 feet to the southwesterly corner of said 1.157 acre tract;

Thence South 85°03'00" East with the southerly line of said 1.157 acre tract, a distance of 210.09 feet to the southeasterly corner of said 1.157 acre tract;

Thence North 04°32'20" East with said easterly line of said 1.157 acre tract, a distance of 202.35 feet to the southerly right

of way line of said Central College Road;

Thence with the southerly right of way line of Central College Road the following (4) four courses;

- 1) South 85°18'45" East, a distance of 52.43 feet to a point;
- 2) South 73°31'57" East, a distance of 18.98 feet to a point;
- 3) South 87°22'16" East, a distance of 107.88 feet to a point;
- 4) South 85°18'45" East, with the southerly right of way line of said Central College Road, a distance of 320.72 feet to a point on the westerly line of a 3.132 acre tract as conveyed to Ray Robinson of record in Inst. No. 200009010177010;

Thence South 00°03'38" East with said westerly line of said 3.132 acre tract, a distance of 348.07 feet to the southwesterly corner of said 3.132 acre tract;

Thence South 85°50'46" East with the southerly line of said 3.132 acre tract, a distance of 79.19 feet to a point on westerly line of Lot 48 of the plat of West Albany Section 2 as recorded in Plat Book 80, Page 73;

Thence South 33°04'36" West with said westerly line of said Lot 48 and Lot 47, a distance of 236.10 feet to a point at the northeasterly corner of Reserve A of the Plat of West Albany Section 5 Part 2 as recorded In Plat Book 92, Page 72;

Thence with the northerly line of said Reserve A the following (6) six courses;

- 1) South 42°02'01" West, a distance of 270.33 feet to a point;
- 2) South 85°00'43" West, a distance of 140.00 feet to a point;
- 3) North 63°26'07" West, a distance of 170.72 feet to a point;
- 4) North 02°59'16" West, a distance of 75.00 feet to a point;
- 5) North 55°59'16" West, a distance of 90.00 feet to a point;
- 6) South 80°00'44" West, a distance of 160.00 feet to a point on the easterly line of said 1.032 acre tract;

Thence South 04°27'59" West with said line, a distance of 35.43 feet to a point at the northeasterly corner of a 10.630 acre tract as conveyed to the City of Columbus of record in Official Record Volume 22623117;

Thence with the northerly and westerly line said 10.630 acre tract the following (10) ten courses;

- 1) South 57°21' 41" West, a distance of 278.47 feet to a point;
- 2) South 11°21'41" West, a distance of 310.00 feet to a point;
- 3) South 26°38'19" East, a distance of 100.00 feet to a point;
- 4) South 48°21'41" West, a distance of 180.00 feet to a point;
- 5) North 89°42'19" West, a distance of 50.00 feet to a point;
- 6) South 50°17'41" West, a distance of 420.00 feet to a point;
- 7) South 09°42'19" East, a distance of 190.00 feet to a point;

8) North 79°42'19" West, a distance of 130.00 feet to a point;

9) South 30°17'41" West, a distance of 210.0 feet to a point;

10) South 19°42'19" East, a distance of 220.00 feet to a point on the northerly line of a 5.408 acre tract as conveyed to Boomer Landco, LLC of record in Inst. No, 2000011020222565;

Thence North 86°34'29" West, with said line, a distance of 327.52 feet to the easterly right of way line of said Hamilton Road and a point on a curve;

Thence with the easterly right of way line the following (3) courses;

1) With a curve to the right having a radius 5950.00 feet, a central angle of 00°30'04", a chord bearing North 08°29'37" East, a chord distance of 52.05 feet to a point of reverse curvature;

2) With a curve to the left having a radius 6050.00 feet, a central angle of 06°36'25", a chord bearing North 05°26'26" East, a chord distance of 697.25 feet to a point of tangency;

3) North 02°08'14" East, a distance of 890.31 feet to the true point of beginning and containing 42.287 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The basis of Bearing is North 85°37'19" West for the centerline of Central College Road.

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

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

11.790 Acres
Subarea B
Z03-009

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands and being 11.790 acres out of a 91.645 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 28103-I08 (all records being of the recorders Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a found Franklin County monument, (FCE 8823) at the centerline of Central College Road;

Thence North 85°37'19" West with the centerline of said Central College Road, a distance of 366.03 feet to the centerline intersection of said Central College Road with the centerline of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3;

Thence South 02°08'14" West with the centerline of said Hamilton Road, a distance of 758.55 feet to a point;

Thence North 87°51'46" West crossing said Hamilton Road, a distance of 50.00 feet to the point on the westerly right of way line of said Hamilton Road and being the true point of beginning;

Thence South 02°08'14" West with the westerly right of way line of said Hamilton Road, a distance of 739.47 feet to a point;

Thence North 86°28'07" West through said 91.645 acre tract, a distance of 699.37 feet to a point on the easterly line of a 58.950 acre tract as conveyed to Townsend Construction Company, Inc. of record in Instr. No. 200309030279897;

Thence North 03°34'47" East with the easterly line of said 58.950 acre tract, a distance of 474.31 feet to the southeasterly corner a 5.00 acre tract as conveyed to Marjorie G. Bevelhymer, or Successor or Trustee, of the Marjorie G. Bevelhymer Trust of record in Instrument Number 200005120093584;

Thence North 03°33'24" East with the easterly line of said 5.00 acre tract, a distance of 275.01 feet;

Thence South 85°37'19" East through said 91.645 acre tract, a distance of 680.93 feet to the true point of beginning and containing 11.790 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The basis of Bearing is North 85°37'19" West for the centerline of Central College Road.

To Rezone From: L-R-2F and L-R-2, Limited Residential Districts,

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

10.000 Acres
Subarea C
Z03-009

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands and being 10.000 acres out of the City of Columbus and being 7.633 acres out of a 91.645 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 28103-I08 and also being 2.367 acres out of a 58.950 acre tract as conveyed to Townsend Construction Company of record in Instr. No. 200309030279897 (all records being of the recorders Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a found Franklin County monument, (FCE 8823) at the centerline of Central College Road;

Thence North 85°37'19" West with the centerline of said Central College Road, a distance of 366.03 feet to the centerline intersection of said Central College Road with the centerline of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3;

Thence South 02°08'14" West with the centerline of said Hamilton Road, a distance of 1542.70 feet to a point curvature;

Thence with a curve southwesterly and to right having a radius of 6000.00 feet, a central angle of 02°33'19", a chord bearing of South 03°24'53" West, and a chord distance of 267.56 feet to a point;

Thence North 85°18'27" West crossing said Hamilton Road, a distance of 50.00 feet to the point on the westerly right of way line of said Hamilton Road and being a point on a curve and being the true point of beginning;

Thence continuing with the westerly right of way line of said Hamilton Road, the following two (2) courses;

- 1) With a curve southwesterly and to the right having a radius of 5950.00 feet, a central angle of 04°03'06", a chord bearing of South 06°43'06" West and a chord distance of 420.67 feet to a point of reverse curve;
- 2) With a curve southeasterly and to the left having a radius of 6050.00 feet, a central angle of 00°34'56", a chord bearing of South 08°27'11" West, and a chord distance of 61.49 feet to the northerly line of a 4.143 acre tract as conveyed to Boomer Landco, LLC., of record in Instrument Number 200006260125716;

Thence North 86°34'37" West with the westerly line of said 4.143 acre tract and with the westerly lines of the following; 1) 2.056 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Number 200006260125715, 2) 2.063 acre tract as conveyed to Boomer Landco, LLC of record in

Instrument Number 200008100161163, 3) Judith D. Decenzo of record in Official Record Volume 15655A03, a distance of 672.26 feet to a point on the easterly line of a 2.273 acre tract of land as conveyed to Michael L. and Patsy L. Parker of record in Official Record Volume 1399D05

Thence North 03°15'23" East with the easterly line of said 2.273 acre tract, a distance of 132.55 feet to the northeasterly corner of said 2.273 acre tract;

Thence North 86°28'07" West with the northerly line of said 2.273 acre tract and with the northerly line of a 3.727 acre tract as conveyed to John E. and Andrea L. Stoughton of record in Official Record Volume 15058103, a distance of 294.50 feet to a point;

Thence through said 58.950 and said 91.645 acre tract, the following two (2) courses;

- 1) North 03°33'37" East, a distance of 350.00 feet to a point;
- 2) South 86°28'07" East, a distance of 995.88 feet to the true point of beginning and containing 10.000 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The basis of Bearing is North 85°37'19" West for the centerline of Central College Road.

To Rezone From: L-R-2, Limited Residential and R, Rural Districts,

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

1.086 Acres
Subarea D
Z03-009

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands and being 1.086 acres out of a 24.418 acre tract as conveyed to Townsend Construction of record in Inst. No. 200311040353155 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described;

Beginning for reference at a found Franklin County monument, (FCE 8823) at the centerline of Central College Road;

Thence North 85°37'19" West with the centerline of said Central College Road, a distance of 366.03 feet to the centerline intersection of said Central College Road with the centerline of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3;

Thence with the centerline of said Hamilton Road, the following two (2) courses;

- 1) South 02°08'14" West with the centerline of said Hamilton Road, a distance of 1542.70 feet to a point of curvature;
- 2) With a curve southwesterly and to the right having a radius of 6000.00 feet, a central angle of 01°21'05", a chord bearing of South 02°48'47" West, and a chord distance of 141.52 feet to a point;

Thence North 86°30'14" West crossing said Hamilton Road, a distance of 50.00 feet to the point on a curve on the westerly right of way line of said Hamilton Road and being the true point of beginning;

Thence with a curve southwesterly and to the right having a radius of 5950.00 feet, a central angle of 01°12'14", a chord bearing of South 04°05'26" West, and a chord distance of 125.01 feet to a point;

Thence through said 24.418 acre tract, the following three (3) courses;

- 1) North 86°28'07" West, a distance of 377.64 feet to a point;
- 2) North 03°31'53" East, a distance of 125.00 feet to a point;
- 3) South 86°28'07" East, a distance of 378.86 feet to the true point of beginning and containing 1.086 acres of land more or less.

This description was prepared for rezoning purposes only by Environmental Design Group Inc., Columbus Ohio. The Basis of Bearing is North 85°37'19" West for the centerline of Central College Road.

To Rezone From: L-R-2, Limited Residential District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-AR-12, Limited Apartment Residential and CPD, Commercial Planned Development Districts on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and L-AR-12, Limited Apartment Residential District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**WEST ALBANY SUBAREA A**", signed by Michael T. Shannon, attorney for the Applicant, and dated October 31, 2003, "**WEST ALBANY SUBAREAS B,C, AND D**", signed by Michael T. Shannon, attorney for the Applicant, and dated November 13, 2003, and text titled, "**DEVELOPMENT TEXT**", Michael T. Shannon, attorney for the Applicant, and dated January 23, 2004, and the text reading as follows:

**DEVELOPMENT TEXT
WEST ALBANY
65.077± ACRES**

EXISTING DISTRICTS: L-AR-12; L-R2F; R; and CPD

PROPOSED DISTRICTS: L-AR-12; CPD

PROPERTY ADDRESS: 5373 Central College Road

OWNERS/APPLICANTS: Cardinal Title Holding Company and Townsend Construction
c/o Michael T. Shannon, Esq.,
CRABBE, BROWN & JAMES, LLP
500 South Front Street, Suite 1200
Columbus, Ohio 43215
(614) 228-5511 Fax: (614) 229-4559
mshannon@cbjlawyers.com

DATE OF TEXT: January 23, 2004

APPLICATION NUMBER: Z03-009

INTRODUCTION:

The subject property ("Site") consists of 65.077± acres generally located south of Central College Road, on the east and

west sides of Hamilton Road. Applicant proposes to rezone the property to create four (4) sub-areas: L-AR-12; L-AR-12; L-AR-12 and CPD.

Hamilton Road was recently extended north from its former terminus at the Hamilton Road/New Albany Expressway interchange. Hamilton Road is designated as a 4-2D arterial in the City of Columbus Thoroughfare Plan. The Rocky Fork-Blacklick Accord ("Accord") designates the Hamilton Road/New Albany Expressway interchange as a gateway to the planning area, and the extension of Hamilton Road is a key component to both the gateway concept of the interchange and to the arterial road system within the Accord. A goal of the Accord is to create and implement an arterial road system that provides for the efficient and effective movement of vehicles through the Accord area while reducing vehicular impact on sub-arterial roads to preserve rural roadways. The Accord implementation strategies, Accord land use plan, general planning principles associated with the location of more intense uses on arterials and at major entrance points, and existing and anticipated Plain Township and City of Columbus zoning at the intersection of extended Hamilton Road and Warner Road, all support Applicant's proposal.

The locations of Sub-Areas A, B, C and D are depicted on the plans entitled "**WEST ALBANY SUBAREA A**", dated October 31, 2003, "**WEST ALBANY SUBAREAS B,C, AND D**", dated November 13, 2003. Sub-Area A is 42.286± acres located in the northeast corner of the Site, south of Central College Road, east of Hamilton Road. Sub-Area A is included in this rezoning to reflect the reduction of density in overall anticipated land use, due to the creation of a 20-acre nature preserve with attendant conservation easements. Sub-Area B is 11.32 ± acres generally located west of Sub-Area A and Hamilton Road, south of Central College Road with frontage on the west side of Hamilton Road. Sub-Area B is proposed to be rezoned from L-R2F and L-R2 to L-AR-12 for multi-family development of 113 condominium units. Sub-Area C is south and east of Sub-Area B, and will have frontage on Hamilton Road. The proposed rezoning is from L-R2 and R to L-AR-12 to provide for 100 condominium units. Sub-Area D, a 1.086-acre-tract, is proposed as a CPD, limited to C2 uses. It is located north of Sub-Area C and south of Sub-Area B and will also have frontage along Hamilton Road. All sub-area acreage is net of right-of-way for dedication of Hamilton, Central College and Warner Roads. All land use and sub-area plans submitted with this application reflect all required Hamilton Road and Warner Road right-of-way dedication.

Break1

LIMITATION TEXT

SUB-AREA A

L-AR-12, LIMITED APARTMENT RESIDENTIAL

42.287+/- ACRES

1. **PERMITTED USES:** The following uses shall be permitted in Sub-Area A: Those listed in §3333.02 (AR-12) Apartment Residential, of the Columbus City Code.

2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards of Chapter 3333 Apartment Districts, shall apply to Sub-Area A.

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

1. Density shall not exceed 276 dwelling units.

2. **Building:** Sub-Area A fronts on Central College and Hamilton Roads, and abuts existing commercial zoning to the west, which existing commercial zoning will also front on and have access to Hamilton Road.

a) The minimum building setback from Hamilton Rd. shall be 50 feet. At the east and south property lines, the Applicant will provide and establish a conservation green space area along Rocky Fork Creek. The proposed conservation easement is depicted on the drawing entitled "**WEST ALBANY SUBAREA A**", dated October 31, 2003.

b) The minimum building setback from Central College Road shall be 50 feet.

3. **Parking Setbacks:** The parking setback along Hamilton Road shall be 30 feet. The parking setback along Central College Road shall be 30 feet.

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

1. Curb cuts and access points shall be approved according to the specifications of the City of Columbus Division of Transportation or any other applicable governmental agency.

2. It is the intention of the City of Columbus Transportation Division that Hamilton Road be constructed as a continuous three-lane roadway, from Warner Road to Central College Road. As applied to this rezoning, and the property which is the subject of this rezoning, Hamilton Road shall be widened by the owner/developer of each respective sub-area addressed herein, to provide a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cuts and/or access points are included within the City-approved Traffic Access Study for this project. Required widening shall provide a minimum 35 foot wide pavement, consisting of one 12 foot wide through lane in each direction and one 11 foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road. Pavement marking tapers may be used to transition from existing pavement to any widened section provided that the full 35 foot pavement width is constructed in the taper areas and beyond, if needed. In other words, the required widening shall only be required to extend to the widened section associated with the next proposed curb cut, access point or existing street (at the end of the turn lane length, including tapers, for the next proposed curb cut, access point, or existing street). Construction will also include new pavement markings and/or pavement overlay for a two-way left turn lane on adjacent sections.

This requirement is not intended to include any additional road construction, turn lane construction or road widening for: (a) the northbound left turn lane from Hamilton onto Central College Road; or (b) the Hamilton southbound turn lane onto Warner Road, as those intersections are not within the purview of this rezoning, and/or are otherwise included within the requirements of other developments within this area. Traffic signal contributions are addressed separately.

3. The Applicant will have signal contributions for the Warner/ Hamilton and Central College/ Hamilton intersections, based on its percentage of the overall traffic at those intersections. The Applicant's share of these signals has been studied and determined to be 27.4 % for Hamilton/ Warner and 20.25% for Hamilton/ Central College. Assuming \$100,000 per signal installation, this would mean the applicant's responsibility would be \$ 47,750. It is recognized, however, that this Applicant has paid 100% of the costs of the signal installation at Hamilton/ westbound 161 ramps, which costs should also be spread among the other developments/rezonings in the area. Since the Applicant has paid 100% of the up-front costs of the Hamilton/ 161 signal, the Applicant will be permitted to "credit" the contribution costs associated with the 27.5 and 20.25 percentages referenced above, against the 100% costs already fronted to construct the Hamilton/161 signal. The Applicant will then, be reimbursed by the City of Columbus, to the extent as discussed below, and at the time the City is reimbursed by other development, for the costs of the Hamilton/161 signal, minus the costs associated with the 27.5 and 20.25 percentages applied to the Warner/Hamilton and Central College/Hamilton intersections respectively, and minus the Applicant's own traffic use of the Hamilton/161 signal, generated by this development. The percentage of the Applicant's traffic use generated by this development, as against the entire regional development picture associated with the use of this intersection shall be agreed upon by the City and Applicant pursuant to calculations compiled by the Applicant's traffic engineer, as part of, or in connection with, the currently contemplated Regional Traffic Study for the Northeast Corridor. Further, the City will require contributions to be collected by the other development/ rezonings, which contributions will be used to reimburse the Applicant, following the above deductions.

4. Driveway access points and aisles may be divided by property lines without regard to minimum dimensions within any single property, as long as the overall driveway or aisle dimensions meet minimum Code requirements and easements are provided to insre the function of shared driveways and aisles.

5. Applicant agrees to extend pedestrian and vehicular connectons throughout this Sub-Area.

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

1. The Central College and Hamilton Roads parking setbacks shall be maintained in live vegetation and shall include tree planing at the rate of four (4) trees per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedge row. Thesetrees are in addition othe street trees required in No. 2 below.

2. A street tree row shall be established along Central College and Hamilton Roads. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.
3. A minimum of one (1) tree shall be planted for every ten (10) parking spaces. Trees required by this section shall be integrated into parking areas in landscaping islands a minimum of five (5) feet wide. Preservation of existing trees where preserved and integrated into parking areas shall be counted on a one-for-one basis in offsetting tree planting requirements of this section.
4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.
5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 6 feet in height.
6. All parking areas adjacent to Hamilton Road shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding or walls. The height of headlight screening may be reduced as needed adjacent to curb cuts to provide adequate vision clearance.
7. Rocky Fork Creek: Sub-Area A is contiguous to Rocky Fork Creek. A scenic/conservation area is being provided along the south and east sides of Sub-Area A, to preserve and protect the Rocky Fork Creek. Snow fencing shall be placed along the line of the scenic/conservation area in the area of any construction, to delineate the area prior to construction commencing on any nearby building. Applicant will make every reasonable effort to preserve and protect existing vegetation in the easement and setback area during any construction. Reasonable and good faith efforts shall be made to preserve existing trees and tree rows occurring within this sub-area outside of the easement and creek setback area. Snow fencing will be placed at the drip line of trees identified to be preserved. The developer shall also provide pedestrian access to the proposed parkland, to the specifications of the Recreation and Parks Department. The Applicant reserves the right to install utility crossings through the area discussed in this section.

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

1. There shall be no roof-mounted mechanical equipment or utility hardware. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.
3. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS and/or glass. Vinyl and other materials are permitted as long as they are natural in appearance. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater.
4. The primary roof of all buildings shall be pitched or sloped with a minimum slope of 6:12.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures, provided the fixtures are screened with landscaping to prevent glare.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.
4. Building-mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize off-site light spillage.
5. All new or relocated utility lines within Sub-Area A shall be installed underground, unless a public utility does not permit underground installation in a particular location or instance.
6. All lighting shall be positioned as to not be directed toward any residential area.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the applicable requirements of the AR-12 district shall be submitted to the Columbus Graphics Commission.
2. All ground-mounted signage shall be monument-style, except for incidental on-premise mounted directional signs, if any.

G. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development, and designed and located in cooperation with the Columbus Parks and Recreation Department and the Transportation Division of the Department of Public Service.
2. To facilitate pedestrian movement between all sub-areas, pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between or to adjacent properties.
3. Bicycle parking will be provided.

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break2

LIMITATION TEXT

SUB-AREA B

L-AR-12, LIMITED APARTMENT RESIDENTIAL

11.790+/- ACRES

1. **PERMITTED USES:** The following uses shall be permitted in Sub-Area B: Those listed in §3333.02 (AR-12) Apartment Residential, of the Columbus City Code.
2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards of Chapter 3333 Apartment Districts, shall apply to Sub-Area B.

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

1. Density shall not exceed 117 dwelling units.
2. **Building:** Sub-Area B fronts on Hamilton Road, and abuts existing commercial zoning to the north, which existing commercial zoning will also front on and have access to both Hamilton and Central College Roads.
 - a) A minimum building setback on Hamilton Road shall be 50 feet.

3. Parking Setback: the parking setback for Sub-Area B shall be 30 feet.

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

1. Curb cuts and access points shall be approved according to the specifications of the City of Columbus Division of Transportation or any other applicable governmental agency.

2. It is the intention of the City of Columbus Transportation Division that Hamilton Road be constructed as a continuous three-lane roadway, from Warner Road to Central College Road. As applied to this rezoning, and the property which is the subject of this rezoning, Hamilton Road shall be widened by the owner/developer of each respective sub-area addressed herein, to provide a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cuts and/or access points are included within the City-approved Traffic Access Study for this project. Required widening shall provide a minimum 35 foot wide pavement, consisting of one 12 foot wide through lane in each direction and one 11 foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road. Pavement marking tapers may be used to transition from existing pavement to any widened section provided that the full 35 foot pavement width is constructed in the taper areas and beyond, if needed. In other words, the required widening shall only be required to extend to the widened section associated with the next proposed curb cut, access point or existing street (at the end of the turn lane length, including tapers, for the next proposed curb cut, access point, or existing street). Construction will also include new pavement markings and/or pavement overlay for a two-way left turn lane on adjacent sections.

This requirement is not intended to include any additional road construction, turn lane construction or road widening for: (a) the northbound left turn lane from Hamilton onto Central College Road; or (b) the Hamilton southbound turn lane onto Warner Road, as those intersections are not within the purview of this rezoning, and/or are otherwise included within the requirements of other developments within this area. Traffic signal contributions are addressed separately.

3. The Applicant will have signal contributions for the Warner/ Hamilton and Central College/ Hamilton intersections, based on its percentage of the overall traffic at those intersections. The Applicant's share of these signals has been studied and determined to be 27.4 % for Hamilton/ Warner and 20.25% for Hamilton/ Central College. Assuming \$100,000 per signal installation, this would mean the applicant's responsibility would be \$ 47,750. It is recognized, however, that this Applicant has paid 100% of the costs of the signal installation at Hamilton/ westbound 161 ramps, which costs should also be spread among the other developments/rezonings in the area. Since the Applicant has paid 100% of the up-front costs of the Hamilton/ 161 signal, the Applicant will be permitted to "credit" the contribution costs associated with the 27.5 and 20.25 percentages referenced above, against the 100% costs already fronted to construct the Hamilton/161 signal. The Applicant will then, be reimbursed by the City of Columbus, to the extent as discussed below, and at the time the City is reimbursed by other development, for the costs of the Hamilton/161 signal, minus the costs associated with the 27.5 and 20.25 percentages applied to the Warner/Hamilton and Central College/Hamilton intersections respectively, and minus the Applicant's own traffic use of the Hamilton/161 signal, generated by this development. The percentage of the Applicant's traffic use generated by this development, as against the entire regional development picture associated with the use of this intersection shall be agreed upon by the City and Applicant pursuant to calculations compiled by the Applicant's traffic engineer, as part of, or in connection with, the currently contemplated Regional Traffic Study for the Northeast Corridor. Further, the City will require contributions to be collected by the other development/ rezonings, which contributions will be used to reimburse the Applicant, following the above deductions.

4. Driveway access points and aisles may be divided by property lines without regard to minimum dimensions within any single property, as long as the overall driveway or aisle dimensions meet minimum Code requirements and easements are provided to insure the function of shared driveways and aisles.

5. Applicant agrees to provide pedestrian and vehicular connection to adjoining sub-areas.

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

1. The Hamilton Road parking setback shall be maintained in live vegetation and shall include tree planting at the rate of four (4) trees per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedge rows. These trees are in addition to the street trees required in No. 2 below.

2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.
3. A minimum of one (1) tree shall be planted for every ten (10) parking spaces. Trees required by this section shall be integrated into parking areas in landscaping islands a minimum of five (5) feet wide. Preservation of existing trees where preserved and integrated into parking areas shall be counted on a one-for-one basis in offsetting tree planting requirements of this section.
4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.
5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 6 feet in height.
6. All parking areas adjacent to Hamilton Road shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding or walls. The height of headlight screening may be reduced as needed adjacent to curb cuts to provide adequate vision clearance.
7. Applicant shall maintain and preserve the existing open watercourse which traverses this Site and shall maintain a 25-foot conservation easement measured from the centerline of the ditch/watercourse. The Applicant reserves the right to install roadway/access and/or utility crossings through the conservation area.

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

1. There shall be no roof-mounted mechanical equipment or utility hardware. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.
3. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS and/or glass. Vinyl and other materials are permitted as long as they are natural in appearance. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater.
4. The primary roof of all buildings shall be pitched or sloped with a minimum slope of 6:12.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures, provided the fixtures are screened with landscaping to prevent glare.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 20 feet in height.
4. Building-mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize off-site light spillage.

5. All new or relocated utility lines within Sub-Area B shall be installed underground, unless a public utility does not permit underground installation in a particular location or instance.

6. All lighting shall be positioned as to not be directed toward any residential area.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the applicable requirements of the AR-12 district shall be submitted to the Columbus Graphics Commission.

2. All ground-mounted signage shall be monument-style, except for incidental on-premise mounted directional signs, if any.

G. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development, and designed and located in cooperation with the Columbus Parks and Recreation Department and the Transportation Division of the Department of Public Services. This Text shall not be construed to require off-site construction of any such sidewalks and/or bikeways.

2. To facilitate pedestrian movement between all sub-areas, pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between or to adjacent properties.

3. Bicycle parking will be provided.

break3

LIMITATION TEXT

SUB-AREA C

L-AR-12, LIMITED APARTMENT RESIDENTIAL

10.00+/- ACRES

1. **PERMITTED USES:** The following uses shall be permitted in Sub-Area C: Those listed in §3333.02 (AR-12) Apartment Residential, of the Columbus City Code.

2. **DEVELOPMENT STANDARDS:** Except as specified herein, the applicable development standards of Chapter 3333 Apartment Districts, shall apply to Sub-Area C.

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

1. Density shall not exceed 100 dwelling units.

2. **Building:** Sub-Area C fronts on Hamilton Road, and abuts existing commercial zoning to the south, which existing commercial zoning will also front on and have access to both Hamilton and Warner Roads. The building setback from Hamilton Road shall be 50 feet.

3. **Parking Setback:** the parking setback for Sub-Area C shall be 30 feet from Hamilton Road and 25 feet on the remaining perimeters.

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

1. Curb cuts and access points shall be approved according to the specifications of the City of Columbus Division of Transportation, or any other applicable governmental agency.

2. It is the intention of the City of Columbus Transportation Division that Hamilton Road be constructed as a continuous three-lane roadway, from Warner Road to Central College Road. As applied to this rezoning, and the property which is the subject of this rezoning, Hamilton Road shall be widened by the owner/developer of each respective sub-area addressed herein, to provide a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cuts and/or access points are included within the City-approved Traffic Access Study for this project. Required widening shall provide a minimum 35 foot wide pavement, consisting of one 12 foot wide through lane in each direction and one 11 foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road. Pavement marking tapers may be used to transition from existing pavement to any widened section provided that the full 35 foot pavement width is constructed in the taper areas and beyond, if needed. In other words, the required widening shall only be required to extend to the widened section associated with the next proposed curb cut, access point or existing street (at the end of the turn lane length, including tapers, for the next proposed curb cut, access point, or existing street). Construction will also include new pavement markings and/or pavement overlay for a two-way left turn lane on adjacent sections.

This requirement is not intended to include any additional road construction, turn lane construction or road widening for: (a) the northbound left turn lane from Hamilton onto Central College Road; or (b) the Hamilton southbound turn lane onto Warner Road, as those intersections are not within the purview of this rezoning, and/or are otherwise included within the requirements of other developments within this area. Traffic signal contributions are addressed separately.

3. The Applicant will have signal contributions for the Warner/ Hamilton and Central College/ Hamilton intersections, based on its percentage of the overall traffic at those intersections. The Applicant's share of these signals has been studied and determined to be 27.4 % for Hamilton/ Warner and 20.25% for Hamilton/ Central College. Assuming \$100,000 per signal installation, this would mean the applicant's responsibility would be \$ 47,750. It is recognized, however, that this Applicant has paid 100% of the costs of the signal installation at Hamilton/ westbound 161 ramps, which costs should also be spread among the other developments/rezonings in the area. Since the Applicant has paid 100% of the up-front costs of the Hamilton/ 161 signal, the Applicant will be permitted to "credit" the contribution costs associated with the 27.5 and 20.25 percentages referenced above, against the 100% costs already fronted to construct the Hamilton/161 signal. The Applicant will then, be reimbursed by the City of Columbus, to the extent as discussed below, and at the time the City is reimbursed by other development, for the costs of the Hamilton/161 signal, minus the costs associated with the 27.5 and 20.25 percentages applied to the Warner/Hamilton and Central College/Hamilton intersections respectively, and minus the Applicant's own traffic use of the Hamilton/161 signal, generated by this development. The percentage of the Applicant's traffic use generated by this development, as against the entire regional development picture associated with the use of this intersection shall be agreed upon by the City and Applicant pursuant to calculations compiled by the Applicant's traffic engineer, as part of, or in connection with, the currently contemplated Regional Traffic Study for the Northeast Corridor. Further, the City will require contributions to be collected by the other development/ rezonings, which contributions will be used to reimburse the Applicant, following the above deductions.

4. Driveway access points and aisles may be divided by property lines without regard to minimum dimensions within any single property, as long as the overall driveway or aisle dimensions meet minimum Code requirements and easements are provided to insure the function of shared driveways and aisles.

5. Applicant agrees to provide pedestrian and vehicular connection to adjoining sub-areas.

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

1. The Hamilton Road parking setback shall be maintained in live vegetation and shall include tree planting at the rate of four (4) trees per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedge rows. These trees are in addition to the street trees required in No. 2 below.

2. A street tree row shall be established along Hamilton Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves the planting of the street trees in the right-of-way.

3. A minimum of one (1) tree shall be planted for every ten (10) parking spaces. Trees required by this section shall be

integrated into parking areas in landscaping islands a minimum of five (5) feet wide. Preservation of existing trees where preserved and integrated into parking areas shall be counted on a one-for-one basis in offsetting tree planting requirements of this section.

4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six (6) months.

5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 6 feet in height.

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

1. There shall be no roof-mounted mechanical equipment or utility hardware. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS and/or glass. Vinyl and other materials are permitted as long as they are natural in appearance. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater.

4. The primary roof of all buildings shall be pitched or sloped with a minimum slope of 6:12.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 20 feet in height.

4. Building-mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize off-site light spillage.

5. All new or relocated utility lines within Sub-Area C shall be installed underground, unless a public utility does not permit underground installation in a particular location or instance.

6. All lighting shall be positioned as to not be directed toward any residential area.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the AR-12, Apartment Residential Districts. Any variance to the applicable requirements of the AR-12 district shall be submitted to the Columbus Graphics Commission.

2. All ground-mounted signage shall be monument-style, except for incidental on-premise mounted directional signs, if any.

G. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development, and designed and located in cooperation with the Columbus Parks and Recreation Department and the Transportation Division of the Department of Public Service.
2. To facilitate pedestrian movement between all sub-areas, pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between or to adjacent properties.
3. Bicycle parking will be provided.

SUB-AREA D
CPD, COMMERCIAL PLANNED DEVELOPMENT
1.086 ACRES

1. **PERMITTED USES:** All uses permitted in Columbus City Code Chapter 3353, C2 Commercial District.
2. **DEVELOPMENT STANDARDS:** The applicable development standards shall be as specified in Chapter 3353, C2 Commercial District, except as specifically set forth herein, by provisions intended to create an overlay-type environment.

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

1. The minimum building setback along Hamilton Road shall be 50 feet.
2. The minimum parking setback along Hamilton Road, shall be 30 feet.
3. Lot Coverage for Building and Pavement for this sub-area shall not exceed seventy (70%) percent.

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

1. Curb cuts shall be approved by the City of Columbus Transportation Division.
2. It is the intention of the City of Columbus Transportation Division that Hamilton Road be constructed as a continuous three-lane roadway, from Warner Road to Central College Road. As applied to this rezoning, and the property which is the subject of this rezoning, Hamilton Road shall be widened by the owner/developer of each respective sub-area addressed herein, to provide a left turn lane at any new curb cut(s) or access point(s) where left turns from Hamilton Road will be legally permitted. The permitted curb cuts and/or access points are included within the City-approved Traffic Access Study for this project. Required widening shall provide a minimum 35 foot wide pavement, consisting of one 12 foot wide through lane in each direction and one 11 foot wide left turn lane, and shall extend the length of the turn lane (including taper) along Hamilton Road. Pavement marking tapers may be used to transition from existing pavement to any widened section provided that the full 35 foot pavement width is constructed in the taper areas and beyond, if needed. In other words, the required widening shall only be required to extend to the widened section associated with the next proposed curb cut, access point or existing street (at the end of the turn lane length, including tapers, for the next proposed curb cut, access point, or existing street). Construction will also include new pavement markings and/or pavement overlay for a two-way left turn lane on adjacent sections.

This requirement is not intended to include any additional road construction, turn lane construction or road widening for: (a) the northbound left turn lane from Hamilton onto Central College Road; or (b) the Hamilton southbound turn lane onto Warner Road, as those intersections are not within the purview of this rezoning, and/or are otherwise included within the requirements of other developments within this area. Traffic signal contributions are addressed separately.

3. The Applicant will have signal contributions for the Warner/ Hamilton and Central College/ Hamilton intersections, based on its percentage of the overall traffic at those intersections. The Applicant's share of these signals has been studied and determined to be 27.4 % for Hamilton/ Warner and 20.25% for Hamilton/ Central College. Assuming \$100,000 per signal installation, this would mean the applicant's responsibility would be \$ 47,750. It is recognized, however, that this Applicant has paid 100% of the costs of the signal installation at Hamilton/ westbound 161 ramps, which costs should also

be spread among the other developments/rezonings in the area. Since the Applicant has paid 100% of the up-front costs of the Hamilton/161 signal, the Applicant will be permitted to "credit" the contribution costs associated with the 27.5 and 20.25 percentages referenced above, against the 100% costs already fronted to construct the Hamilton/161 signal. The Applicant will then, be reimbursed by the City of Columbus, to the extent as discussed below, and at the time the City is reimbursed by other development, for the costs of the Hamilton/161 signal, minus the costs associated with the 27.5 and 20.25 percentages applied to the Warner/Hamilton and Central College/Hamilton intersections respectively, and minus the Applicant's own traffic use of the Hamilton/161 signal, generated by this development. The percentage of the Applicant's traffic use generated by this development, as against the entire regional development picture associated with the use of this intersection shall be agreed upon by the City and Applicant pursuant to calculations compiled by the Applicant's traffic engineer, as part of, or in connection with, the currently contemplated Regional Traffic Study for the Northeast Corridor. Further, the City will require contributions to be collected by the other development/ rezonings, which contributions will be used to reimburse the Applicant, following the above deductions.

4. Driveway access points and aisles may be divided by property lines and sub-area lines, without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum code requirements, and easements, as applicable, which are provided to insure the function of shared driveways and aisles.

5. Required parking and vehicular circular design:

(a) To provide the most efficient design and lay-out of parking, aisles, driveways and vehicular circulation areas, and to minimize unnecessary paving, parking spaces, aisles, driveways and vehicular circulation, areas may be designed without regard to property lines or internal sub-area lines. Cross-easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system.

(b) Code-required parking may be reduced with the administrative approval of the Transportation Division upon submission of appropriate and applicable data regarding shared parking, or other demonstration of parking needs being less than the calculated code required parking.

(c) There shall be no required parking for seasonal outside seating areas.

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

1. The parking setback areas along Hamilton Road shall be maintained in live vegetation and shall include tree and shrub planting at a rate of four (4) trees and four (4) shrubs per 100 lineal feet of frontage. Trees shall be placed randomly to stimulate natural hedge rows. The trees are in addition to those required in No. 2 below. The Applicant retains the right to place some of these trees in vehicular use areas of the sub-area to achieve the seventy (70%) percent lot coverage requirement of the Accord.

2. The street tree row established by other sub-areas within this text, shall be continued through this sub-area. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the Columbus Forester. The trees shall be approximately evenly spaced and planted adjacent to the right-of-way, unless the City Forester approves of planting trees in the right-of-way.

3. All parking areas adjacent to Hamilton Road shall have headlight screening parallel to the frontage, with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Said headlight screening shall be in the form of an evergreen hedge, earth mounding or wall. The height of headlight screening may be reduced as needed adjacent to curb cuts or to provide adequate vision clearance.

4. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months

5. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 6 feet in height.

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

1. There shall be no roof-mounted mechanical equipment or utility hardware unless said mechanicals are screened by decorative cornices. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.
2. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of any building.
3. Building materials shall be traditional and natural in appearance, such as wood, brick, stone, stucco, EIFS and/or glass. Vinyl and other materials are permitted as long as they are natural in appearance. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater.
4. The primary roof of all buildings shall be pitched or sloped with a minimum slope of 6:12.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures, provided the fixtures are screened with landscaping to prevent glare.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 20 feet in height.
4. Building-mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize off-site light spillage.
5. All new or relocated utility lines within Sub-Area E shall be installed underground, unless a public utility does not permit underground installation in a particular location or instance.
6. All lighting shall be positioned as to not be directed toward any residential area.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C2 Commercial District. Any variance to the applicable requirements of the C2 district shall be submitted to the Columbus Graphics Commission.
2. All ground-mounted signage shall be monument-style, except for incidental on-premise mounted directional signs, if any.

G. Miscellaneous

1. Pedestrian access, sidewalks and/or bikeways within the development will be provided to connect to areas outside of the development, and designed and located in cooperation with the Columbus Parks and Recreation Department and the Transportation Division of the Department of Public Service. This Text shall not be construed to require off-site construction of any such sidewalks and/or bikeways. This Text shall not be construed to require off-site construction of any such sidewalks and/or bikeways.
2. To facilitate pedestrian movement between all sub-areas, pavement for pedestrian circulation purposes may be placed in and across perimeter landscaped setback areas between or to adjacent properties.
3. Bicycle parking will be provided

GENERAL PROVISIONS APPLICABLE TO ALL SUBAREAS

The Site shall be developed in accordance with the Site Plan submitted herewith. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other Site data, developed at the time development or engineering plans are completed. Any slight adjustments to the plan shall be reviewed and approved by the Director of the Department of Development, or his/her designee, upon submission of appropriate data regarding the proposed adjustment.

ADDITIONAL TRAFFIC-RELATED COMMITMENTS:

1. Traffic signals that are required to be installed at private drives shall be subject to maintenance costs in accordance with City policy.

2. The following right-of-way dedication will be made:
Fifty (50) feet from centerline on Central College Road.

SEVERABILITY:

Sub-Areas A, B, C and D are included together in this one application solely for the purpose of rezoning contiguous property under one application process. At all times in the future, Sub-Areas A, B, C and D may be rezoned individually, in combination with each other, or in combination with other abutting land not part of this application.

FORUM FOR VARIANCE:

The Board of Zoning Adjustment shall be the body to hear any and all variance requests to Site development standards, including any and all specific Site development standards contained in this ordinance.

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

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 - April 8, 2004 11:00 am

SA001080 - TRANSPORTATION/40' AERIAL BUCKET

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Transportation Division to obtain formal bids to establish a contract for the purchase of an Aerial Bucket Truck for use in the installation and repair of traffic signals.

1.2 Classification: The successful vendor shall be responsible for building and delivering a complete 40-Foot Aerial Bucket Truck to the City of Columbus, Transportation Division.

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: March 11, 2004

SA001081 - PAINT AND PAINT SUPPLIES

1.1 Scope:

It is the intent of the City of Columbus to obtain formal bids to establish an option contract(s) with a "Catalog" firm offer for sale of various paint and paint supply items for all City facilities. The bidder shall submit its standard published catalog(s) and price lists. The city may purchase item(s) or group of like item(s) in the catalog and/or price list from the successful bidder after a purchase order for the listed items is issued.

1.2 Classification:

The contract(s) resulting from this bid proposal will provide for the option to purchase and/or delivery of paint, paint supplies and various related items as specified herein.

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: March 19, 2004

SA001083 - FLUORIDE METERING PUMPS

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: This bid proposal is to provide the City of Columbus, Division of Water with a contract for the immediate purchase of replacement fluoride metering pump systems. This equipment will be used to meet the needs of the Hap Cremean Water Treatment Plant.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase and delivery of Watson Marlow Fluoride Metering Pumps with Scada Control Interface Box and hose. The City will install all units purchased.

ORIGINAL PUBLISHING DATE: March 19, 2004

SA001088 - BILLITER BOULEVARD RESURFACING -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 April 8, 2004, for BILLITER BOULEVARD RESURFACING -2004, 1552 DR. A. The work for which proposals are invited consists of planning, asphalt overlay, and full depth roadway replacement 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 for plans. 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 BILLITER BOULEVARD RESURFACING -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.

SUBSURFACE DATA

Subsurface data was obtained for project design purposes may be included in the plans.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

PRE-BID CONFERENCE

There will not be a pre-bid conference for this project.

CONTRACT COMPLETION

The contract completion time is 30 calendar days.

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:

March 23, 2004

ORIGINAL PUBLISHING DATE: March 19, 2004

BID OPENING DATE - April 14, 2004 3:00 pm

SA001079 - WATER HCWP LAGOONS SLUDGE REMOVAL

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 until 3:00 P.M. local time, on April 14, 2004 and publicly opened and read at the hour and place for construction of the HAP CREMEAN WATER PLANT, LAGOONS #2 and #3, SLUDGE REMOVAL AND LAGOON MODIFICATIONS, CONTRACT NO. 1030 - PART 1, PROJECT NO. 690331. The work for which proposals are invited consists of furnishing of all materials; equipment and labor necessary to provide REMOVAL OF SLUDGE, THE INSTALLATION OF A NEW 66-INCH RAW WATERLINE, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents are on file in the office of the Deputy Administrator, Water Supply, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100) and at the office of ms consultants, inc., 2221 Schrock Road, Columbus, Ohio 43229 (Phone 614-898-7100) and are available there on or after March 22, 2004. Copies of the contract documents are available to prospective bidders through the office of ms consultants, inc. upon payment of \$40 per set, none of which will be refunded. Checks for Contract Documents shall be made payable to ms consultants, inc. 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:

HAP CREMEAN WATER PLANT, LAGOONS #2 AND #3, SLUDGE REMOVAL AND LAGOON MODIFICATIONS, CONTRACT NO. 1030 - PART 1, PROJECT NO. 690331

CONTACT PERSON

The City of Columbus Contact person for this project is Michael Hurd of the Division of Water's Technical Support Section, Phone (614) 645-7100.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements, which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid

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 said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of the Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of sixty (60) days after the bid opening, and/ or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on April 5, 2004 at 9:00 a.m., at the Hap Cremean Water Plant, Conference Room.

CITY BULLETIN DATES:

- 1) March 20, 2004
- 2) March 27, 2004
- 3) April 3, 2004

ORIGINAL PUBLISHING DATE: March 10, 2004

BID OPENING DATE - April 15, 2004 11:00 am

SA001077 - E-PAYMENT PROCESSING-AUDITOR/INCOME TAX

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 Scope:

1.1 The City of Columbus seeks to procure an e-payment processing system for the collection of income tax withholding and estimated tax payments to the City of Columbus. This process strives to meet these specific goals:

1.1.1 To provide an Internet and IVR payment system for employers and individuals in order to reduce the amount of paperwork and staff time necessary to comply with local taxing requirements, and to help insure the timely payment of taxes so as to avoid late payment penalties.

1.1.2 To reduce the labor time and cost to the City of Columbus by eliminating the manual posting of specific payments to employer withholding accounts by electronic posting of daily batches to the City's tax database.

1.1.3 To offset the costs of an e-payment system by reducing the costs of lockbox operations at local banks.

1.1.4 To reduce the workload of the City Treasurer's Office in the processing of daily lockbox tax payments.

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: March 12, 2004

SA001091 - DOSD-SMOC/UTILITY BODIES

1.1 Scope: It is the intent of the City of Columbus, Sewer Maintenance Operations Center to obtain formal bids for three (3) utility truck bodies to be mounted on 2004 Chevrolet 3500 cab and chassis with extended cab, which the City will provide. The specifications will describe the bodies and equipment to be provided. All items will be installed by the supplier.

1.2 Classification: Units are to be purchased on a completed basis. Completed units will be delivered to the City of Columbus, Sewer Maintenance Operations Center, 1250 Fairwood Ave. There is a local supplier requirement for this bid.

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: March 20, 2004

BID OPENING DATE - April 16, 2004 5:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001094 - r&p-RFP-abatement and demo.

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 5:00 P.M., Friday, April 16, 2004, for:

Development of Plans and Specifications for the Environmental Abatement and Demolition of structures at 344 W. Town Street and 370 W. State Street and for development of a new surface parking lot and landscape plan as proposed in the Scioto Peninsula Vision Plan.

The Recreation & Parks Department is requesting proposals from consulting firms for professional services to prepare plans and specifications and obtain bids to demolish various structures on the Scioto Peninsula and to construct additional parking improvements. Plans and specifications shall also include necessary environmental abatement to be completed prior to demolition.

Five (5) copies of each proposal are required for submittal

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.

Interested firms should apply to the Recreation and Parks Department with the following information:

1. Firm name, address, telephone number and contact person.
2. Year established.
3. Types of services for which it is qualified.
4. Names of principals in the firm with professional registrations.
5. Names and experience of key personnel assigned to this project.
6. Outside consultants, if any, who will be used on this project.
7. MBE/FBE participation in the project.
8. List of completed projects of similar nature with contact person for each.
9. City of Columbus Contract Compliance Certification Number or copy of completed application.

RFP Information Packet for this project and plans of the project site are available from 8 A.M. to 5 P.M.,

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Monday through Friday, beginning Monday April 5, 2004, at the Administrative Annex, 200 Greenlawn Avenue, Columbus, OH 43223.

All questions regarding the submittal should be directed to Alan D. McKnight, Recreation and Parks Department, 614-645-3310.

All consultants will be subject to the provisions of the City of Columbus, Contract Compliance Program regarding equal employment opportunity.

Thomas L. Kaplan, President
Recreation and Parks Commission
ORIGINAL PUBLISHING DATE: March 30, 2004

Wayne A. Roberts, Executive Director
Recreation and Parks Department

BID OPENING DATE - April 22, 2004 11:00 am

SA001093 - FLEET/TRUCK WASHING SERVICES

1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain formal bids to establish a UTC for the purchase of Power washing of automobiles and trucks owned by the City of Columbus March 31, 2004 through March 31, 2006.

1.2 Classification: This proposal is a bidder's offer to power wash the vehicle(s) set forth on the bid proposal sheet at the price(s) quoted by bidder thereon, under the terms and conditions of these bid documents. An estimated dollar volume is set forth on the bid quotation sheet. This service will be provided in the parking lot of the Division's main operating facility at 423 Short Street, Columbus OH 43215. This Contract will be for the power washing of automobiles and trucks on Mondays, Wednesdays and Fridays, between the hours of 7:30am and 4:00pm with the exception of holidays recognized by the City of Columbus.

It will be the responsibility of the supplier to comply with Sewer Use Regulations (Chapters 1145 and 1147 the Columbus City Codes) as well as the Stormwater Management Regulation (Chapter 1149). Inquiries regarding these regulations can be made at the Stormwater Section or the Pretreatment Section of the City of Columbus Division of Sewers and Drains.

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: March 30, 2004

BID OPENING DATE - April 29, 2004 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001060 - PURCHASE AND INSTALLATION OF UPS

1.1 Scope: It is the intent of the City of Columbus, Division of Communications to obtain formal bids to establish a Purchase Order for the purchase of and installations of on-line uninterruptible power supply for use at our Police and Fire E911 answering and dispatching facility.

1.2 Classification:

#1 -The Division of Communications is making an effort to supply quality power support to key systems used by our front line public safety personnel

#2 -The successful bidder shall allow the Division of Communications staff to be present and to observe during the installation process. Where applicable the Division staff would prefer to take an active role in performing the installation, calibration, and acceptance testing of this project. This system shall be fully serviced and warranted for a period of two (2) years starting with system acceptance .

#3 - There is a mandatory walk through at 9:00 AM on April 14, 2004

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: March 18, 2004

BID OPENING DATE - May 10, 2004 5:00 pm

SA001074 - RFSQ-Professional Services-Sewers

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

REQUEST FOR STATEMENTS OF QUALIFICATIONS FOR PROFESSIONAL SERVICES

The City of Columbus, Ohio is inviting professional engineering consulting firms to submit Statements of Qualifications to furnish professional services for the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage for the VARIOUS SANITARY SEWER SYSTEM INFLOW AND INFILTRATION (I/I) REMEDIATION PROJECTS AS LISTED BELOW.

The Director of Public Utilities of the City of Columbus wishes to receive sealed Statements of Qualifications from professional engineering firms interested in, and qualified for, furnishing professional services for the following Capital Improvement Projects:

CIP 405.7 - Sewer System I/I Remediation - NW Alum Creek Basin

CIP 405.8 - Sewer System I/I Remediation - Early Ditch Relief Area

CIP 405.9 - Sewer System I/I Remediation - West 5th Avenue

CIP 405.10 - Sewer System I/I Remediation - Barthman /Parsons

CIP 405.11 - Sewer System I/I Remediation - Livingston/James

General Description

The City of Columbus, Ohio operates a collection system made up of separate-sanitary and combined sewers. The Sewer System Engineering Section has identified several areas within the City, in both the separate-sanitary and combined sewer areas that experience street, yard, and basement flooding; sewerage system surcharging; and sewage overflows out of manholes and designed sanitary relief (DSR) points. It is desired that detailed studies be conducted in each of these areas to identify the causes of these occurrences as they relate to the sewerage system and recommend specific remediation strategies to eliminate and/or mitigate these occurrences and generally restore capacity to the sewerage system.

To that end, the City is seeking to hire a professional engineering consulting firm or firms to carryout such engineering studies. The qualifying firm or firms shall have extensive experience in investigating and modeling sewerage collection and storm sewer systems to identify and quantify direct and indirect sources of I/I. This extensive knowledge and experience is necessary in order to determine and apply the appropriate strategies from among the technologies derived to date in eliminating and/or mitigating those I/I sources found within the study area.

It is expected that each of the projects (or areas) noted above shall be assigned to a different firm. Each investigation is to be a distinct and separate project; conducted according to its own parameters; prosecuted under its own schedule; and carried out by its own agents. Significant coordination with the City's ongoing Capacity, Maintenance, Operations, and Management (cMOM) Program and Long Term Control Plan (LTCP) project is required.

The goal of each of these projects is to produce a list of extensive and detailed recommendations for the rehabilitation and augmentation of existing storm, sanitary, and combined sewerage correlated with extensive and detailed maintenance recommendations. The resulting report(s) shall be of some length and

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shall be accompanied by the appropriate graphs, details, flow charts, maps, and schedules to fully document and explain the investigation, its findings, its methodology and all recommendations. All such work shall be required to identify and quantify direct and indirect sources of I/I; causes of water-in-basement occurrences (WIBs); and sewer system overflows (SSOs).

To that end, the Consultant shall have demonstrated experience with I/I-related field investigations, maintenance and records investigations, sewerage system cleaning, Closed Circuit Television Inspection (CCTV) work, storm sewer, sanitary sewer, and combined sewer design and evaluation, computer modeling using US EPA SWMM, and sewerage rehabilitation and replacement via both standard open cut, and tunneling methods. The Consultant shall be thoroughly experienced in determining the most feasible and economical methods for sewer replacement, repair, rehabilitation, and relief to mitigate I/I.

The Consultant will be required to perform extensive field and maintenance investigations of sanitary, combined, storm, and lateral sewers including site surveys, smoke and dye testing, rainfall simulation testing of downspouts and drains, CCTV inspections of sanitary, storm, and home laterals, and possible interior home plumbing investigations. Intensive flow monitoring programs of sanitary, combined, storm, and lateral sewers will be included to augment and calibrate computer model simulations and aid in quantification estimates. Radar-assisted rainfall estimates may also be included.

Access to all existing video, reports, plans, investigations, models, and the like, the City has acquired for sewers in the study area will be provided to the Consultant for their review and copy. Any video taken by the Consultant; all reports, plans, investigations, models, and the like produced or augmented by the Consultant for the project shall be provided to the City at the close of the project.

Other duties are expected to include, but are not limited to, the performance of research of existing sewer records of varying kinds, interviews with maintenance and engineering personnel; research of existing adjacent utilities; modeling of pertinent existing sewerage systems; participating in and/or conducting public information programs; coordinating with cMOM and LTCP consultants; and preparing a design report that outlines the methodology of the investigations undertaken, conclusions drawn, and a comprehensive set of recommendations designed to eliminate and/or mitigate I/I and correlated DSRs, SSOs, and/or WIBs.

The City may wish to modify the Consulting Design Services Contract to provide for other duties that could include preparation of construction drawings, job-specific supplemental specifications, and bid documents; provision of Construction Administration and Construction Inspection Services and record plan drawings.

Because investigative information on active sewers must be provided, the Consultant must have experienced personnel and equipment for performing confined space entries as outlined in the OSHA standard found in the Code of Federal Regulations, Part 1910.146.

Selection Process

The Statements of Qualifications (SOQ's) will be reviewed by the City and a minimum of three firms will be selected to receive a Request for Proposal (RFP) for each project. Selection of the firms will be based on the firm's SOQ. The firm shall indicate on which of the above listed projects they wish to be considered, which may include any or all projects listed.

Selection of professional services for this work shall conform to all applicable requirements of Columbus City Codes, 1959, particularly Title 39 and Section 329.13 thereof. All offerors and all subcontract entities

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proposed shall have City of Columbus Contract Compliance Certificate Numbers (CCCN's). Offerors shall include a listing of CCCN's for themselves and their proposed subcontractors in their SOQ's, or shall include completed applications for certification. Applications for certification are available from:

EQUAL BUSINESS OPPORTUNITY COMMISSION OFFICE

Contract Compliance Investigator
109 North Front Street, 4th Floor
Columbus, Ohio 43215
Telephone: 614-645-4764

The selection process shall be conducted by an Evaluation Committee of representatives from the Division of Sewerage and Drainage. The contact person for the selection shall be:

C. Timothy Fallara, P.E.
Capital Projects Engineer
Division of Sewerage and Drainage
910 Dublin Road, Room 3104
Columbus, Ohio 43215-9053
Telephone: 614-645-6728

Selection Schedule

All offerors are required to obtain an information package containing specific descriptions of each project as well as the expected format for the Statements of Qualifications. These packages will be available beginning Monday, March 22, 2004 at:

SEWER PERMIT OFFICE
Division of Sewerage and Drainage
910 Dublin Road, 3rd Floor
Columbus, Ohio 43215-9053

There is no charge for the information package.

Statements of Qualifications will be received by the City until 5:00 pm on Monday, May 10, 2004. No SOQs will be accepted thereafter. Direct SOQs to:

Tatyana Arsh, P.E.
Sewer System Engineering Manager
Division of Sewerage and Drainage
910 Dublin Road, Room 3112
Columbus, Ohio 43215-9053
Telephone: 614-645-8156

SOQs shall be furnished in five (5) identical copies and clearly marked "Statements of Qualifications for: (state CIP Number(s) and Job Title(s))". Submit only one set of five SOQs regardless of the number of projects for which you apply. SOQs shall be bound in plastic 3-"D"-ring form loose-leaf binders with insertable covers and spines. SOQs shall not exceed one hundred (100) pages in length.

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After receipt of the SOQs, the Evaluation Committee shall evaluate the submittals based on the criteria specified at the end of this document and shall select three (3) or more of the highest qualified offerors for further consideration. If the Committee received less than three (3) SOQs or determines that fewer than three (3) offerors are qualified to perform the required services, then the Committee may select less than three (3) offerors for further consideration.

The Committee shall request complete technical proposals and cost estimates from each of the offerors selected for further consideration. The Committee may also request that all offerors selected for further consideration make a presentation to the Committee to elaborate on their technical proposals, SOQs, cost estimates, and/or any other pertinent information.

The Committee shall rank all offerors based upon the competence, quality, past performance, and feasibility of their proposals and any revisions thereto.

The Committee shall submit its ranking of the offerors, along with a written explanation of the basis for the ranking, to the Director of the Department of Public Utilities.

Contract negotiations shall then commence with the highest ranked offeror. If negotiations fail, negotiations with the contractor shall be terminated, and the City may enter into negotiations with the next highest ranked offeror.

Evaluation Criteria

The evaluation criteria for offerors shall include, but not be limited to, the following:

CRITERIA AND POINTS

Competence to perform the required service, based upon the assigned personnel and their specific demonstrated technical qualifications 35 Points

Past performance of the offeror, particularly with regard to quality of work, success in controlling costs, and success in meeting deadlines 30 Points

Ability to perform expeditiously, based upon workload and availability of personnel and equipment 20 Points

Familiarity with local project requirements 10 Points

Location of office that would execute the work 5 Points

TOTAL POINTS: 100

Cheryl Roberto
Director
Department of Public Utilities
(City Bulletin Publication Dates: 3/20/04, 3/27/04)
ORIGINAL PUBLISHING DATE: March 06, 2004

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BID OPENING DATE - May 12, 2004 3:00 pm

SA001066 - Big Walnut Outfall Augmentation Sewer II

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ADVERTISEMENT FOR BIDS

Sealed Proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at its office, 910 Dublin Road, 4th Floor, Room 4105, until 3:00 p.m., Local Time, on May 12, 2004, and publicly opened and read at that hour and place for the construction of:

BIG WALNUT OUTFALL AUGMENTATION SEWER PART 2

The City of Columbus' contact person for this project is Gary W. Gilbert, P.E., of the Sewerage and Drainages Division's Sewer System Engineering Section, telephone number 614/645-7436.

The Work for which Proposals are invited consists, in general, of the following:

1. Installation of 13,400+ or - lineal feet of 144" sanitary sewer tunnel using precast concrete segmental tunnel lining.
2. Installation of 5 access shafts/manhole structures.
3. Installation of Interconnect Structure.
4. Installation of 5,384 + or - lineal feet of 42" sanitary sewer pipe by a combination of microtunneling or bore and jack, and pipe-in-trench (open cut) construction.
5. Installation of 13,400+ or - lineal feet of Corrosion Protection Lining for 144" Sanitary Sewer and associated structures.
6. Associated site work and restoration.

BASIS OF BIDS: Bids shall be a Lump Sum as shown in the Proposal.

VIEWING BIDDING DOCUMENTS: Copies of the Bidding Documents (CC-12846) will be on file after March 15, 2004, and may be examined at the following locations:

1. Division of Sewerage and Drainage, Sewer System Engineering Section, 910 Dublin Road, Columbus, Ohio 43215, (614) 645-7490.
2. URS Corporation, 277 West Nationwide Blvd., Columbus, Ohio 43215-2566, (614) 464-4500, Attention Karen Castle.
3. Plan Room, Builder's Exchange or Dodge Reports, 1175 Dublin Road, Columbus, Ohio 43215, (614) 486-6575.
4. Plan Room, Builder's Exchange, 981 Keynote Circle, Cleveland, Ohio 44131, (216) 661-8300.
5. F.W. Dodge Corporation, 655 Eden Park Drive, Suite 515, Cincinnati, Ohio 45202, (513) 345-8200.
6. Dodge/SCAN, 1255 Euclid Avenue, #305 Cleveland, Ohio 44115, (216) 901-1589.

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7. Minority Contractor's Assistance Program, 1000 E. Main Street, Columbus, Ohio 43205, (614) 252-8005, Fax: (614) 252-9667.

8. H.R. Gray & Associates, Inc., 1335 Dublin Road, Suite 100-B, Dublin Road, Columbus, Ohio 43215, (614) 487-1335.

PURCHASING BIDDING DOCUMENTS: Copies of the Bidding Documents may be purchased by prospective bidders through the office of URS Corporation (Attn: Karen Castle), 277 West Nationwide Blvd., Columbus, Ohio 43215-2566, upon payment of \$300.00 per set. No refunds will be made. Checks are to be made payable to URS Corporation.

SUBMITTING A PROPOSAL: Proposals must be submitted on the Proposal forms contained in Volume I of the Project Manual and the said Volume of the Project Manual must be submitted **IN ITS ENTIRETY** in a sealed envelope marked:

BID FOR:
Big Walnut Outfall Augmentation Sewer
(Part 2)
C.I.P. No. 430.1"

Bidding on this Project is strictly limited to Contractors proposing to comply with the entirety of the Contract Documents. Contractor's proposals that do not comply with the Contract Documents will be considered non-responsive.

PRE-BID CONFERENCE: There will be a Pre-bid Conference held on Tuesday, April 6, 2004, at 1:00 p.m. eastern daylight savings time at the Hamilton Township Trustees Building, 6400 Lockbourne Road, Lockbourne, OH 43137, (614-491-3963). Attendance is encouraged.

PROOF OF QUALIFICATIONS: Bidders shall provide proof of qualifications to perform the Work as described in Paragraph 1.04 of the Instructions to Bidders (Section 00100).

PROPOSAL GUARANTY: The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal Bond (Bid 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 Bidders Grand Total (the sum of Pay Item Nos. 1 and 2) on the Bid Schedule. The Proposal 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.

COMMENCEMENT AND COMPLETION: Contract time of commencement and completion will be in accordance with the Contract.

CONTRACT PERFORMANCE AND PAYMENT BOND: A Contract Performance and Payment Bond of 100 percent of the amount of the Contract Sum (Bidders Grand Total - the sum of Pay Item Nos. 1 and 2 on the Bid Schedule) with a surety or sureties licensed to conduct business in the State of Ohio will be required to assure the faithful performance of the Work.

LICENSING OF CORPORATIONS: Particular attention is directed to the statutory requirements

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of the State of Ohio relative to licensing of entities incorporated under the laws of any other State.

OHIO WATER POLLUTION CONTROL LOAN FUND PROVISIONS: Any Contract or Contracts awarded under this Advertisement may be funded in whole or in part by a loan from the Ohio Water Pollution Control Loan Fund (WPCLF). Neither the State of Ohio or United States nor any of their Departments, Agencies or employees is or will be a party to this Advertisement or any resulting Contract. Contracts funded by this source will be subject to the following provisions.

1) **RESPONSIBILITY FOR PAYMENT:** The City is responsible for making monthly progress payments in accordance with the Contract Documents, even when the Owner's failure to comply with the loan conditions delay or disqualify further payment from the WPCLF.

2) **OTHER PROVISIONS:** The successful Bidder also must comply with all the provisions of (a) All provisions of OSHA governing the work; Contract Work Hours and Safety Standards Act; (b) Title IV of the Civil Rights Act of 1964; and (c) Ohio EPA policy of encouraging the participation of Small Business in Rural Areas (SBRAs).

3) **NONDISCRIMINATION IN EMPLOYMENT:** Bidders will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for Bidders and Contractors under this order are explained in the specifications and in 41 CFR 60-4.

4) **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS:** Bidders will be required to comply with the President's Executive Order No. 12549. The requirements for Bidders and Contractors under this order are explained in the specifications and in 40 CFR Part 32.

5) **OHIO AND U.S. EPA MBE/WBE FAIR SHARE UTILIZATION REQUIREMENTS:**
This Project shall receive financial assistance from the Water Pollution Control Loan Fund. All responsive bidders shall complete the required Subcontractor Utilization and Certification forms provided within the Contract Proposal.

Determination of MBE/WBE Fair Share Utilization: All documentation submitted by bidders not assured of achieving the fair share goals will be reviewed by the Procedural Compliance Unit, Division of Environmental and Financial Assistance. Based on the feasibility of subcontracting, the availability of MBEs and WBEs in the area (generally a 100-mile radius), and the contractor's history of compliance, the Procedural Compliance Unit will determine whether the contractor has made a good faith effort to achieve the fair share goals. If the effort is not satisfactory, the contractor will be required to provide additional or sufficient minority and women's business participation, within 15 days, to demonstrate a good faith effort to achieve the fair share goals.

Questions or inquiries with regard to this provision should be forwarded to the Ohio EPA, Procedural Compliance Unit, Division of Environmental and Financial Assistance, P. O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2832.

6) **CONTRACT PREVAILING WAGE DETERMINATION:** As a condition of financial participation in the construction cost of this Contract, the prevailing rates of wages as determined by the Ohio Department of Commerce Division of Labor & Worker Safety Wage and Hour Bureau are a part of this Contract. The

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Contractor to whom the award is made and all its subcontractors shall pay not less than the prevailing rate of wages for the classes of work called for by this public improvement in the locality (Franklin County) where the Work is to be performed. These rates were obtained from the State and it is believed that they are in the latest rates in effect. The City assumes no responsibility in the event of an error in listing the rates. The Bidder and/or Contractor shall verify the correctness thereof. The prevailing wage rates applicable to this project are included in the Specification Section 00600. The Contractor shall submit to the City's Prevailing Wage Coordinator, Division of Construction Inspection, 1800 East 17th Avenue, Columbus, OH 43219, weekly certified payrolls of its labor forces and all subcontractor's labor forces for review of compliance to the prevailing wage rates. Payment of any partial or final payment estimate otherwise due to the Contractor will be withheld when the Prevailing Wage Coordinator finds the Contractor to be delinquent in the furnishing of payment information or to be out of compliance with the requirements for payment of prevailing wages.

7) NON-SEGREGATED FACILITIES: Bidders will be required to provide a "Certification of Non-segregated Facilities." The certification provides that the Bidder does not maintain or provide for its employees facilities which are segregated on a basis of race, creed, color, or national origin, whether such facilities are segregated by directive or on a de facto basis.

8) SMALL BUSINESS IN RURAL AREA PROVISION (SBRA): This procurement is subject to the EPA Policy of encouraging the participation of small businesses in rural areas (SBRAs). It is EPA Policy that recipients of EPA financial assistance awards utilize the services of small businesses in rural areas (SBRAs) to the maximum extent practicable. The objective is to assure that such small business entities are afforded the maximum practicable opportunity to participate as subcontractors, suppliers and otherwise in EPA-awarded financial assistance programs. This policy applies to all contracts and subcontracts for supplies, construction, and services under EPA grants or cooperative agreements. Small purchases are also subject to this policy.

9) VIOLATING FACILITIES: All prospective bidders shall be required to comply with all applicable standards, order, or requirements under Section 306 of the Clean Air Act, 42 USC 1857 (h), Section 508 of the Clean Water Act, 33 USC 1368, Executive Order 11738, and EPA regulations, 40 CFR Part 32, which prohibits the use under non-exempt Federal contracts, grants, or loans of facilities included on the EPA List of Violating Facilities.

EQUAL EMPLOYMENT OPPORTUNITY: No bid will be deemed responsive unless the Bidder's certification and other EEO information required by the specifications is submitted with the Bid.

CONTRACT COMPLIANCE REQUIREMENTS: Each responsive Bidder shall submit, with its Bid, a currently valid City of Columbus Contract Compliance Certification Number (CCCN) or a completed application for City certification. Each Bidder shall identify, using the forms in the Proposal, the subcontractors it proposes to use, with the proposed value of the work to be sublet to each entity to fulfill the Contract, if awarded. Each Bidder shall also provide current CCCNs of all subcontractors, or completed applications for certification.

BID CANCELLATION AND REJECTIONS: The right is reserved, by the Director of Public Utilities of the City of Columbus, Ohio, to cancel this Advertisement for Bids, to reject any and/or all Bids, and to waive technicalities. The Director also has the right to hold Bids for a period of 180 days after the Bid opening, to make an award of the Contract at any time during that 180 day period. In addition, the Director reserves the right to advertise for new Proposals when such action is deemed by the Director to be in the

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best interests of the City.

REQUIRED NAMES AND ADDRESSES: Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provisions of this Equal Opportunity Clause.

(2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that the Contractor is an equal opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The Contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the Contractor shall be considered confidential.

(5) The Contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The Contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The Contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The Contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a Contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract.

WITHHOLDING OF INCOME TAX: All Bidders are advised that in order for a contract to bind the City each contract must contain the provisions found in Section 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

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

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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 the City Auditor, is thereby incorporated into and made part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: The Contractor shall be compliant with revisions to Chapter 329 in the Columbus City Code as authorized by City Council on 4/29/02 (Ord. 0081-02).

Cheryl Roberto
Director of Public Utilities

Engineering News Record: March 15, 2004
ORIGINAL PUBLISHING DATE: March 02, 2004

PUBLIC NOTICES

TITLE: NEW DIRECTIVE NUMBER 2004-001 TO BE PUBLISHED IN BULLETIN

Contact Name: Barbara Eastman for Joseph Busch, CBO
Contact Telephone: 645-6416 or 645-6079
Contact Email: baeastman@columbus.gov

Department of Development
Building Services Division
Published Directive Number 2004-001

-by-

Order of the Chief Building Official

Section 4103.16 of the Columbus Building Code authorizes the Chief Building Official to make and adopt Directives necessary for the proper administration of the Ohio Building Code and the Columbus Building Code. This Section also requires the Chief Building Official to present such a Directive to the Columbus Building Commission for review and approval.

Therefore, pursuant to the presentation to and review by the Columbus Building Commission and their subsequent motion of approval passed in its regularly scheduled meeting of March 16, 2004 the Chief Building Official is publishing this Directive according to the requirements of C.C. 121.05.

Consequently, the Chief Building Official states this Directive will be effective the tenth day after the City Clerk has published it in the City Bulletin. It shall remain in effect until such time the Chief Building Official has rescinded or replaced it. The Chief Building Official also declares any existing Directive that conflicts with this Directive to be invalid.

DIRECTIVE: COLUMBUS BUILDING CODE

NUMBER: 2004-001

SUBJECT: Moisture Vapor Retarders with Spray-on loose-fill cellulose insulation.

REFERENCE: Columbus Building Code Sections:
4103.03 – Building Codes incorporated
4127.01 – OBOA incorporated.
Ohio Residential Code For One, Two and Three Family Dwellings (a.k.a. - "OBOA"):
Section 310 – Insulation
Section 321 – Moisture Vapor Retarders.

DATE: March 16, 2004

- A) Objective: Clarify that in 1, 2 and 3-Family Dwellings and under explicit circumstances, the Moisture Vapor Retarders requirement of Section 321 of the Ohio Residential Code For One, Two and Three Family Dwellings, a.k.a. – "OBOA", may be met with the application of a spray-on cellulose loose-fill insulation.
- B) Permission: The moisture vapor barrier requirement of Section 321 of the Ohio Residential Code For One, Two and Three Family Dwellings, a.k.a. – "OBOA", will not be a prerequisite where spray-on cellulose loose-fill insulation is used in a 1, 2 or 3-Family Dwelling in concurrence with all of the following conditions:
1. The owner, in writing, acknowledges that he/she is aware of the type of insulation to be installed; and,
 2. The owner agrees in writing to its installation; and,
 3. The spray-on cellulose loose-fill insulation is installed in complete conformity with the manufacturers' recommendations, specifications and instructions; and
 4. The final finished rate of application shall not be less than 3.5 pounds per cubic foot (3.5 lbs ft-3 / 56.05 kg/m3); and,
 5. The installer, supplier and/or manufacturer of the spray-on cellulose loose-fill insulation provides a notarized irremediable warranty/guarantee to the owner upon completion of the insulation installation stating indubitably in fact that: In the event the sprayed-on cellulose loose-fill insulation fails, or any building construction material is caused to fail by the insulation resulting from the elimination of the vapor retarder, the installer, supplier and/or manufacturer of the sprayed-on cellulose loose-fill insulation will fully warrant/guarantee the structure in perpetuity.
 6. The installer, supplier and/or manufacturer of the sprayed-on cellulose loose-fill insulation shall provide a copy of the warranty/guarantee to the Department. This required document shall be presented to and found to be acceptable by the Chief Building Official before a final certificate of occupancy will be issued.
- C) Prerequisite: The permission granted by this Directive is limited in application to 1, 2 and to 3-Family Dwellings only.

- D) This Directive shall remain in effect until such time it is rescinded or replaced. This Directive supplants any and all previous Directives pertaining to its subject.

Joseph F. Busch, AIA-NCARB
Chief Building Official
Department of Development
Building Services Division
Date: 3/16/04

From: 3/27/04 To: 4/3/04

TITLE: CIVIL SERVICE COMMISSION NOTICE

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

During its regular meeting held on Monday, March 29, 2004, the Civil Service Commission passed a motion to abolish the specification for the classification Business Processes Coordinator (Class Code 0867) and amend Commission Rule XI to delete the abolished classification from the Rule. The amendment will be effective upon publication.

From: 4/3/04 To: 4/3/04

TITLE: CIVIL SERVICE COMMISSION NOTICE

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

During its regular meeting held on Monday, March 29, 2004, the Civil Service Commission passed a motion to retitle the classification Paramedic Education Coordinator to EMS Instructor (Class Code 1626) and to amend Rule XI accordingly. The amendment will be effective upon publication.

From: 4/3/04 To: 4/3/04

TITLE: FIRE SAFETY MEETINGS

Contact Name: Angela Mingo
Contact Telephone: 614-645-2537
Contact Email: ammingo@columbus.gov

Columbus City Council will host a meeting at the Summit United Methodist Church on Wednesday, April 7, 2004 at 6:00 p.m. to discuss ways the community can help with fire safety and fire prevention, including deployment and inspection of smoke detectors.

Summit United Methodist Church
82 East 16th Avenue
Columbus, OH 43201

From: 4/3/04 To: 4/3/04

TITLE: FIRE SAFETY MEETINGS

Contact Name: Angela Mingo
Contact Telephone: 614-645-2537
Contact Email: ammingo@columbus.gov

Columbus City Council will host a meeting at the Avondale Elementary School on Tuesday, April 6, 2004 at 6:00 p.m. to discuss ways the community can help with fire safety and fire prevention, including deployment and inspection of smoke detectors.

Avondale Elementary School
156 Avondale Avenue
Columbus, OH 43222

From: 4/3/04 To: 4/3/04

TITLE: CIVIL SERVICE COMMISSION NOTICE

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

During its regular meeting held on Monday, March 29, 2004, the Civil Service Commission passed a motion to amend Rule XI to reflect a change in the probationary period for the classification Arborist (Class Code 3763) from 270 days to 365 days. The amendment will be effective upon publication.

From: 4/3/04 To: 4/3/04

TITLE: CIVIL SERVICE COMMISSION NOTICE

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

During its regular meeting held on Monday, March 29, 2004, the Civil Service Commission passed a motion to retitle the classification Communications Division Assistant Administrator to Support Services Division Assistant Administrator (Class Code 0267) and to amend Rule XI accordingly. The amendment will be effective upon publication.

From: 4/3/04 To: 4/3/04

TITLE: CIVIL SERVICE COMMISSION NOTICE

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

During its regular meeting held on Monday, March 29, 2004, the Civil Service Commission passed a motion to abolish the specification for the classification Traffic Maintenance Assistant Manager (Class Code 4028) and amend Commission Rule XI to delete the abolished classification from the Rule. The amendment will be effective upon publication.

From: 4/3/04 To: 4/3/04

TITLE: CIVIL SERVICE COMMISSION NOTICE

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

During its regular meeting held on Monday, March 29, 2004, the Civil Service Commission passed a motion to abolish the specification for the classification Custodial Training Instructor (Class Code 3532) and amend Commission Rule XI to delete the abolished classification from the Rule. The amendment will be effective upon publication.

From: 4/3/04 To: 4/3/04

TITLE: CIVIL SERVICE COMMISSION NOTICE

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

During its regular meeting held on Monday, March 29, 2004, the Civil Service Commission passed a motion to amend Rule XI to reflect a change in the probationary period for the classification Arborist (Class Code 3763) from 270 days to 365 days. The amendment will be effective upon publication.

From: 4/3/04 To: 4/3/04

TITLE: PUBLIC UTILITIES AND REFUSE COMMITTEE MEETING

Contact Name: Kathy Owens
Contact Telephone: 645-8559
Contact Email: kaowens@columbus.gov

Public Utilities/Refuse Committee Meeting
Wednesday, April 14, 2004
5:30pm
City Council Chambers
Chair: Patsy A. Thomas

AGENDA

- Yard Waste and Recycling – Division of Refuse
- Dir. Henry Guzmán, Department of Public Service
- Project 2020 – Division of Electricity
- Dir. Cheryl Roberto, Department of Public Utilities
- Public comment

Next Committee Meeting:
Wednesday, May 12, 2004 @ 5:30pm

No June meeting

From: 3/27/04 To: 4/3/04

TITLE: CLINTONVILLE AREA COMMISSION BY-LAWS & BY-LAWS ADDENDUM

Contact Name: Michelle Williams, Neighborhood Liaison

Contact Telephone: 614-645-0155

Contact Email: mawilliams@columbus.gov

CLINTONVILLE AREA COMMISSION

By-Laws

These by-laws shall establish the order of procedures under which the Clintonville Area Commission (CAC) shall execute those duties and functions set forth in and with the authority granted under Chapter 3109 of Columbus City Code. The Commission shall not endorse any candidate for public office.

I. Membership

- A. There shall be nine members of the Commission who shall be known as District Commissioners and shall be elected from the districts set forth in the Addendum. A Commissioner shall retain his or her residency in the District form which he or she was elected. Failure to maintain such residency shall constitute resignation from the Commission.
- B. A term of office on the Commission shall be three years, with the Commission's nine District positions rotating so that each year, three Districts shall be open for election. The three year terms are to expire as provided in the addendum to these by-laws.
- C. If a vacancy occurs in a District seat on the Commission because of death, resignation, disqualification, or other means, the Commission shall give public notice of the vacancy before the date on which the Commission will vote to recommend a candidate to fill the vacancy. After providing an opportunity for persons interested in filling the vacancy to indicate their interest to the Commission, the Commission shall vote by secret ballot to select a candidate to fill the vacancy for the unexpired term. The Commission Secretary shall send written notice of the candidate selected by the Commission to the Mayor, pursuant to section 3313.10 of the Columbus City Code.
- D. A Commission member who expects to be absent from a Commission meeting shall notify the CAC Chairperson prior to the meeting. A Commissioner who is absent from three Commission meetings between annual meetings without such prior notice to the Chairperson shall be deemed a Resignation and notice of such shall be communicated to the Mayor, the City Council and the Director of the Department of Trade and Development. The Recording Secretary shall send written notice to a Commission member who has been absent from two meetings without prior notice to the Chairperson, informing the Commissioner that his or her absence without prior notification from one more meeting before the next annual meeting will constitute resignation from the Commission and notice of such shall be communicated to the Mayor, the City Council and the Director of the Department of Trade and Development.
- E. No member shall represent the CAC in its official actions, except as specifically authorized by a majority at a regular or special meeting. This shall not be construed as a restriction upon the right of the individual members to represent their own views before public or private bodies, whether in agreement or disagreement with the official action of the CAC.

II. Officers

- A. The CAC shall elect from among its members a Chairperson, a Vice-Chairperson and a Secretary. The officers shall be elected at the annual meeting and shall serve for a period of one year.
 - 1. Chairperson: The Chairperson shall be a voting member of the Commission, preside at meetings of the Commission, prepare the agenda for the Commission meetings, approve the spending of all funds, and, in consultation with the other Commission members, appoint Chairpersons of standing and special committees of the Commission.
 - 2. Vice-Chairperson: The Vice-Chairperson shall perform the duties of the Chairperson in the Chairperson's absence. In addition the Vice-Chairperson shall be the CAC liaison with the Clintonville Resource Center and other public and private agencies in the Clintonville area that provide social services.
 - 3. Secretary: The Secretary shall maintain a file of minutes and such other records as the Commission may direct and shall send written notice to the Board of Zoning Adjustment or other appropriate entity of zoning zoning-related actions of the Commission, and receive and disburse all fund with approval from the Chairperson or Vice-Chairperson. The minutes of all Commission meetings shall be open to public examination.
 - 4. No person who has served three consecutive full terms in the office of Chairperson shall be eligible for election to a fourth term in that same office, but shall be eligible for election to any office in subsequent years.
- B. The CAC Chairperson may appoint a Recording Secretary, subject to the approval of the Commission. The Recording Secretary shall record votes, take minutes of Commission meetings, distribute minutes and agenda to Commission members and perform such other duties as determined by the Commission. If there is no Recording Secretary, the Secretary shall perform the duties of the Recording Secretary.

III. Meetings

- A. The regular meetings of the CAC shall be on the first Thursday of each month and shall be open to the public. Each meeting shall be held in the Commission's normal place unless otherwise specified fifteen (15) days prior. Notice of the meeting with an agenda shall be published in the city bulletin prior to the change in meeting time or location.
- B. The regular meeting in July shall be known as the annual meeting and shall include the election of officers.
- C. Special meetings may be called by the Chairperson or by a majority of the members in a regular or special meeting, and shall be called upon written request of at least three (3) members. The purpose of the meeting, the date, and location shall

be stated in the call. Except in cases of emergency, at least three days notice shall be given for a special meeting. Special meetings shall be open to the public.

- D. The quorum shall consist of a minimum of five members of the Commission. A majority of Commission members present and voting shall be required to approve a motion, except as otherwise provided.
- E. In all zoning, variance, graphics and other special permit applications, wherever initiated, and in all matters in which Commission approval is requested by sources other than Commission members, the issue shall be placed initially before the Commission by a statement by the Chair, of the form, "the question before the Commission is: Shall the application (request, proposal) for _____ be approved?" Once stated, this question shall immediately have the status of a main motion to approve, subject to amendment, refer to committee, and all other actions and dispositions that apply to such a main motion under Robert's Rules. In particular, a motion to disapprove such an application shall not be in order. Except as provided under referral to the Planning Committee, an affirmative majority of the quorum of the Commission shall be required for approval of all such applications, requests or proposals. The Secretary shall include the vote in any report of the Commission's action to City government bodies.
- F. The Chairperson may recognize members of the public who wish to address the CAC concerning issues under discussion. Time limits for such presentations may be set by the Chairperson in consultation with other Commission members.
- G. Dissenting or non-concurring reports may be filed with the Secretary by a CAC member and shall be attached to the majority report.

IV. Public Hearings

- A. Upon an affirmative majority vote of the CAC at a regular or special meeting, the CAC may hold hearings for specific purposes.

V. Committees

- A. The CAC Chairperson shall appoint a Chairperson for each of the standing committees established in these By-Laws. Except as otherwise provided for the Election Committee, the Chairperson of a standing committee shall appoint the members of that standing committee who may be Commissioners or non-Commissioners. Appointments shall be for the period of time until the next annual meeting and shall be subject to the approval of a majority of the CAC.
- B. The CAC shall appoint the members of Election Committee who shall all be non-Commissioners. Appointments shall be for the period of time until the next annual meeting.
- C. The Chairperson of the CAC shall be an ex-officio member of all committees, standing or special, except the Election Committee, with the same rights and privileges as other members of those committees. A Commissioner who is not a regular member of the Planning Committee shall be an ex-officio member of the Planning Committee during that committee's review of an application for rezoning, a special permit, a variance, or other zoning adjustment appeal for property located in the Commissioner's District.
- D. All CAC committee meetings shall be open to the public.

Planning & Development

- (1.) The Planning & Development Committee will review all community focused development and planning issues, including proposed business development, civic and social development arising from the community and/or its various civic organizations, City plans impacting Clintonville, and shall, upon the Commission's request, preparing comprehensive social, physical, commercial and economic planning recommendations for the Commission. The committee will explore what Federal, State, and local funds may be available to implement plans in the Clintonville area. The committee will provide arenas for interested parties and the general population to participate and discuss all such issues affecting Clintonville. The committee will work pro-actively with other community based organizations to forward the development and promotion of Clintonville in a manner consistent with the Commission's mission statement.

Zoning & Variance Committee

- (2.) The Zoning & Variance Committee may review all current area plans, including functional plans such as thoroughfare plans, and prepare comprehensive social, physical, commercial, and economic planning recommendations for the area to be presented to various government bodies and to the City and to Council for review, comment and adoption. The committee may determine what Federal, State and local funds may be available to implement plans in the Clintonville area and may arenas for citizen participation in the planning process.
 - (a) The committee shall regularly receive, review and make recommendations on all applications for rezoning, variances, graphics and other zoning adjustment appeals and special permits located wholly or partially in the Clintonville area.
 - (b) In the event that a recommendation on the zoning matter must be reported to a City government body before the full Commission can properly meet and take action upon it, the Zoning & Variance Committee may proceed to make the recommendation on the Commission's behalf, if prior to making such recommendation, the Planning Committee obtains approval of the CAC Chairperson. The Commission may refer a zoning matter back to the Planning Committee for the adjustment of final details, and this final adjustment shall be considered to be an action of the Commission.
 - (c) In the event the CAC receives from the City's Department of Regulation a demolition request for an accessory use building in a residential district from a private home owner; the Chairperson of the Zoning & Variance Committee, the CAC Chairperson and the affected District Commissioner for which the demolition request is received, may review the demolition request without a full meeting of the CAC. The three shall review the proposed

demolition; if all agree, the demolition is deemed to be approved. If one disagrees, the matter shall be held over until the next regular CAC meeting. The CAC Vice-Chairperson shall be called upon if the Planning & Development Chairperson is also the District Commissioner for the area in question. In the event that a non-accessory building demolition permit, including but not limited to a house, office building or school, is received it will be heard by the Planning & Development Committee at their next regular meeting and then recommendations given to the CAC for action at their next meeting.

Community Infrastructure & Public Safety

- (3.) The Community Infrastructure & Public Safety Committee shall study and make recommendations to the Commission on issues related to all public and private infrastructure and public safety matters in Clintonville. Infrastructure issues shall include all matters related to public agency design and construction of streets, sewers, drainage, water and utility services. The committee shall also study and make recommendations to the Commission on matters related to police services and fire safety within the community.

Parks, Recreation & Environment Committee

- (4.) The Parks Recreation & Environment Committee shall study and make recommendations to the Clintonville Area Commission on issues relating to parks and recreation facilities and programs, and environmental issues involving natural resources such as waterways, trees and ravines.

Election Committee

- (5.) The Election Committee shall consist of five Clintonville area residents appointed by the CAC.
- (a) No committee member may be any of the following:
 - (i) a member of the CAC;
 - (ii) a candidate for election to the CAC; or
 - (iii) a member of the immediate family of a candidate for the CAC
 - (b) The Election Committee shall conduct the CAC elections pursuant to the CAC Election Rules in the By-Laws Addendum, and shall meet as often as necessary.
- E. In the event a matter overlaps the area of two or more Committees the Chairperson of the Commission shall have the authority to assign such issues to a specific standing committee, or charge two or more of the committees to work as a special committee for the issue. The Chairperson may establish a select committee to address an issue, with approval of the Commission.
- F. At any meeting, a majority of the CAC may establish one or more special committees for specific purposes. The CAC Chairperson shall appoint a Chairperson for each special committee that is created. The Chairperson of a special committee may appoint CAC and non-CAC members to a special committee, subject to the approval of a majority of the CAC. Special committees may be terminated by conditions set forth in the initiating action or by a subsequent majority vote of the CAC.
- G. All findings of CAC standing or special committees which result in proposed actions or resolutions shall be submitted at a regular or special meeting of the CAC for consideration.

VI. Parliamentary Authority

Roberts 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 that the Commission may adopt.

VII. By-Law Amendments

These by-laws may be amended at any regular meeting of the CAC by an affirmative vote of 2/3 of the Commission member provided that the amendments were submitted in writing at the previous regular meeting. The secretary shall file any approved amendments immediately after its adoption with the city clerk for publication in the city bulletin. Such amendments shall take effect then (10) days after such publication per C.C. 121.05.

CLINTONVILLE AREA COMMISSION

By-Laws Addendum
Election Rules and Districts

I. Election Committee

- A. The Election Committee shall have all necessary authority to conduct Clintonville Area Commission (CAC) elections, including the determination of candidate and voter qualifications, establishment of and staffing of polling places, counting of ballots, and adjudication of disputes and challenges.
- B. The Committee is responsible for:
 - (1) Making all other necessary and appropriate arrangements and determinations with respect to the nomination and election process.
 - (2) Convening meetings to plan and execute election procedures and to inform candidates of election rules.
 - (3) Determining the polling place for each District in which an election is to occur.
 - (4) Enlisting and assigning volunteer workers to staff polling places.
 - (5) Obtaining and distributing equipment and supplies required in the polling places.
 - (6) Selecting a location for and equipping headquarters for the Committee.
 - (7) Arranging for the production and distributing of petitions of candidates for Commission seats.
 - (8) Arranging for and supervising the reproduction of ballots.

- (9) Certifying the adequacy of circulated petitions submitted by candidates and making public announcement of the names and Districts of the certified candidates who qualify by timely filing of petitions.
- (10) Verifying that no person has voted more than once in any election.
- (11) Tallying the votes and certifying the results to the Commission.

II. Designation of CAC Liaison to Committee

The CAC shall designate one CAC member to serve as liaison between the Committee and the Commission. Such designee may be the CAC Chairman, but shall not be a candidate for election to the CAC during that year.

III. CAC Districts

CAC Districts and designated election cycles are described in the documents attached to these Rules. The documents are part of these Rules and the By-Laws.

IV. Elections

A. Date/Hours

- (1.) Election day shall be the first Saturday in May.
- (2.) The Committee shall determine the polling hours.
- (3.) The Committee shall submit the election day, time, and locations for publication to at least one newspaper of general circulation in the community.

B. Polling Places

The Committee shall:

- (1.) Determine the locations of polling places. A good-faith effort shall be made to establish one and only one polling place inside each District where an election is to be held. If this is not practical in a District, the polling place is to be convenient to that District.
- (2.) Select well-known sites for polling places that provide public access, adequate access to disabled persons, adequate parking, and clearly marked entrances.
- (3.) Designate the polling places before the date by which the potential candidates obtain their petitions.

C. Publicity

The Committee shall:

- (1.) Submit a call for candidates for publication to at least one newspaper of general circulation in the community ten weeks before the election, announcing the Districts in which elections are to be held, descriptions or maps of those Districts, and the place or places where petitions and copies of the Election Rules may be obtained. The Committee may also use any other means to publicize the elections as may be available and appropriate.
- (2.) At least ten days before the election, submit to at least one newspaper of general circulation in the community:
 - a) the election Districts;
 - b) the location of the polls;
 - c) the date and hours of the election;
 - d) descriptions or maps of those Districts;
 - e) the names of the candidates for each District who have established eligibility by petition;
 - f) that a voter must present a photo identification and evidence of place of residence and age, or sign a statement that he or she is eighteen years of age or older and currently resides at a stated address within the election District; and
 - g) The Committee shall not include the names of Write-In Candidates in the announcements for the election.

D. Staff

- (1) The Election Committee shall appoint no fewer than two Clintonville area residents to staff each polling place. Such staff shall not include CAC members, candidates in that year's election to the CAC, nor members of a candidate's immediate families.
- (2) Before the election, the Committee shall designate a presiding staff member for each polling place and specify that person's authority and duties.
- (3) 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, and ensuring the security of the ballots. (See "Polling Procedures")
- (4) The Committee shall appoint an Absentee-Ballot Supervisor (ABS) from among the members of the Committee. The name and address of the ABS shall be made known through the press at least thirty days before Election Day.

V. Candidates

A. Qualifications

- (1) Each potential candidate shall be eighteen years of age or older on Election Day.
- (2) Each potential candidate shall be a resident of the District which the candidate seeks to represent when he or she submits a nominating petition to the Committee.

- (3) Each potential candidate must submit a nominating petition for candidacy completed pursuant to the requirements set forth below, for candidacy with the Election Committee at least thirty days before Election Day.
- (4) Potential candidates in this non-partisan election are not required, and in fact, are urged not to declare any political party affiliation.
- (5) Potential candidates need not be registered voters on the rolls of the Franklin County Board of Elections.
- (6) The Committee shall disqualify a potential candidate or candidate who becomes ineligible by reason of being unable to serve, withdrawal, moving out of the District, or being found guilty of a felony at any time before the time the Committee certifies the election results.

B. CAC District Residency Verification

- (1) The Committee is authorized to verify in whatever way it considers appropriate the place of residence for any candidate whose residency is challenged, for example:
 - a) The potential candidate's County Board of Elections voting address, if any.
 - b) The potential candidate's residence address as listed in a public telephone directory.
 - c) The potential candidate's residence address as listed in a public address directory.
 - d) Written statements from neighbors abutting the potential candidate's residence.
- (2) Should there be reasonable evidence that the potential candidate's address is as claimed, the Committee shall not withhold certification of the potential candidate's nominating petition solely on the residency question.

VI. Petitions

A. Procedures

- (1) The Committee shall make nominating petitions available at one or more locations designated by the Committee, beginning at least ten weeks before Election.
- (2) A potential candidate for election to the CAC 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, CAC District, and telephone number. Any attempt to deceive in providing the above information may result in a disqualification by the Committee for that election.
- (3) A potential candidate shall personally circulate the petition(s) for his or her candidacy. The Committee may grant an exemption to this requirement if the potential candidate demonstrates that he or she has a disability which would make it a hardship for the potential candidate to personally circulate his or her petitions. In this case, the candidate shall designate a circulator for gathering signatures for the candidate's candidacy.
- (4) Each potential candidate, or, in the case of a potential candidate granted a disability exemption, each circulator, must complete and execute the affidavit at the end of the petition before its submission to the Committee at the location specified by the Committee.
- (5) Each potential candidate must submit a petition containing valid signatures of at least fifty qualified voters (as described below) who reside in the potential candidate's District.

B. Validation

- (1) The Committee shall check the validity of the petition signatures for each potential candidate by attempting to contact a representative number of petition signers by telephone.
- (2) If any of discrepancies or possible improprieties are discovered from these contacts, the Committee shall check all signatures for that potential candidate for validity in a like manner until either fifty valid signature are found or the potential candidate's petition is ruled invalid for lack of sufficient signatures.
- (3) The determination of the Committee shall be announced within five days of the receipt of the petition.

VII. Write-in Procedures

A person who wishes to qualify as a Write-In Candidate shall so notify the Committee no later than the sixteenth day before Election Day. The application shall be in writing, and shall include the candidate's printed name, signature, residence address, CAC District number, telephone number, and, if requested by the Committee, other evidence that the residence and other candidate qualifications are met. The Committee shall determine whether the candidate meets the eligibility requirements other than timely filing of nomination petitions, and if the result is affirmative, shall certify that the applicant qualifies as a Write-In Candidate, no later than the fourteenth day before Election Day. The Committee shall immediately notify any Petition Candidate of the existence of a Write-In Candidate in the same District.

VIII. Ballots, Regular and Absentee

- A. The Committee shall record the total number of ballots reproduced for each District.
- B. Each ballot shall prominently display the identifying number for the respective District of the candidates listed.
- C. Each ballot shall carry a list, headed "Vote for One", of the names of Petition Candidates certified by the Committee as meeting Candidate Qualifications for that CAC District, with a "()" preceding each name.
- D. The order of listing candidate's names on the ballot of the respective area Districts shall be determined randomly.
- E. Each ballot in which there is a certified Write-In Candidate shall conclude with a blank line, preceded by a "()", for use in the event voters wish to write in the name of a Write-In Candidate.
- F. No Write-In Candidates are to be listed on the ballots.
- G. The absentee ballot shall be identical to the in-person ballot.
- H. No political party or other organization shall be named on the ballot in association with a candidate's name.

IX. Voter Qualifications

- A. Each voter must be at least eighteen years of age on Election Day.
- B. Each voter must reside in the Clintonville Area Commission District for which an election is being held.
- C. Each voter shall vote only upon the ballot pertaining to the election of a candidate in the District in which the voter resides.
- D. The voter need not be a registered voter on the rolls of the Franklin County Board of Elections.
- E. No voter shall cast more than one ballot.

X. Polling Procedures

- A. The Committee shall provide for both Absentee voters who will be absent or otherwise not voting in person at the polls on Election Day and for in-person voters at the polls on Election Day.
- B. Absentee Voting:
 - (1) A voter may request an absentee ballot by applying in writing to the Absentee Ballot Supervisor (ABS). The request shall include the applicant's signature, printed name, residence address, residence telephone number, and date of birth. The request shall include a self-addressed stamped envelope. The request may be mailed or may be delivered by hand.
 - (2) The deadline for request of an absentee ballot shall be the fifth day before Election Day.
 - (3) Upon timely receipt of an absentee request, the ABS shall verify that the voter is qualified, and if so, the ABS shall immediately mail one absentee ballot to the applicant by first class mail.
 - (4) For the vote to be counted as valid, the marked absentee ballot must be received at the delivery place designated by the ABS by 6:00 p.m. on the day before Election Day.
 - (5) The returned ballot shall be sealed in an envelope bearing the voter's name and residence address clearly printed on the outside. Failure to provide the voter's name and address on the envelope for possible later crosschecking to the polling place voter register will invalidate the vote.
 - (6) It is advised that the voter's signature appear across the seal of the envelope, to assist maintenance of ballot anonymity.
- C. Direct in-person voting at the polls:
 - (1) During voting hours, each polling place shall be staffed by at least two people at all times.
 - (2) Each voter shall present a photo identification with current address and age, or a photo identification with another piece of identification with the voter's current address and age to a polling place election staff member designated by the Committee for that purpose. If a voter does not have such identification materials at the polling place, the voter must sign a statement that he or she is eighteen years of age or older and currently resides at a stated address within the election District in which he or she is voting. A poll worker shall staple the statement to the ballot so that any person may challenge the residency of the voter. Any candidate, candidate's witness, Rules Committee member, CAC member, or poll worker may review the residency statement. Any disputes related to the veracity of a residency statement shall be resolved under the Complaints/Challenges section of these Rules.
 - (3) Upon such verification, the voter shall register in the poll book, entering signature, and residence address.
 - (4) The voter shall be provided with a single ballot, and shall cast a vote by marking the ballot and depositing it in a sealed ballot box provided for that purpose.
 - (5) No person shall engage in any campaigning on the premises of the polling place during the time the poll is open on Election Day.
 - (6) At the appropriate polling place, a witness may represent a candidate or an individual or group supporting or opposing any issues or candidate on the ballot. No witness shall directly or indirectly campaign for issues or candidates on the premises of a polling place. A candidate shall not serve as a witness to the voting. No witness shall serve as a poll worker.
 - (7) The polling staff shall deliver the sealed ballot boxes to the Committee immediately upon the closing of the polls.

XI. Counting of Ballots

- A. Ballot boxes shall remain sealed until the counting begins.
- B. List of absentee voters shall be checked against poll book to insure no duplicate voting took place.
- C. Immediately following the conclusion of all voting and the transportation of all ballots to the headquarters, the Committee shall count the ballots.
- D. No ballots for a non-certified write-in candidate shall be counted.
- E. Blank ballots shall be counted to insure integrity of election results.
- F. Any person may witness the counting.

XII. Security of Ballots

- A. All voted ballots for each District shall be placed in a sealed container after counting has been completed.
- B. The sealed containers shall be kept in a secure place until two weeks after the election or until any formal election complaint is resolved, whichever is later, at which time they may be destroyed under the supervision of the Committee.
- C. Ballots not used in the election shall be handled in the same manner as voted ballots.

XIII. Results

- A. The candidate in each District receiving a plurality of valid votes cast shall be the winner of his or her District.
- B. In the event of a tie vote, the relevant ballots shall be recounted, and if the tie vote is verified, the winner shall be decided by a random method determined by the Committee.
- C. The Committee shall informally notify the candidates and the CAC Chairman of the uncertified election results within twenty-four hours of the close of the polls.
- D. The committee shall certify the election results, including the votes, in writing to the CAC Chairman after six days but within ten days following Election Day. The CAC Chairman shall, on behalf of the CAC, certify the elected candidates to the Office of the Mayor of the City of Columbus, in writing, within thirty days of receipt of certification from the Committee.
- E. Only a person who has, before the election, been certified as a qualified candidate by the Committee may be certified as the winner of an election.

XIV. Complaints/Challenges

A person who believes that a violation of these rules has occurred may file a written complaint, specifying the alleged error, with the CAC Chairperson no later than seven days after the election. The CAC, excluding any member whose election is the subject to the complaint, and the Committee shall hold a joint special meeting to hear the complaint within ten days of receiving the complaint. Each member of the Committee and the CAC in attendance shall have one vote. A majority of those voting yea or nay shall determine any vote. The joint meeting of the CAC and the Election Committee shall issue a written decision on the complaint within seven days after hearing the complaint.

The resolution of any election-related dispute by the joint meeting of the CAC and the Committee is final.

Draft submitted by:
 Diane Hayford
 Paul Carringer
 Jim Brobst
 Paul Bingle
 Stephen Hardwick
 January 8, 2004

From: 3/13/04 To: 4/3/04

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):

- o Wednesday, January 14, 2004 – Operations Complex, 420 W. Whittier Street, 43215
- o Wednesday, February 11, 2004 – Operations Complex, 420 W. Whittier Street, 43215
- o Wednesday, March 10, 2004 – Operations Complex, 420 W. Whittier Street, 43215
- o Wednesday, April 14, 2004 – Operations Complex, 420 W. Whittier Street, 43215
- o Wednesday, May 12, 2004 – Turnberry Golf Course, 1145 Clubhouse Road, Pickerington, 43247
- o Wednesday, June 9, 2004 – Beatty Recreation Center, 247 N. Ohio Avenue, 43203
- o Wednesday, July 14, 2004 – Gillie Recreation Center, 2100 Morse Road, 43229
- o August Recess – No meeting
- o Wednesday, September 8, 2004 – Indian VillageCamp, 3200 Indian Village Drive 43221
- o Wednesday, October 13, 2004 – Antrim Shelterhouse, 5800 Olentangy River Road, 43085
- o Wednesday, November 10, 2004 – Operations Complex, 420 W. Whittier Street, 43215
- o 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: REGULAR MONTHLY BUSINESS MEETING - VICTORIAN VILLAGE COMMISSION

Contact Name: Brenda G. Moore
 Contact Telephone: 645-8620
 Contact Email: bgmoore@columbus.gov

The regular monthly business meetings for the Victorian Village Commission will take place on the following dates in 2004 from 12 noon - 1:00 P.M. at 109 N. Front Street, 1st Floor Conference Room.

April 1
May 6
June 3
July 1
August 5
September 2
October 7
November 4
December 2

From: 3/20/04 To: 11/27/04

TITLE: REGULAR MONTHLY BUSINESS MEETING - HISTORIC RESOURCES COMMISSION

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620
Contact Email: bgmoore@columbus.gov

The regular monthly business meeting of the Historic Resources Commission will be held on the following dates in 2004 from 12 noon - 1:00 P.M. AT 109 N. Front Street, 1st Floor Conference Room.

April 8
May 13
June 10
July 8
August 12
September 9
October 14
November 11
December 9

From: 3/20/04 To: 12/4/04

TITLE: REGULAR MONTHLY BUSINESS MEETING - ITALIAN VILLAGE COMMISSION

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620
Contact Email: bgmoore@columbus.gov

The regular monthly business meeting of the Italian Village Commission will take place on the following dates in 2004 from 12 noon - 1:00 P.M., AT 109 N. Front Street, 1st Floor Conference Room.

April 13
May 11
June 8
July 13
August 10
September 14
October 12
November 9
December 14

From: 3/20/04 To: 12/18/04

TITLE: REGULAR MONTHLY MEETING - GERMAN VILLAGE COMMISSION

Contact Name: Brenda G. Moore
Contact Telephone: 645-8620
Contact Email: bgmoore@columbus.gov

The regular monthly business meetings for the German Village Commission will take place on the following dates in 2004 from 12 noon - 1:00 P.M., at 109 N. Front Street, 1st Floor Conference Room.

March 30
April 27
May 25
June 29
July 27
Sept. 7
October 26
November 30

December 28

From: 3/20/04 To: 12/18/04

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 - 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
May 18, 2004
June 22, 2004
July 20, 2004
August 31, 2004
September 21, 2004
October 26, 2004
November 23, 2004
December 21, 2004

Hearing Dates

January 6, 2004
February 3, 2004
March 9, 2004
April 6, 2004
May 4, 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: 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

Hearing Dates

January 15, 2004
February 19, 2004
March 18, 2004
April 15, 2004
May 20, 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

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: 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

Hearing Dates

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 - 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: OFFICIAL NOTICE - CIVIL SERVICE COMMISSION

Contact Name: Lois Washnock
Contact Telephone: 614.645.7531
Contact Email: civilservice@columbus.gov

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION COMPETITIVE EXAMINATION ANNOUNCEMENTS**

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON.

EFFECTIVE MARCH 1, 2004 OUR OFFICE HOURS WILL BE MONDAY, WEDNESDAY, THURSDAY
9:00 A.M. TO 4:00 P.M.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at www.csc.columbus.gov and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our website or visit the Commission offices.

From: 2/14/04 To: 2/5/05

TITLE: MEETING NOTICE - CITY OF COLUMBUS RECORDS COMMISSION

Contact Name: Thamie Freeze
Contact Telephone: 614-645-7293
Contact Email: tifreeze@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

The following Ordinance - 0451-2004 passed by Columbus City Council on Monday, March 15, 2004 sets a public hearing on the establishment of The RiverSouth Authority for Monday, April 19, 2004 at 5:00 p.m. in Council Chambers at 90 West Broad Street, Columbus, OH 43215.

ORDINANCE 0451-2004

Explanation

BACKGROUND: This ordinance expresses City Council's determination that the petition to create the RiverSouth Authority complies with the requirements of Chapter 349.03(A) of the Ohio Revised Code and fixes the time and place for a hearing on the establishment of the RiverSouth Authority.

RiverSouth encompasses several square blocks in the core of Columbus' downtown generally bounded by State Street on the North, Third Street on the East, Mound Street on the South and the Scioto River on the West, all to be developed and redeveloped as part of an area characterized by well-balanced and diversified land use patterns to provide facilities for the conduct of commercial, residential, cultural, educational and recreational activities.

FISCAL IMPACT: No funding is required for this legislation.

Title

An ordinance determining that the petition for the creation of The RiverSouth Authority complies with the requirements of Chapter 349.03(A) of the Ohio Revised Code and fixing the time and place for a hearing on the establishment of The RiverSouth Authority.

Body

WHEREAS, City Council enacted Ordinance No. 2446-2003 on November 17, 2003, which ordinance directed the City Clerk to execute and sign on behalf of the City of Columbus and the Columbus City Council a petition (the "*Petition*") for the creation of The RiverSouth Authority under Chapter 349 of the Ohio Revised Code; and

WHEREAS, the Petition has been signed by the City Clerk to indicate the approval of the Petition by the City of Columbus as the sole "proximate city," as that term is defined in O.R.C. Section 349.01(M) of the Ohio Revised Code; and

WHEREAS, the Petition has been filed in the office of the clerk of the Franklin County Board of Commissioners and the City Clerk's office; and

WHEREAS, upon the filing of the Petition the Columbus City Council, as the "organizational board of commissioners" as that term is defined in Section 349.01(F) of the Ohio Revised Code, is required to determine whether such petition complies with O.R.C. Section 349.03(A) as to form and substance; and

WHEREAS, upon the determination of City Council that the Petition is sufficient and has been filed in accordance with Section 349.03(A) of the Ohio Revised Code, City Council is required to fix the time and place of a hearing on the Petition for the establishment of a new community authority, which time shall be not less than thirty (30) days nor more than forty-five (45) days after the filing date of the Petition when all "proximate cities" have signed the Petition; and **NOW THEREFORE,**

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

Section 1. That City Council has examined the Petition to create The RiverSouth Authority and hereby determines that such Petition complies with the requirements of Section 349.03(A) of the Ohio Revised Code as to form and substance.

Section 2. That a hearing on the Petition to create The RiverSouth Authority shall be held commencing at 5:00 p.m. on Monday, April 19, 2004 in City Council Chambers.

Section 3. That the City Clerk shall inform the Clerk of the Franklin County Board of Commissioners of the time and place of such hearing and shall request arrange for notice thereof by publication once each week for three consecutive weeks in a newspaper of general circulation in Franklin County pursuant to Section 349.03(A) of the Ohio Revised Code.

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

From: 4/3/04 To: 4/17/04

TITLE: RECREATION AND PARKS COMMITTEE MEETING / DOG DIALOGUE 2

Contact Name: S. Caffey
Contact Telephone: 645-0852
Contact Email: SLCaffey@columbus.gov

Recreation and Parks Committee Meeting/Dog Dialogue 2
Tuesday, April 27, 2004
5:30pm – Dog Dialogue 6:15 pm
City Council Chambers
Chair: Kevin L. Boyce

From: 4/3/04 To: 4/17/04

**PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE TRANSPORTATION DIVISION
EFFECTIVE DATE: MARCH 26, 2004**

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

SECTION 2105.095 TURNS AGAINST A RED SIGNAL
Prohibitions against turns on a red signal shall be removed as follows:

AIRPORT DR at NELSON RD
The eastbound right turn on red shall no longer be prohibited.

PARKING REGULATIONS

The parking regulations on the 181 foot long block face along the S side of DODRIDGE ST from PEARL ST extending to EAST AVE shall be

Range in feet	Code Section	Regulation
0 - 40	2105.17	NO STOPPING ANYTIME
40 - 114	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
114 - 181	2105.17	NO STOPPING ANYTIME

The parking regulations on the 381 foot long block face along the S side of DODRIDGE ST from EAST AVE extending to FINDLEY AVE shall be

Range in feet	Code Section	Regulation
0 - 28	2105.17	NO STOPPING ANYTIME
28 - 163	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
163 - 183	2105.17	NO STOPPING ANYTIME
183 - 199		(NAMELESS ALLEY)
199 - 219	2105.17	NO STOPPING ANYTIME
219 - 349	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
349 - 381	2105.17	NO STOPPING ANYTIME

The parking regulations on the 283 foot long block face along the E side of EAST AVE from DODRIDGE ST extending to ARCADIA AVE shall be

Range in feet	Code Section	Regulation
0 - 31	2105.17	NO STOPPING ANYTIME
31 - 107	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
107 - 127	2105.17	NO STOPPING ANYTIME
127 - 143		(NAMELESS ALLEY)
143 - 163	2105.17	NO STOPPING ANYTIME
163 - 230	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
230 - 283	2105.17	NO STOPPING ANYTIME

The parking regulations on the 385 foot long block face along the E side of EAST AVE from DUNCAN ST extending to DODRIDGE ST shall be

Range in feet	Code Section	Regulation
0 - 40	2105.17	NO STOPPING ANYTIME
40 - 164	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
164 - 184	2105.17	NO STOPPING ANYTIME
184 - 198		(NAMELESS ALLEY)
198 - 218	2105.17	NO STOPPING ANYTIME
218 - 237	2105.17	NO PARKING HANDICAPPED ONLY
237 - 354	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
354 - 385	2105.17	NO STOPPING ANYTIME

The parking regulations on the 293 foot long block face along the W side of EAST AVE from DODRIDGE ST extending to ARCADIA AVE shall be

Range in feet	Code Section	Regulation
0 - 31	2105.17	NO STOPPING ANYTIME
31 - 167	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
167 - 187	2105.17	NO STOPPING ANYTIME
187 - 200		(NAMELESS ALLEY)
200 - 220	2105.17	NO STOPPING ANYTIME
220 - 263	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
263 - 293	2105.17	NO STOPPING ANYTIME

The parking regulations on the 385 foot long block face along the W side of EAST AVE from DUNCAN ST extending to DODRIDGE ST shall be

Range in feet	Code Section	Regulation
0 - 52	2105.17	NO STOPPING ANYTIME
52 - 163	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
163 - 184	2105.17	NO STOPPING ANYTIME
184 - 198		(NAMELESS ALLEY)
198 - 218	2105.17	NO STOPPING ANYTIME
218 - 354	2105.21	NO PARKING EXCEPT CITY PERMIT "O"
354 - 385	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: HENRY GUZMÁN, PUBLIC SERVICE DIRECTOR