

Columbus City Bulletin



Bulletin #20
May 14, 2005

Proceedings of City Council

Saturday, May 14, 2005



SIGNING OF LEGISLATION

(With the exception of Ordinance 0808-2005 which was signed by the Council President Matthew Habash on Monday, May 9, 2005 and by the Mayor Michael B. Coleman on Tuesday, May 10, 2005 all legislation listed in this bulletin was signed by Council President Matthew Habash, on the night of the Council meeting, Monday, May 9, 2005; Mayor, Michael B. Coleman on Wednesday, May 11, 2005 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.

Council Journal (minutes)



City of Columbus

Journal - Final

Columbus City Council

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

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

Monday, May 9, 2005

5:00 PM

Columbus City Council

Columbus City Council

Journal

May 09, 2005

REGULAR MEETING NO. 27 OF COLUMBUS CITY COUNCIL, MAY 9, 2005 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: 1 - Ms. Thomas

Present: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, 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:

Absent: 1 - Ms. Thomas

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

C0016-2005

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, MAY 4, 2005:

Transfer Type: D2, D2X, D3
To: Edwards Communities Club LTD
Swimming pool & patio
5451 Edwards Farms Rd
Columbus, Ohio 43221
From: Graystone Wine Cellar LLC
DBA Graystone Winery
544 S Front St Bsmt
Columbus, Ohio 43215
permit # 2439618

Transfer Type: D5
To: Graystone Wine Cellar LLC
DBA Graystone Winery
544 S Front St Bsmt
Columbus, Ohio 43215
From: Edwards Communities Club LTD
Swimming pool & patio

5451 Edwards Farms Rd
Columbus, Ohio 43221
permit # 33372910005

Transfer Type: C1, C2, D6
To: Trinh Pham Tran
DBA Yates Beverage Center
5773 Cleveland Av
Columbus, Ohio 43231
From: Adelphal Investments Inc
DBA Yates Beverage Center
5773 Cleveland Av
Columbus, Ohio 43231
permit # 9052543

Advertise 05/14/05
Return 5/29/05

Read and Filed

RESOLUTIONS OF EXPRESSION

BOYCE

0077X-2005

To Honor And Recognize Strategies Against Violence Everywhere (Save)As
They Celebrate Their 9th Annual Save Awards

Sponsors: Kevin L. Boyce

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

Absent: 1 - Ms. Thomas

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

TAVARES

0076X-2005

To honor and congratulate LifeCare Alliance as they celebrate the 30th
Anniversary of their Help at Home Program.

Sponsors: Charleta B. Tavares

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

Absent: 1 - Ms. Thomas

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

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

JOBS & ECONOMIC DEVELOPMENT:0825-2005

PUBLIC SERVICE & TRANSPORTATION: 0828-2005

FIRST READING OF 30-DAY LEGISLATION

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

0797-2005 FR To accept the plats titled VILLAGE AT HILLIARD RUN SECTION 1 PART 1 and VILLAGE AT HILLIARD RUN SECTION 1 PART 2 from ROBERT A. MEYER, JR., Executive Vice President of DOMINION HOMES INC., an Ohio corporation.

Read for the First Time

0801-2005 FR To authorize the Public Service Director to execute those documents required to release all of the platted easement located between Lots 215 and 216 of the Northmoor Subdivision, of record in Plat Book 14, Page 18 of the Franklin County, Ohio, Recorder's Office.

Read for the First Time

0816-2005 FR To accept the plat titled PRESERVE CROSSING BOULEVARD, PRESERVE CROSSING BOULEVARD EAST, PRESERVE CROSSING BOULEVARD NORTH, PRESERVE CROSSING BOULEVARD SOUTH, PRESERVE CROSSING BOULEVARD WEST, THOMPSON ROAD AND MORSE ROAD DEDICATION AND EASEMENTS, from VILLAGES AT PRESERVE CROSSING, LTD., an Ohio limited liability company, by MICHAEL J. DEASCENTIS II, Manager.

Read for the First Time

RECREATION & PARKS: HABASH, CHR. BOYCE, MENDEL, THOMAS

0777-2005 FR To waive the appropriate section of the Columbus City Codes, and to authorize and direct the Executive Director of Recreation and Parks to issue a Block Party Permit for COSI for more than (5) consecutive days.

Read for the First Time

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

1947-2004 FR To rezone 3275 SULLIVANT AVENUE (43204), being 0.5± acres located on the south side of Sullivant Avenue, 260± feet east of Athens Avenue, From: I, Institutional District and AR-1, Apartment Residential Districts, To: CPD, Commercial Planned Development District (Z03-050).

Read for the First Time

0727-2005 FR To rezone 1328 DUBLIN ROAD (43215), being 2.77± acres located on the northeast side of Dublin Road, 1000± feet south of Stella Court, From: M-1, Manufacturing District To: L-M, Limited Manufacturing District (Rezoning # Z05-007).

Read for the First Time

0798-2005 FR To rezone 5353 SULLIVANT AVENUE (43119), being 11.0± acres located on the south side of Sullivant Avenue, 560± feet west of Norton Road, From: C-2, and C-4, Commercial, and ARLD, Apartment Residential Districts, To: L-AR-12, Limited Apartment Residential District. (Rezoning # Z04-075)

Read for the First Time

CONSENT ACTIONS

ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH

0765-2005 CA To authorize the Public Service Director to modify a contract for the Facilities

Management Division with Winnsapes for landscape maintenance at various City-owned locations; to authorize the expenditure of \$50,364.43 from the General Fund; and to declare an emergency. (\$50,364.43)

This Matter was Approved on the Consent Agenda.

- 0821-2005 CA To authorize and direct the Finance Director to modify and extend the citywide contract for the option to rent Uniforms/Floor Mat Rental with Cintas Corporation, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 0829-2005 CA To authorize the appropriation of \$465.00 from the unappropriated balance of the Special Purpose Fund, Historic Light Fixture Restoration Subfund, to the Public Service Department, Facilities Management Division, to provide funding for the restoration and replacement of glass panels of historic City Hall light fixtures; and to declare an emergency. (\$465.00)

This Matter was Approved on the Consent Agenda.

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

- 0745-2005 CA To authorize and direct the Finance Director to issue a purchase order to Ohio Trailer Supply, Inc. for the purchase of commercial trailers for the Fire Division; to authorize the expenditure of \$65,600.00 from the General Government Grant Fund; and to declare an emergency. (\$65,600.00)

This Matter was Approved on the Consent Agenda.

- 0746-2005 CA To authorize and direct the Finance Director to issue a purchase order to Machiner & Tool Rentals Inc. for the purchase of trash pumps for the Fire Division; to authorize the expenditure of \$13,532.40 from the General Government Grant Fund; and to declare an emergency. (\$13,532.40)

This Matter was Approved on the Consent Agenda.

- 0747-2005 CA To authorize and direct the Finance Director to issue a purchase order to Delta Marine Enterprises Inc. in the amount of \$11,280.00, for the purchase of boat motors for the Fire Division; to authorize the expenditure of \$11,280.00 from the Safety Bond Fund; and to declare an emergency. (\$11,280.00)

This Matter was Approved on the Consent Agenda.

- 0749-2005 CA To authorize and direct the Finance Director to issue a purchase order to Rescue One Corporation in the amount of \$14,410.00, for the purchase of a Connector Rescue Boat for the Fire Division; to authorize the expenditure of \$14,410.00 from the Safety Bond Fund; and to declare an emergency. (\$14,410.00)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

- 0813-2005 CA To authorize the City Attorney to contract for professional services and to expend \$3,500.00 from the Miranova TIF Fund - City Riverfront Vision Account for costs in connection with acquisition of certain real property on the Whittier Peninsula consistent with the redevelopment plan known as the Riverfront Vision Plan Project and to declare an emergency.

This Matter was Approved on the Consent Agenda.

- 0838-2005 CA To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-007) of 4.041± Acres in Plain Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

This Matter was Approved on the Consent Agenda.

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

- 0802-2005 CA To authorize and direct the Finance Director to enter into two (2) contracts for the option to purchase Exhaust System Repair with Wilson's Auto Service Inc. (primary) and Complete Brake Service Inc. (secondary), to authorize the expenditure of two (2) dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

This Matter was Approved on the Consent Agenda.

- 0823-2005 CA To authorize and direct the Finance Director to enter into contracts for an option to purchase Ready Mix Concrete, with Anderson Concrete Company, F. W. Slotter, Inc, and The Greensboro Corporation, to authorize the expenditure of three dollars to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00)

This Matter was Approved on the Consent Agenda.

- 0827-2005 CA To authorize and direct the Finance Director to enter into contracts for an option to purchase Various Asphalt Concretes, with Apple-Smith Corp., Kokosing Materials, Miller Pavement Materials , QPR - a division of Lafarge, Shelley & Sands, Inc., to authorize the expenditure of four dollars to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$5.00)

This Matter was Approved on the Consent Agenda.

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

- 0761-2005 CA To authorize the Board of Health to modify and increase a contract with the Ohio Hispanic Coalition for the provision of interpretation and enabling services, to authorize the expenditure of \$6,720 from the Health Department Grants Fund to pay the cost thereof, and to declare an emergency. (\$6,720)

This Matter was Approved on the Consent Agenda.

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

- 0631-2005 CA To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sanitary sewer easements, located in the vicinity of West Fifth Avenue and Broadview Avenue, at the request of Skilken Properties in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

This Matter was Approved on the Consent Agenda.

- 0680-2005 CA To authorize the Director of Public Utilities to increase the contract with Moling & Associates, Inc., for security guard services at the Public Utilities Complex, for the Division of Water, and to authorize the expenditure of \$25,000.00 from Water Systems Operating Fund. (\$25,000.00)

This Matter was Approved on the Consent Agenda.

- 0735-2005 CA To authorize the Director of Public Utilities to reimburse a customer a portion of water and sewer charges, to authorize the expenditure of \$27,994.22 from Water Systems Operating Fund and \$1,211.11 from Sewer Systems Operating Fund, and to declare an emergency. (\$29,205.33)

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

- 0683-2005 CA To authorize and direct the Finance Director to enter into contracts for the option to purchase folding tables and chairs with Mity-Lite, Inc. and Office City Express, to authorize the expenditure of \$2.00 to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

This Matter was Approved on the Consent Agenda.

- 0799-2005 CA To authorize an appropriation of \$98,775.04 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for various services during 2005 funded through grants and donations, and to declare an emergency. (\$98,775.04)

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

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

Absent: 1 - Ms. Thomas

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

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH**

- 0817-2005 To authorize and direct the City Auditor to appropriate and transfer \$185,000 within the general permanent improvement fund; to authorize the City Auditor to enter into contract and to expend up to \$161,400 with Tier Technologies, Inc. for the purchase of software and implementation and related services for a citywide internet-based electronic procurement system (V.GOV), in accordance with the sole source provisions of the Columbus City Code; to authorize the balance of the project cost of up to \$23,600 to be expended for equipment and software that will be obtained from various vendors, not known at this time, for a total project cost of up to \$185,000 or as much thereof as may be necessary from the general permanent improvement fund; and to declare an emergency. (\$185,000.00)

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

Absent: 1 - Ms. Thomas

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

0845-2005 To amend the Management Compensation Plan, Ordinance No. 2944-99, as amended, to enact a new classification within Section 5(E); and to declare an emergency.

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

Absent: 1 - Ms. Thomas

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

**JOBS AND ECONOMIC DEVELOPMENT: HUDSON, CHR. O'SHAUGHNESSY
THOMAS HABASH**

0639-2005 To authorize the City Auditor to transfer an amount not to exceed \$150,000 between projects within Fund 742 Development for the purpose of paying final expenses related to Northland Park Roads Phase I; and to declare an emergency. (\$150,000)

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

Absent: 1 - Ms. Thomas

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

0640-2005 To authorize the Director of Development to enter into a contract with Columbus Urban Growth Corporation for the purpose of completing all Northland Park Phase I roadway construction and contractor payments; to authorize the expenditure of \$150,000 from the Development Fund. ; and to declare an emergency. (\$150,000)

A motion was made by Ms. Hudson, seconded by Ms. Tavares, that this matter be Amended to 30 day. The motion carried by the following vote:

Absent: 1 - Ms. Thomas

Abstained: 1 - President Pro-Tem Mentel

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

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

Absent: 1 - Ms. Thomas

Abstained: 1 - President Pro-Tem Mentel

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

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

Absent: 1 - Ms. Thomas

Abstained: 1 - President Pro-Tem Mentel

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

0825-2005 To authorize the Director of the Department of Development to amend the

agreement with the Long Street Business Association by changing the name of the organization to the Long Street Businessmen's Association; and to declare an emergency.

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

Absent: 1 - Ms. Thomas

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

SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH

0793-2005

To authorize an appropriation of \$969,429.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase equipment, supplies, and services; and to declare an emergency. (\$969,429.00)

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

Absent: 1 - Ms. Thomas

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

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

0808-2005

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-005) of 6.451± Acres in Orange Township to the city of Columbus as required by the Ohio Revised Code. and to declare an emergency.

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

Absent: 1 - Ms. Thomas

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

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

Absent: 1 - Ms. Thomas

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

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

0797-2005

To accept the plats titled VILLAGE AT HILLIARD RUN SECTION 1 PART 1 and VILLAGE AT HILLIARD RUN SECTION 1 PART 2 from ROBERT A. MEYER, JR., Executive Vice President of DOMINION HOMES INC., an Ohio corporation.

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

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

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

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

0828-2005

To authorize and direct the Finance Director to enter into contracts for an option to purchase Limestone & Gravel Aggregates, with CLB Trucking Inc., The Olen Corporation, Shelly Materials, Inc., and Wilson-Michaels Trucking, to authorize the expenditure of four dollars to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$4.00)

TABLED UNTIL 05/16/05

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

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

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

0781-2005

To authorize the Board of Health to enter into a contract with The Ohio State University - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$35,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$35,000)

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

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

0803-2005

To authorize the appropriation of \$50,000.00 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with The Salvation Army of Greater Columbus; to authorize the expenditure of \$50,000.00 from the Emergency Human Services Fund; and to declare an emergency. (\$50,000.00)

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

Absent: 1 - Ms. Thomas

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

UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH

0553-2005

To authorize the Director of Public Utilities to modify the professional engineering services contract with Brown & Caldwell Ohio, LLC for the Sanitary Sewer Overflow Elimination Project; and to authorize the appropriation, transfer and expenditure of \$3,196,441.66 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund; to amend the 2004 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$3,196,441.66)

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

Absent: 1 - Ms. Thomas

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

0564-2005

To authorize the Director of Public Utilities to contract with the Lake Erie, Inc. for construction of the Southerly Wastewater Treatment Plant Electrical System Upgrade, to authorize the appropriation, transfer and expenditure of \$4,610,749.50 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; to amend the 2004 Capital Improvements Budget; and to declare an emergency. (\$4,610,749.50)

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

Absent: 1 - Ms. Thomas

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

0709-2005

To authorize and direct the Director of Public Utilities to accept a grant in the amount of \$100,000.00; to enter into an agreement with the Ohio Environmental Protection Agency; to authorize the appropriation and expenditure of \$99,998.63 from the Ohio EPA Grant; to authorize the Director of Public Utilities to enter into contract with Fuller, Mossbarger, Scott & May Engineers for the Lower Olenangy Dam Removal Project; to amend the 2004 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$99,998.63)

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

Absent: 1 - Ms. Thomas

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

0733-2005

To authorize the Director of Public Utilities to enter into contracts, with Decker Construction Company, for Heat Welding, Asphalt Repairs, and Concrete Repairs, for the Divisions of Water, Electricity, and Sewerage and Drainage, to authorize the expenditure of \$560,000.00 from Water Systems Operating Fund, \$40,000.00 from Electricity Operating Fund, and

\$200,000.00 from Sewer Systems Operating Fund, and to declare an emergency. (\$800,000.00)

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

Absent: 1 - Ms. Thomas

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

0754-2005

To authorize the Director of Public Utilities to advance payment to the United States of America, Department of the Army, for purposes of authorizing a final construction contract modification and payment for the Scioto Main Trunk Sewer, in connection with the West Columbus Local Protection Project, to authorize the transfer, appropriation, and expenditure of \$65,000.00 from the Sanitary Sewer Bond Fund to the Scioto River Flood Control Fund; for the Division of Sewerage and Drainage, and to declare an emergency. (\$65,000.00)

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

Absent: 1 - Ms. Thomas

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

0815-2005

To authorize the Director of Public Utilities to modify and extend an existing contract for the Land Application of Biosolids Services with Synagro Midwest Inc., for the Division of Sewerage and Drainage, to authorize the expenditure of \$480,000.00 from the Sewerage System Operating Fund, and to declare an emergency (\$480,000.00)

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

Absent: 1 - Ms. Thomas

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

DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH

0808-2005

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-005) of 6.451± Acres in Orange Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

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

Absent: 1 - Ms. Thomas

Abstained: 1 - President Pro-Tem Mentel

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

A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Amended to 30 day. The motion carried by the following vote:

Absent: 1 - Ms. Thomas

Abstained: 1 - President Pro-Tem Mentel

Affirmative: 5 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares 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:

Absent: 1 - Ms. Thomas

Abstained: 1 - President Pro-Tem Mentel

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

RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS

0730-2005

To authorize and direct the Director of Recreation and Parks to enter into a revenue generating contract with The Wellington School for use of athletic fields in Northcrest Park. and to declare an emergency.

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

Absent: 1 - Ms. Thomas

Abstained: 2 - Ms. Hudson and President Pro-Tem Mentel

Affirmative: 4 - Mr. Boyce, Ms. O'Shaughnessy, Ms. Tavares and President Habash

0786-2005

To authorize and direct the Director of Recreation and Parks to grant consent to the Columbus Landmarks Foundation to apply for permission to sell alcoholic beverages at City Hop Kick Off Celebration, June 17, 2005, and to declare an emergency.

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

Absent: 1 - Ms. Thomas

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

0809-2005

To authorize and direct the Director of Recreation and Parks to enter into a contract with the Phoenix Theatre Circle for the purpose of creating, producing and staffing summer theatre camps and fall/winter classes at the Davis Performing Arts Center for Youth, to waive the necessary competitive bidding requirements, to authorize the expenditure of \$30,000.00 from the Recreation and Parks Operating Fund, and to declare an emergency. (\$30,000.00)

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

0810-2005

Absent: 1 - Ms. Thomas

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

To authorize the Executive Director of the Department of Recreation and Parks to execute a deed to M/I Homes of Central Ohio, LLC for certain City owned real property, to provide a community center, park recreational facilities and open space to residents in the Upper Albany West development area, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised, and to declare an emergency

A motion was made by President Habash, seconded by Mr. Boyce, that this matter be Reconsidered. The motion carried by the following vote:

Absent: 1 - Ms. Thomas

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

A motion was made by President Habash, seconded by Ms. Hudson, that this matter be Amended to Emergency. The motion carried by the following vote:

Absent: 1 - Ms. Thomas

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

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

Absent: 1 - Ms. Thomas

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

RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES

0805-2005

To repeal and replace Chapter 921 of the Columbus City Codes to bring waterway codes up to date and to bring City of Columbus codes into closer compatibility with State waterway codes.

Sponsors: Matthew D. Habash

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

Absent: 1 - Ms. Thomas

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

ADJOURNMENT

ADJOURNED: 6:40 p.m.

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

Absent: 1 - Ms. Thomas

Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, 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

Michael C. Mentel, Chair*
All Members

Monday, May 9, 2005

6:30 PM

Zoning Committee

Zoning Committee

Journal

May 09, 2005

REGULAR MEETING NO. 28 OF CITY COUNCIL (ZONING), MAY 9, 2005, AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: Thomas

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

READING AND DISPOSAL OF THE JOURNAL

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

Absent: Thomas

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

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

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

0612-2005

To grant a Variance from the provisions of Sections 3333.04, AR-O, Apartment Office District of Columbus City Codes; for the property located at 1000 EAST BROAD STREET (43205), to permit a beauty salon in the AR-O, Apartment Residential Office District and to declare an emergency.

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

Absent: Thomas

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

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

Absent: Thomas

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

0403-2005

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District, 3332.21, Building lines; 3332.24, Minimum side yard permitted; 3332.25, Maximum side yard required; 3342.08, Driveway; 3342.18, Parking setback line; and 3342.28, Minimum number of parking spaces required; of the Columbus City codes for the property located at 1014 FREBIS AVENUE (43206), to permit a child day care center with reduced development standards on the rear of a lot developed with a single-family dwelling in the R-4, Residential District (Council Variance # CV04-012).

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

Absent: Thomas

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

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

Absent: Thomas

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

0549-2005

To rezone 4490 SUNBURY ROAD (43219), being 12.07± acres located at the northeast corner of Sunbury Road and Easton Way, From: L-M, Limited Manufacturing District, To: L-M, Limited Manufacturing District. (Rezoning # Z04-094)

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

Absent: Thomas

Absent@vote: Mr. Boyce

Affirmative: Chair Mentel, President Habash, Ms. O'Shaughnessy, Tavares and Ms. Hudson

ADJOURNED: 7:05 p.m.

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

Absent: Thomas

Absent@vote: Mr. Boyce

Affirmative: Chair Mentel, President Habash, Ms. O'Shaughnessy, Tavares and Ms. Hudson

Ordinances and Resolutions

City of Columbus
City Bulletin Report

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

Legislation Number: 0076X-2005

Drafting Date: 04/29/2005

Version: 1

Current Status: Passed

Matter Type: Ceremonial Resolution

Explanation

Title

To honor and congratulate LifeCare Alliance as they celebrate the 30th Anniversary of their Help at Home Program.

Body

WHEREAS, LifeCare Alliance was established in 1898 as the first Visiting Nurse Association of Central Ohio and they have dedicated over 100 years of service to the residents in Franklin County; and

WHEREAS, LifeCare Alliance is celebrating the 30th anniversary of their Help at Home Program this spring with a commemorative reception; and

WHEREAS, Help at Home was established in 1975 and is a critically important program that promotes and enhances individual independence for disabled and frail older adults by aiding in the most basic and elemental activities such as light housekeeping, running errands, shopping, laundering cloths and changing bed line or providing assistance with personal care such as bathing, shampooing, shaving and other personal tasks the person is unable to perform alone; and

WHEREAS, Help at Home strives to serve all those in need using efficient methods of service delivery such as Home Care on the Highway which consists of vans that transport home health care workers to client homes in order to meet client needs while providing employment for those residing in Franklin County; and

WHEREAS, Help at Home has served the Central Ohio community for the past 30 years while paying close attention to the changing needs of those we serve in order to continue being a leader in home health care service delivery. Help at Home serves over 1,000 clients annually; now, therefore

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

That this Council does hereby congratulate LifeCare Alliance as they celebrate the 30th Anniversary of their Help at Home Program.

Legislation Number: 0077X-2005

Drafting Date: 05/05/2005

Version: 1

Current Status: Passed

Matter Type: Ceremonial Resolution

Explanation

Title *To Honor And Recognize Strategies Against Violence Everywhere (Save)As They Celebrate Their 9th Annual*

Save Awards

Body

WHEREAS, we salute Strategies Against Violence Everywhere (SAVE) as they host their 9th annual SAVE awards on Friday, April 29, 2005; and,

WHEREAS, SAVE is a non-profit organization confronting the challenging issues of youth violence. Founded in 1994, SAVE's mission is to empower youth through results oriented programming and services to prevent violence and promote healthy lives; and,

WHEREAS, the SAVE awards presents the best of central Ohio youth presenting solutions to violence through drama, poetry, video, dance and song. The SAVE awards program aims to give youth a voice and an opportunity to earn from and teach each other how to prevent violence; and,

WHEREAS, SAVE considers the abusive, disrespectful and unjust treatment of people, property or fundamental rights, whether actual or perceived, as violence. SAVE's ultimate goal is succinctly stated as: "STOP the Violence." To assist young people, their families, friends and mentors in "living up to the SAVE Pledge, SAVE offers the community a variety of programs and activities; now, therefore,

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

That we honor and recognize Strategies Against Violence Everywhere (SAVE) as they celebrate their 9th annual SAVE awards and we designate Friday, April 29, 2005, as SAVE day in the City of Columbus.

Legislation Number: 0549-2005

Drafting Date: 03/10/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z04-094

APPLICANT: Germain Real Estate Company, LLC; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Suite 725; Columbus, Ohio 43215.

PROPOSED USE: Automobile service facility including car wash and automobile storage.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0-1) on January 13, 2005.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests the L-M, Limited Manufacturing District for an automobile service center that will serve a dealership located on Morse Crossing. The zoning is necessary to add automobile service, car wash, automotive repair, and automobile storage as permitted uses to the existing L-M, Limited Manufacturing District. The limitation text includes all of the development standards applicable to the Easton

development, and commits to a landscape plan. The proposed L-M, Limited Manufacturing District is consistent with the recommendations of the *Northeast Area Plan* (1994), and the zoning and development patterns of the area.

Title

To rezone **4490 SUNBURY ROAD (43219)**, being 12.07± acres located at the northeast corner of Sunbury Road and Easton Way, **From:** L-M, Limited Manufacturing District, **To:** L-M, Limited Manufacturing District. (Rezoning # Z04-094)

Body

WHEREAS, application #Z04-094 is on file with the Building Services Division of the Department of Development requesting rezoning of 12.07± acres from L-M, Limited Manufacturing District to L-M, Limited Manufacturing District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing District will allow an automobile service center that will serve a dealership located on Morse Crossing. The zoning is necessary to add automobile service, car wash, automotive repair, and automobile storage as permitted uses to the existing L-M, Limited Manufacturing District. The limitation text includes all of the development standards applicable to the Easton development, and commits to a landscape plan. The proposed L-M, Limited Manufacturing District is consistent with the recommendations of the *Northeast Area Plan* (1994), and the zoning and development patterns of the area, now, therefore:

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

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

4490 SUNBURY ROAD (43219), being 12.07± acres located at the northeast corner of Sunbury Road and Easton Way, and being more particularly described as follows:

**PARCEL 1
5.527 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 1, Range 17, United States Military Lands, and being part of Parcel 2 as conveyed to Morso Holding Co. by deed of record in Official Record 30846 G11, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference at a railroad spike set at the centerline intersection of Sunbury Road and Easton Way;
Thence South 76° 30' 33" East, a distance of 68.89 feet, with the centerline of Easton Way, to a point;
Thence North 13° 29' 27" East, a distance of 36.50 feet, across said Easton Way, to an iron pin set at a point on a curve in the easterly right-of-way line of Sunbury Road. Said iron pin being the TRUE POINT OF BEGINNING of the herein described tract;

Thence with the easterly right-of-way line of Sunbury Road the following courses and distances:
With the arc of said curve to the right having a central angle of 84° 58' 12", a radius of 30.00 feet, an arc length of 44.49 feet and a chord which bears North 34° 01' 27" West, a distance of 40.52 feet, to an iron pin set at a point of tangency;

- North 07° 07' 11" East, a distance of 263.28 feet, to an iron pin set;
- North 13° 32' 45" East, a distance of 91.43 feet, to an iron pin set;
- Thence across said Parcel 2 the following courses and distances:
 - South 87° 41' 33" East, a distance of 482.50 feet, to an iron pin set;
 - South 02° 18' 28" West, a distance of 39.92 feet, to an iron pin set at a point of curvature;

With the arc of said curve to the left having a central angle of $24^{\circ} 08' 21''$, a radius of 175.00 feet, an arc length of 73.73 feet and a chord which bears South $09^{\circ} 44' 07''$ East, a distance of 73.19 feet, to an iron pin set at a point of tangency;
South $21^{\circ} 48' 18''$ East, a distance of 70.73 feet, to an iron pin set at a point of curvature;
With the arc of said curve to the right having a central angle of $24^{\circ} 06' 45''$, a radius of 225.00 feet, an arc length of 94.69 feet and a chord which bears South $09^{\circ} 44' 55''$ East, a distance of 93.99 feet, to an iron pin set at a point of tangency;
South $02^{\circ} 18' 27''$ West, a distance of 100.00 feet, to an iron pin set;
With the arc of said curve to the right having a central angle of $11^{\circ} 11' 00''$, a radius of 425.00 feet, an arc length of 82.95 feet and a chord which bears South $07^{\circ} 53' 57''$ West, a distance of 82.82 feet, to an iron pin set at a point of tangency;
South $13^{\circ} 29' 26''$ West, a distance of 10.00 feet, to an iron pin set at a point of curvature;
with the arc of said curve to the left having a central angle of $50^{\circ} 07' 28''$, a radius of 43.00 feet, an arc length of 37.62 feet and a chord which bears South $11^{\circ} 34' 18''$ East, a distance of 36.43 feet, to an iron pin set in the northerly right-of-way line of Easton Way;
Thence North $76^{\circ} 30' 33''$ West, a distance of 571.78 feet, with the northerly right-of-way line of Easton Way, to the TRUE POINT OF BEGINNING. Containing 5.527 acres, more or less.
Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

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

The bearings in the above description are based on the Ohio State Plane Coordinate System - South Zone as per NAD83. Control for bearings was from coordinates of monuments Frank 64 and Frank 164, giving a bearing of South $76^{\circ} 30' 33''$ East for the centerline of Easton Way, as established by the Franklin County Engineering Department using Global Positioning procedures and equipment.

PARCEL 2
3.823 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 2, Township 1, Range 17, United States Military Lands and being located all out of Parcel 2 as conveyed to Morso Holding Company of record in Official Record 30846G11 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning, for reference, at a railroad spike set at the intersection of Sunbury Road and Easton Way;

Thence South $76^{\circ} 30' 33''$ East, with the centerline of said Easton Way, a distance of 9.87 feet to a point;

Thence North $13^{\circ} 29' 27''$ East, across said Sunbury Road, a distance of 416.95 feet to a point in the easterly right-of-way line of Sunbury Road at the True Point of Beginning;

Thence with said easterly right-of-way line, the following courses:

North $13^{\circ} 32' 45''$ East, a distance of 226.53 feet to an iron pin set;

North $18^{\circ} 17' 30''$ East, a distance of 137.35 feet to an iron pin set at a southwesterly corner of that tract as conveyed to Germain Real Estate Company of record in Instrument Number 200105080099661;

Thence South $87^{\circ} 40' 07''$ East with the southerly line of said Germain Real Estate Company tract, a distance of 399.54 feet to an iron pin set at a corner thereof;

Thence North $02^{\circ} 18' 27''$ East, with an easterly line of said Germain Real Estate Company tract, a distance of 2.19 feet to an iron pin set at the southwesterly corner of that tract of land as conveyed to EJMR Construction Ltd. of record in Instrument Number 199709170095362;

Thence South $87^{\circ} 41' 33''$ East, with the southerly line of said EJMR Construction Ltd. tract, a distance of 25.98 feet to an iron pin set at the northwesterly corner of that tract of land as conveyed to Easton Market LLC of record in Official Record

34933B09;

Thence South $02^{\circ} 18' 27''$ West, with the westerly line of said Easton Market LLC tract a distance of 356.25 feet to an iron pin set;

Thence North $87^{\circ} 41' 33''$ West, across said Parcel 2, a distance of 507.48 feet to the True Point of Beginning, and containing 3.823 acres of land, more or less.

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

Bearings are based on the Ohio State Plane Coordinate System as per N83. Control for bearings was from coordinates of monuments FRANK 64 and FRANK 164 and determines the bearing for the centerline of Morse Road as South $86^{\circ} 15' 51''$ East.

PARCEL 3
2.723 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 1, Range 17, United States Military Lands, and being part of Parcel 2 as conveyed to Morso Holding Co. by deed of record in Official Record 30846 G11, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for Reference at a railroad spike set at the centerline intersection of Sunbury Road and Easton Way;

Thence South $76^{\circ} 30' 33''$ East, a distance of 640.67 feet, with the centerline of Easton Way, to a point;

Thence North $13^{\circ} 29' 27''$ East, a distance of 36.50 feet, across said Easton Way, to an iron pin set at a point on a curve.

Said iron pin being the TRUE POINT OF BEGINNING of the herein described tract;

Thence across said Parcel 2 the following courses and distances:

With the arc of said curve to the right having a central angle of $50^{\circ} 07' 28''$, a radius of 43.00 feet, an arc length of 37.62 feet and a chord which bears North $11^{\circ} 34' 18''$ West, a distance of 36.43 feet, to an iron pin set at a point of tangency;

North $13^{\circ} 29' 26''$ East, a distance of 10.00 feet, to an iron pin set at a point of curvature;

With the arc of said curve to the left having a central angle of $11^{\circ} 11' 00''$, a radius of 425.00 feet, an arc length of 82.95 feet and a chord which bears North $07^{\circ} 53' 57''$ East, a distance of 82.82 feet, to an iron pin set at a point of tangency;

North $02^{\circ} 18' 27''$ East, a distance of 100.00 feet, to an iron pin set at a point of curvature;

With the arc of said curve to the left having a central angle of $24^{\circ} 06' 45''$, a radius of 225.00 feet, an arc length of 94.69 feet and a chord which bears North $09^{\circ} 44' 55''$ West, a distance of 93.99 feet, to an iron pin set at a point of tangency;

North $21^{\circ} 48' 18''$ West, a distance of 70.73 feet, to an iron pin set at a point of curvature;

With the arc of said curve to the right having a central angle of $24^{\circ} 08' 21''$, a radius of 175.00 feet, an arc length of 73.73 feet and a chord which bears North $09^{\circ} 44' 07''$ West, a distance of 73.19 feet, to an iron pin set at a point of tangency;

North $02^{\circ} 18' 28''$ East, a distance of 39.92 feet, to an iron pin set;

South $87^{\circ} 41' 33''$ East, a distance of 136.93 feet, partly across said Parcel 2 and partly along a westerly line of the 50.706 acre tract conveyed to Easton Market, LLC by deed of record in Official Record 34933 B09;

Thence with the westerly lines of said 50.706 acre tract the following courses and distances:

South $02^{\circ} 18' 27''$ West, a distance of 22.00 feet, to an iron pin set;

South $87^{\circ} 41' 33''$ East, a distance of 143.07 feet, to an iron pin set;

South $02^{\circ} 23' 39''$ West, a distance of 516.42 feet, to an iron pin set in the northerly right-of-way line of Easton

Way;

Thence North $76^{\circ} 30' 33''$ West, a distance of 220.89 feet, with the northerly right-of-way line of Easton Way, to the TRUE POINT OF BEGINNING. Containing 2.723 acres, more or less.

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

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

The bearings in the above description are based on the Ohio State Plane Coordinate System - South Zone as per NAD83.

Control for bearings was from coordinates of monuments Frank 64 and Frank 164, giving a bearing of South 76° 30' 33" East for the centerline of Easton Way, as established by the Franklin County Engineering Department using Global Positioning procedures and equipment.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

To Rezone From: L-M, Limited Manufacturing District,

To: L-M, Limited Manufacturing District.

SECTION 2. That a Height District of sixty (60) feet is hereby established on the L-M, Limited Manufacturing District on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "**LIMITATION OVERLAY TEXT DEVELOPMENT PLAN**," dated April 15, 2005, and said plan being titled, "**GERMAIN AT EASTON**," dated April 20, 2005, both signed by Jeffrey L. Brown, Attorney for the Applicant, and the text reading as follows:

**LIMITATION OVERLAY TEXT
DEVELOPMENT PLAN**

PROPOSED DISTRICT: L-M
PROPERTY ADDRESS: 4490 Sunbury Road
OWNER: Germain Real Estate Company, LLC
APPLICANT: same as owner
DATE OF TEXT: 4/15/05
APPLICATION NUMBER: Z04-094

1. INTRODUCTION: The applicant established an automobile dealership service and car wash facility on the adjacent site to the north (Lexus). In zoning application Z03-125 the applicant established a second service/car wash facility (Mercedes). The applicant has acquired the balance of the property between the proposed Mercedes dealership and Easton Way. The new application adds automobile service/car wash and automotive maintenance and collision repair, to the permitted uses and modifies development standards which are no longer relevant since the applicant controls a larger site.

2. PERMITTED USES: The following uses shall be permitted:

- a. Offices
- b. Warehousing, wholesaling, storage in bulk, distribution, assembly, packaging, and sales of products permitted in Subareas 5C (Z95-035) all within a building the primary use of which is an office. Non-office use shall not exceed forty percent of the total square footage of that overall use.
- c. Day care centers - employee related only
- d. For pay, recreational uses
- e. Automobile services / washing facility with outdoor storage
- f. Automotive maintenance and collision repair

3. DEVELOPMENT STANDARDS: Except as otherwise noted above and herein, the applicable development standards of Chapter 3367, shall be applicable.

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

1. Setback from Sunbury Road and Easton Way shall be 50 feet for parking, loading and maneuvering and 100 feet for building.
2. No loading doors shall face Sunbury Road unless blocked by view from Sunbury Road by another building(s). Service bay doors may face Sunbury Road. There shall be a maximum of seven service bay doors that face Sunbury Road.

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

1. The total right-of-way width shall be 50 feet from the centerline of Sunbury Road. Where necessary, as determined by the Transportation Division, the property owner shall dedicate right-of-way along Sunbury Road such that the required 50 feet is provided.
2. There shall be no access to this site from Sunbury Road.

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

1. The frontage along Sunbury Road and Easton Way shall be landscaped in accordance with the submitted drawing. No damaged automobile may be parked within the 100 foot building setback area. Any service bay door facing Sunbury Road shall be screened from view with a minimum of 3 flowering crabapple trees and 6, 8 foot tall spruce trees.
2. The landscaping requirements of this section may be offset by the preservation of existing vegetation.
3. Unless otherwise specified herein, the minimum size of all trees shall be 2.5 in. caliper for deciduous 5 ft. high for evergreens, and 1.5 in. caliper for ornamentals.
4. The landscaping required in this section shall count toward satisfying the landscaping requirements of Chapter 3342 of the Columbus City Code.
5. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.
6. For any outside storage spaces, trees shall be planted adjacent to the building(s) and within islands which are located on the paved portion of the site at a ratio of 1 tree per 20 storage spaces. Interior landscaping shall be provided at a ratio of 1 shade tree per 10 parking spaces.
7. To provide additional screening and buffering from Sunbury Road, a fence shall be constructed along the western perimeter of any development. The fence shall be constructed of materials compatible with the existing fence to the north. No advertising shall be permitted on any portion of the fence.
8. As specified on the submitted drawing, a juniper hedge shall be planted along the western and southern perimeter of the site.

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

1. Building materials shall be similar to the building materials utilized on the Lexus Service facility located on the parcel to the north, including metal, masonry and/or textured, painted concrete.

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

1. All waste and refuse shall be containerized and fully screened from view by a solid wall.
2. No materials, supplies, or product shall be stored or permitted to remain on any portion or parcel outside a permitted

structure except for automobile storage in association with an automobile service facility.

3. All external lighting shall be cutoff type fixtures (downlighting), and shall provide no light spillage to off-site parcels. However, buildings and landscaping may be uplit or downlit provided that landscaping lighting does not spill over into the public right-of-way. The maximum height of light poles shall not exceed twenty-eight feet.

F. Graphics and Signage commitments.

1. Entry features may be established within the subarea and may contain signage. Signage shall be limited to identifying the overall development not individual users. Minimum setback for entry features shall be 5 feet from right-of-way maintaining safe clear sight distances at intersections. Depending on the final form of the entry features, appropriate variances from the Columbus Zoning Code may be required.

2. All signage and graphics shall conform to Article 15 of the Columbus City Graphics Codes, as it applies to the M-2, Manufacturing District. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission.

G. Miscellaneous commitments.

1. There shall be no handling or storage of explosive materials and no searchlights or flying (air borne) balloons. There shall be no outdoor banners or streamers.

2. There shall be no incineration of waste, trash or other materials permitted on any part of said tract nor in any building at any time located on said tract.

3. Stormwater drainage shall conform to the City of Columbus standards, and no storm water runoff shall be increased on any adjacent properties.

4. Notwithstanding the traffic limitations contained within this document, said traffic limitations, including numbers and locations of curbcuts, may be modified with the approval of the Division of Transportation.

5. The Division of Transportation is in the process of creating a parking requirement for bicycles. When the requirement is in the City code any new developments in this subarea shall comply with the bicycle parking requirements. Any development which occurs between the effective date of this zoning and the adoption of the bicycle parking requirements shall retroactively comply with the adopted bicycle parking requirements.

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

Legislation Number: 0553-2005

Drafting Date: 03/10/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND:

This legislation authorizes modifying the professional engineering services contract with Brown and Caldwell Ohio, LLC in connection with the Sanitary System Overflow Elimination Project. This contract is one of the most important undertakings currently being performed by the Division of Sewerage and Drainage, as it will establish standards for the operation, maintenance, system extensions, and the development and prioritization of future capital improvement budgets.

This professional services contract was originally procured with a scope that included a multi-year renewable contract option for an entire scope of services. This provision allows the City to appropriate funds annually or on an as-needed basis depending upon the project's progress. This modification will fund services through the 2005 fiscal year. The budget

estimate for this work is approximately \$18,279,000.00, and will involve contract modifications through fiscal year 2008.

These contract services are a direct result of the consent order entered into between the City of Columbus and the Ohio Attorney General's Office. The purpose of the consent order is to resolve allegations that the City has operated its wastewater treatment plants and collection system in such a manner as to result in violation of the National Pollutant Discharge Elimination System (NPDES) permits issued by the State of Ohio. This contract is facilitating the development of the city's comprehensive Wet Weather Management Plan as required under the consent order.

2. PROFESSIONAL ENGINEERING SERVICES MOD. AWARD: This contract is a multi-year contract that allows the City to appropriate funds on an as-needed basis to cover the costs of services for a 12 month period, and it is necessary to fulfill the schedule and funding commitments for this project. This work is a planned, continuation of the services as originally included within the existing contract's scope of service. The contract total, including this modification is \$14,296,607.75. It is also projected that modifications will be required in fiscal years 2006 through 2008 based upon current project schedules. These services are of a highly specialized and technical nature, and it is not practical or economical to have these services performed by city personnel. The costs have been deemed acceptable with the planned services for the remaining development of this project. These proposed costs were reviewed by division engineering personnel and have been deemed to be reasonable and appropriate.

TitleTo authorize the Director of Public Utilities to modify the professional engineering services contract with Brown & Caldwell Ohio, LLC for the Sanitary Sewer Overflow Elimination Project; and to authorize the appropriation, transfer and expenditure of \$3,196,441.66 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund; to amend the 2004 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$3,196,441.66)

BodyWHEREAS, a consent order was entered into on July 31, 2002, in resolution of Case No. 02-WH-05-5768, the State of Ohio, ex. rel., Betty D. Montgomery Attorney General of Ohio v. City of Columbus, as a result of allegations from the State that the City has operated its wastewater treatment plants and collection system in such a manner as to result in violations of the National Pollutant Discharge Elimination System (NPDES) permits issued by the Ohio Environmental Protection Agency (EPA) and in violation of the water pollution laws of the State of Ohio; and

WHEREAS, as a result of this Consent Order, the City of Columbus was required to develop a Capacity, Maintenance, Operation, Management (CMOM) Program; and

WHEREAS, on December 23, 2002, the Director of Public Utilities entered into contract with Brown & Caldwell Ohio, LLC, identified as Contract No. EL003005, as authorized by Ordinance No. 1978-2002, as passed by Columbus City Council on December 16, 2002, for purposes of providing the professional services necessary to develop and implement a Capacity, Maintenance, Operation Management Program (CMOM) pursuant to the elimination or mitigation of all known sanitary sewer overflow points within the City of Columbus's sanitary sewer system; and

WHEREAS, Contract Modification No. 1, identified as Contract No. EL004149, was authorized by Ordinance No. 2013-2003, as passed by Columbus City Council on December 16, 2003, authorized the Director of Public Utilities to enter into a planned modification for funding the contracted scope of services through Fiscal Year 2004; and

WHEREAS, the subject agreement was established as a multi-year agreement, whereby the Director of Public Utilities could request City Council approval to modify the agreement annually for purposes of authorizing the continuation of the contract work and for appropriating funds on a calendar year basis; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, in that it is necessary for this City Council to authorize the Director of Public Utilities to execute a planned, contract modification with the professional engineering services firm of Brown and Caldwell Ohio, Inc., pursuant to ensuring the continuation of contract work which is necessary to fulfill the City of Columbus's commitments relating to the aforementioned Consent Order, for the preservation of the public health, safety and welfare, in order to continue with the subject project services, pursuant to fulfilling the stipulated terms and conditions of the aforementioned consent order, it is necessary for the City Council to authorize the appropriation, transfer, and expenditure of funds from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund; and to authorize the Director of Public Utilities to execute Modification No. 1, with Brown &

Caldwell Ohio, Inc., in connection with the Sanitary Sewer Overflow Elimination Project, 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, 2005, the sum of \$3,196,441.66 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 \$3,196,441.66 to the 1991 Voted Sanitary Bond Fund, into the Sanitary Sewer Overflow Elimination Project, Project No. 650690, 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 \$3,196,441.66 is hereby appropriated for the Sanitary Sewer Overflow Elimination Project within the 1991 Voted Sanitary Bond Fund| Fund 664| Division 60-05| Project 650690| OCA Code 664690.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to modify the professional engineering services contract, identified as City Auditor's Contract No. EL003005, with Brown & Caldwell Ohio, LLC., 2674 Federated Boulevard, Columbus, Ohio 43235, for professional engineering services associated with the Sanitary Sewer Overflow Elimination Project, in accordance with the terms and conditions as shown in the Modification No. 2 on file in the office of the Division of Sewerage and Drainage's, Sewer System Engineering Section.

Section 5. That for the purpose of paying the cost of the professional engineering services contract modification the following expenditure, or as much thereof as may be needed, is hereby authorized from the 1991 Voted Sanitary Bond Fund| Fund No. 664| Div.: 60-05| Project: 650690| OCA: 664690| Object Level Three: 6676| Amount: \$3,196,441.66.

Section 6. That the 2004 Capital Improvements Budget Ordinance No. 1059-2004 is hereby amended as follows, to provide sufficient budget authority for the project costs covered within the aforementioned contract modification:

CURRENT:

Project 650690, Sanitary Overflow Elim. Project - \$6,500,000.00 (Voted Bond Fund)

AMENDED TO:

Project 650690, Sanitary Overflow Elim. Project - \$9,696,441.66 (Voted Bond Fund)

Section 7. That for the reasons stated in the preamble, 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: 0612-2005

Drafting Date: 03/21/2005

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

Council Variance Application: CV05-004

APPLICANT: Barbara Dear; 1516 Granville Street; Columbus, Ohio 43205.

PROPOSED USE: Beauty salon.

NEAR EAST AREA COMMISSION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. A Council variance is necessary in that the AR-O, Apartment Residential/Office District does not allow beauty salon use. The applicant is requesting a Council Variance to permit an existing beauty salon in the AR-O, Apartment Office District in an existing building used primarily as a medical office facility. The use of a limited portion of the medical office building as a beauty salon would not conflict with the medical office uses. Finally, the amount of parking for the building exceeds amount of parking required by the Zoning Code.

Title

To grant a Variance from the provisions of Sections 3333.04, AR-O, Apartment Office District of Columbus City Codes; for the property located at **1000 EAST BROAD STREET (43205)**, to permit a beauty salon in the AR-O, Apartment Residential Office District **and to declare an emergency.**

Body

WHEREAS, by application No. CV05-004, the owner of property at **1000 EAST BROAD STREET (43205)**, is requesting a Council Variance to permit a beauty salon in the AR-O, Apartment Office District; and

WHEREAS, Section 3333.04, AR-O, Apartment Office District, prohibits commercial uses, while the applicant is occupying a limited portion of the existing building with a beauty salon; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the applicant currently paying rent for the property, but unable to utilize it for business purposes, for the immediate preservation of the public peace, property, health and safety; and

WHEREAS, the existing building houses medical offices and the use of a limited portion of the structure for a beauty salon would be not cause a conflict with the medical offices uses housed in the building; and

WHEREAS, the parking requirement for the beauty salon is the same as the parking requirement for a medical office and the existing parking lot has parking in excess of that required by Code for the existing beauty salon and medical offices; and

WHEREAS, the amount of the building occupied with the beauty salon will be limited per the enclosed blueprint; and

WHEREAS, the City Departments recommend approval of said ordinance and note a hardship exists in that the AR-O, Apartment Residential/Office District does not permit a beauty salon; and

WHEREAS, the Near East Area Commission recommends approval; and

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

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

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

WHEREAS, the granting of said variances will alleviate the difficulties encountered by the owners of the property located at **1000 EAST BROAD STREET (43205)**, in using said property as desired; now, therefore:

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

Section 1. That variances from the provisions of Section 3333.04, AR-O, Apartment Residential/Office District of Columbus City Codes are hereby granted for the property located at **1000 EAST BROAD STREET (43205)**, insofar as said section prohibits a beauty salon, said property being more particularly described as follows:

Legal Description of 1000 E. Broad Street- Case No. 05315-00000-00004

Begin SW corner Broad Street and Miami Avenue
Then 68.27' N81°37'44"E
Then 60' N81°37'44"E
Then 55' N81°37'44"E
Then 170.4' S2°77"W
Then 85.52' S81°45'18"W
Then 60.32' S81°45'18"W
Then 37.75' S81°45'18"W
Then 170.4' S2°6'49"W

Area(Lots 35-36-37) = 30778.1 square feet(0.707 acre)

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a beauty salon, or those uses permitted in the AR-O, Apartment Residential/Office District.

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

Section 4. That this ordinance is further conditioned on the beauty salon encompassing only the area specified in the floor plan titled Hair Salon, Sheet A, dated 1/28/2005 drawn by Feinkopf Macioce Schappa Architects.

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

Section 6. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 0631-2005

Drafting Date: 03/23/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: The City of Columbus, Ohio is the holder of certain sanitary sewer easement rights, located in the vicinity of West Fifth Avenue and Broadview Avenue by virtue of a recorded deed of easement. Skilken Properties has requested the City release the aforementioned sanitary sewer easement in exchange for a previously granted replacement easement. After investigation, the Department of Public Utilities has determined that the subject release of easement will not adversely affect the City and therefore should be

granted. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release the subject sewer easement.

Fiscal Impact: N/A

Emergency Justification: N/A

Title

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain sanitary sewer easements, located in the vicinity of West Fifth Avenue and Broadview Avenue, at the request of Skilken Properties in exchange for a replacement easement previously granted to the City of Columbus, Ohio.

Body

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a certain sanitary sewer easement by virtue of a recorded deed of easement in the Franklin County Recorders Office; and

WHEREAS, Skilken Properties, has requested that the aforementioned sewer easement be released in exchange for a replacement easement previously granted to the City of Columbus; and

WHEREAS, the Department of Public Utilities, Division of Sewerage & Drainage, after investigation, has determined that the release of the subject easement rights will not adversely affect the operations of the City of Columbus; now, therefore

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

Section 1. That the Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release, at the request of Skilken Properties, the deed of easement of record as Volume 3472, Pages 360 and 361, Recorder's Office, Franklin County, Ohio.

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

Legislation Number: 0639-2005

Drafting Date: 03/24/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: This ordinance authorizes the transfer of an amount not to exceed \$150,000 between projects within Fund 742 Development to pay for the final expenses related to the design and construction of Northland Park Roads Phase I. This is companion legislation to legislation authorizing the Director of Development to enter into a contract for \$150,000 with Columbus Urban Growth Corporation (CUGC).

Fiscal Impact: \$150,000 of capital dollars.

Emergency Justification: Emergency action is requested in order to maintain the development schedule for occupancy of the Retail Ventures structure and to start Phase II Roadway design.

Title

To authorize the City Auditor to transfer an amount not to exceed \$150,000 between projects within Fund 742 Development for the purpose of paying final expenses related to Northland Park Roads Phase I; and to declare an emergency. (\$150,000)

Body

WHEREAS, there is a need to close out the Northland Park Roadways Phase I construction project in order to open Northland Crossing, Northland Park Boulevard and Ventures Boulevard to the public; and

WHEREAS, outstanding construction items and contractor payments must be completed/satisfied before permission to open is granted; and

WHEREAS, it is necessary for the City Auditor to transfer an amount not to exceed \$150,000 between projects within Fund 742 Development in order to close out this roadway project; and

WHEREAS, an emergency exists in the usual daily operation of the Office of the City Auditor in that it is immediately necessary to authorize the transfer of funds in order to finalize the construction of the three roadways in Northland Park Phase I for the preservation of the public health, peace, property and safety; now, therefore,

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

Section 1. That the City Auditor be authorized to transfer an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000) within the Development Fund 742 as follows:

TRANSFER FROM:

Department 44-01, Project No. 440104 Miscellaneous Economic Development, OCA Code 643106, \$150,000

TRANSFER TO:

Department 44-01, Project No. 441742 Northland, OCA Code 441742, \$150,000

Section 2. That this is companion legislation to legislation authorizing the Director of Development to enter into a contract with Columbus Urban Growth Corporation to finalize the construction of Northland Crossing, Northland Park Boulevard and Ventures Boulevard

Section 3. That funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated.

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: 0640-2005

Drafting Date: 03/24/2005

Version: 2

Current Status: Passed

Matter Type: Ordinance

Background: This ordinance authorizes the Director of Development to enter into a \$150,000 contract with Columbus Urban Growth Corporation for the purpose of completing all Northland Phase I roadway construction in order to open the roads to the public. Underground utility conduits in the right-of-way, some curb and sidewalk repair and final design fees are outstanding expenses that need to be satisfied before permission will be granted to open Northland Crossing, Northland Park Boulevard and Ventures Boulevard to the public. Tenants expect to occupy the Retail Ventures structure by early May 2005.

Fiscal Impact: \$150,000 of capital dollars to be expended from Development Fund, Fund No. 742.

Emergency Justification: Emergency action is requested in order to maintain the development schedule for occupancy of the Retail Ventures structure and to start Phase II Roadway design.

Title

To authorize the Director of Development to enter into a contract with Columbus Urban Growth Corporation for the purpose of completing all Northland Park Phase I roadway construction and contractor payments; to authorize the expenditure of \$150,000 from the Development Fund. ~~; and to declare an emergency. (\$150,000)~~

Body

WHEREAS, there is a need to close out the Northland Park Roadways Phase I construction project in order to open Northland Crossing, Northland Park Boulevard and Ventures Boulevard to the public; and

WHEREAS, outstanding construction items and contractor payments must be completed/satisfied before permission to open is granted; and

WHEREAS, it is necessary for the Director of Development to enter into a \$150,000 contract with Columbus Urban Growth Corporation for the purpose of completing those outstanding items that are preventing the roads from opening; **now, therefore and**

~~**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize its Director to contract for work to finalize the construction of the three roadways in Northland Park Phase I for the preservation of the public health, peace, property and safety; now, therefore~~

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

Section 1. That the Director of Development be and is hereby authorized to enter into a contract for One Hundred Fifty Thousand Dollars (\$150,000) with Columbus Urban Growth Corporation for the purpose of finalizing the construction and final payments for Northland Crossing, Northland Park Boulevard and Ventures Boulevard.

Section 2. That for the purpose stated in Section 1, the expenditure of \$150,000 from Fund 742 Development Fund, Object Level One 06, Object Level Three 6621, OCA Code 441742, Project No. 441742 is hereby authorized.

Section 3. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959, as amended.

Section 4. **That this ordinance shall take effect and be in force from and after the earliest period allowed by law.**
~~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: 0680-2005

Drafting Date: 03/30/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Water encumbered ED020492 for \$20,000.00 with Moling & Associates, Inc. for security guard services at the Public Utilities Complex. These funds will cover about six months. The Division would like to increase this contract in order to provide funds for the remainder of the year. The Contract Compliance Number for Moling & Associates, Inc. is 31-4413210. They do not have MBE/FBE status.

1. The Division needs an additional \$25,000.00. The original contract was established for \$20,000.00. The total amount of the original contract and the modification is \$45,000.00.
2. The need for additional funds was foreseen at the time of the initial contract; the Division encumbered \$20,000.00 to pay immediate invoices.
3. It is in the City's best interest to not formally bid this service in order to provide continual security guard services to the Division. Moling & Associates, Inc. has provided security guard services to our facility for several years.
4. The cost of this service is based on the number of hours worked by the security guard.

FISCAL IMPACT: The Division of Water has allocated \$45,000.00 for these security services in the 2005 Budget.

\$ 45,000.00 was encumbered for this purpose during 2004.

\$ 43,810.00 was encumbered for this purpose during 2003.

Title

To authorize the Director of Public Utilities to increase the contract with Moling & Associates, Inc., for security guard services at the Public Utilities Complex, for the Division of Water, and to authorize the expenditure of \$25,000.00 from Water Systems Operating Fund. (\$25,000.00)

Body

WHEREAS, contract number ED020492 was established with Moling & Associates, Inc. for security guard services at the Public Utilities Complex, and

WHEREAS, the Division would like to increase this contract in order to provide security guard services for the remainder of the year, and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to increase the contract for security guard services, from Moling & Associates, 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 Public Utilities be and is hereby authorized to increase the contract with Moling & Associates, Inc., for security guard services, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$25,000.00 or as much thereof as may be needed, is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 602318, Object Level One 03, Object Level Three 3398, to pay the cost thereof.

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

Legislation Number: 0683-2005

Drafting Date: 03/31/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase folding tables and chairs for the Department of Recreation and Parks, the largest user, and for other City agencies as needed. The term of the proposed option contract would be through December 31, 2007. The Purchasing Office opened formal bids on January 20, 2005.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001389). Bids solicited: 77: (MAJ: 66, MBE: 10, and FBE:1). Bids received: 12 (MAJ: 11) (F1: 1).

The Purchasing Office is recommending award of contracts to the lowest, responsive, responsible and best bidders as follows:

Item No. 1, 3, 6, 7, 8, 9, 10, 11, 12, and 13 to Mity Lite, Inc. for estimated expenditures of \$54,375.00. Mity Lite, Inc. Contract Compliance # 87-0652595.

Items No. 2 and 4 to Office City Express for estimated expenditures of \$2,639.00. Office City Express Contract Compliance #35-1903352.

Items 5 and 14 will not be awarded.

Collins and Collins, Capital Equipment, and J.R. Holcomb submitted materially non-responsive bids since Page 3 was not returned. Sico was determined to be materially non-responsive for not signing their bid.

Reasons apparent low bidders did not meet specifications: The chair bid by Global on Item 1 only had a weight capacity of 250 pounds which was not acceptable, specified chair had a capacity of 1,000 pounds. Corporate Interiors bid did not have enough detail on Item 1 to evaluate their bid, and they could not comply with the information needed within the bid deadline. The shell on Global's tables was not acceptable since the shell was not bonded to the wood laminate as specified table was. Alleghney's table was not acceptable since it was not suited to outdoor use, as specified table was; their No. 9 table was unacceptable since it was 33 ½ x 33 ½ and specified table was 36x36. Commercial Concepts' tables were unacceptable since the edge trim was quoted did not meet the specification requirements and the table legs were attached by two screws instead of three.

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.

The companies are not debarred according to the Excluded Party Listing System of the Federal Government. The companies are not listed in the database for Findings for Recovery maintained by the Auditor of State.

FISCAL IMPACT: Funding to establish these option contracts are budgeted in the Purchasing Contract Account. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into contracts for the option to purchase folding tables and chairs with Mity-Lite, Inc. and Office City Express, to authorize the expenditure of \$2.00 to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on January 20, 2005, and selected the most 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, in order to complete contracts for folding tables and chairs as quickly as possible to permit the Recreation & Parks Department and other city agencies to procure these items when needed for City-owned facilities, this ordinance is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into contracts for an option to purchase Large Lamps, 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 contracts for an option to purchase folding tables and chairs in accordance with Solicitation No. SA001389 as follows:

Item No. 1, 3, 6, 7, 8, 9, 10, 11, 12, and 13 to Mity Lite, Inc., Amount: \$1.00.
Items No. 2 and 4 to Office City Express, Amount: \$1.00.
No award Items 5, 14

SECTION 2. That the expenditure of \$ 2.00 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: 0709-2005

Drafting Date: 04/06/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND:

This legislation will authorize the Director of Public Utilities to accept a grant from the Ohio Environmental Protection Agency, on behalf of the Friends of the Lower Olentangy Watershed, pursuant to the award of a professional engineering agreement with Fuller Mossbarger, Scott & May Engineers.

The lower Olentangy River begins at the Delaware Dam and ends at the confluence with the Scioto River in the vicinity of downtown Columbus. The purpose of this grant is to support the funding of a feasibility analysis for the possible removal of five lowhead dams that harbor sewer lines, that are owned by the City of Columbus, Department of Public Utilities, and are located on the Olentangy River. This preliminary engineering report, once complete, can be applicable for all streams experiencing water quality impairments due to lowhead dams that may be deemed feasible for full removal.

2. EMERGENCY:

The Division of Sewerage and Drainage is requesting City Council to deem this legislation an emergency measure 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. Upon passage of this ordinance, the Division will proceed with contract execution in order to facilitate the immediate commencement of the feasibility analysis in accordance with the terms of the Grant Agreement between the City and the Ohio EPA.

3. PROFESSIONAL SERVICES CONTRACT AWARD:

The Director of Public Utilities requested proposals for the subject contract services by advertising in the Columbus City Bulletin in accordance with the applicable procurement provisions of Columbus City Code Section 329.14. Only one proposal was submitted by the close of business on Friday, March 18, 2005. Based upon a review of the technical proposal submitted by Fuller, Mossbarger, Scott and May Engineers, Inc., the Division of Sewerage and Drainage has recommended the award to said firm.

4. FISCAL IMPACT:

This contract award will be funded from the proceeds of the grant issued from the Ohio EPA's Division of Surface Water. This ordinance requests the authority for the City Auditor to appropriate the proceeds of said grant for purposes of funding this project work. Additionally, this legislation requests an amendment to the 2004 Capital Improvements Budget for purposes of establishing sufficient funding for the contract services.

TitleTo authorize and direct the Director of Public Utilities to accept a grant in the amount of \$100,000.00; to enter into an agreement with the Ohio Environmental Protection Agency; to authorize the appropriation and expenditure of \$99,998.63 from the Ohio EPA Grant; to authorize the Director of Public Utilities to enter into contract with Fuller, Mossbarger, Scott & May Engineers for the Lower Olentangy Dam Removal Project; to amend the 2004 Capital Improvements Budget, for the Division of Sewerage and Drainage; and to declare an emergency. (\$99,998.63)

BodyWHEREAS, the Ohio Department of Environmental Protection Agency, Division of Surface Water, has issued a grant in accordance with the Section 319(h) Nonpoint Source Implementation Program, in connection with improving water quality in the lower Olentangy Watershed through habitat restoration; and

WHEREAS, it is necessary to accept said grant; to appropriate the funds; and to amend the 2005 Capital Improvement Budget; and

WHEREAS, the Director of Public Utilities undertook a competitive procurement for a feasibility analysis of the potential removal of five sewer crossings within the lower Olentangy River; and received one technical proposal on March 18, 2005; and whereupon, Division of Sewerage and Drainage engineering personnel have reviewed said proposal and have recommended it for award to the Director of Public Utilities, who has concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities in that it is immediately necessary to accept and appropriate said grant funds pursuant to the award of a professional engineering services contract in accordance with the terms and conditions of the agreement between the City of Columbus and the Ohio Environmental Protection Agency; for the preservation of the public health, peace, property and safety; now, therefore,

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

Section 1. That the Director of Public Utilities be and hereby is authorized and directed to accept a grant in the amount of \$100,000.00 and to enter into an agreement with the Ohio Environmental Protection Agency under the terms of the Clean Water Act, Section 319.

Section 2. That from the unappropriated monies in the Ohio EPA Grant Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending, December 31, 2005, the sum of \$100,000.00 is appropriated to the Department of Public Utilities, Department 60-05, as follows:

Grant Title: Lower Olentangy Dam Removal| OCA Code 655001| Obj. Level 3: 6676| Amount: \$100,000.00.

Section 3. That the Director of Public Utilities be, and hereby is, authorized to enter into contract with Fuller, Mossbarger, Scott & May Engineers, Inc., 6600 Busch Boulevard, Ste. 100, Columbus, Ohio 43229, in order to provide professional engineering services in connection with the Lower Olentangy Dam Removal Project, for the Sewer System Engineering Section of the Division of Sewerage and Drainage, in accordance with the terms and conditions as shown in the contract on file in the office of the Division of Sewerage and Drainage.

Section 4. That for the purpose of paying the cost of the aforementioned professional engineering services contract, the expenditure of \$99,998.63, is hereby authorized within Division 60-05| Ohio EPA Grant Fund| OCA Code 655001| Obj. Level 3: 6676| Amount: \$99,998.63.

Section 5. That the 2004 Capital Improvements Budget Ordinance No. 1059-2004 is hereby amended as follows, in order to provide sufficient budget authority for the subject project:

CURRENT:

Lower Olentangy Dam Removal Project - \$0.00

AMENDED TO:

Lower Olentangy Dam Removal Project - \$99,998.63 (Ohio EPA Grant Fund)

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: 0730-2005

Drafting Date: 04/08/2005

Version: 2

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND

This ordinance will enable the Director of Recreation and Parks to enter into a revenue generating contract with The Wellington School, for the use of athletic fields at Northcrest Park.

The Wellington School will pay a total of \$203,639.00. Revenue will be in the form of permanent improvements, services rendered, and cash.

The contract is for a ten year term beginning Aug. 15, 2003, through Aug. 14, 2011. The Wellington School will pay \$16,000.00 yearly in years 2-10 of the contract.

Emergency legislation is required as the athletic teams begin their season mid to late April and some safety improvements have already been started.

FISCAL IMPACT

Revenue funds will be paid to Operating Fund No. 285, OCA Code 027169.

Title

To authorize and direct the Director of Recreation and Parks to enter into a revenue generating contract with The Wellington School for use of athletic fields in Northcrest Park. ~~and to declare an emergency.~~

Body

WHEREAS, the Recreation and Parks Department desires to enter into a revenue generating contract with The Wellington School for use of athletic fields in Northcrest Park; **now, therefore 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 as athletic teams start their season mid to late April and some safety improvements have already begun; now, therefore:~~

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

SECTION 1. That the Director of the Recreation and Parks Department be and is hereby authorized and directed to enter into a revenue generating contract with The Wellington School for use of athletic fields in Northcrest Park.

~~**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 its passage if the Mayor neither approves nor vetoes the same. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~

Legislation Number: 0733-2005

Drafting Date: 04/08/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Director of Public Utilities received bids for Heat Welding, Asphalt Repairs, and Concrete Repairs on March 23, 2005. These services are needed to repair damaged items such as pavements, curbs, and sidewalks, when the Divisions of Water, Electricity, and Sewerage and Drainage make line repairs. Decker Construction Company was the only bidder for Heat Welding and Asphalt Repairs, and was the lowest responsive, responsible, and best bidder for Concrete Repairs. The bids are listed below.

Heat Welding

Decker Construction, Columbus, Ohio \$272,500.00

Asphalt Repairs

Decker Construction, Columbus, Ohio \$559,750.00

Concrete Repairs

Decker Construction, Columbus, Ohio \$71,315.00

Gaddis & Sons, Gahanna, Ohio \$167,725.00

G. Marchi & Sons, Columbus, Ohio \$188,250.00

We are recommending award of these contracts go to Decker Construction Company, as the lowest responsive, responsible, and best bidder, for a grand total of \$800,000.00. Each Division will encumber one-year contracts with the

option of two one-year extensions. The Contract Compliance Number for Decker Construction Company is 31-0983557. They do not have MBE/FBE status.

It is requested that this Ordinance be handled in an emergency manner, as current contracts will expire at the end of April. We would like to have the current contracts in place as close to the expiration date as possible.

FISCAL IMPACT: The Divisions of Water, Electricity and Sewerage and Drainage allocated \$560,000.00, \$40,000.00, and \$200,000.00, respectively, for these services in the 2005 Budget.

2004 expenditures for Water, Electricity and Sewerage and Drainage are \$516,676.94, \$20,000.00, and \$200,000.00, respectively.

2003 expenditures for Water, Electricity, and Sewerage and Drainage are \$549,709.92, \$20,000.00, and \$200,000.00, respectively.

Title

To authorize the Director of Public Utilities to enter into contracts, with Decker Construction Company, for Heat Welding, Asphalt Repairs, and Concrete Repairs, for the Divisions of Water, Electricity, and Sewerage and Drainage, to authorize the expenditure of \$560,000.00 from Water Systems Operating Fund, \$40,000.00 from Electricity Operating Fund, and \$200,000.00 from Sewer Systems Operating Fund, and to declare an emergency. (\$800,000.00)

Body

WHEREAS, Director of Public Utilities received bids for Heat Welding, Asphalt Repairs, and Concrete Repairs on March 23, 2005, and

WHEREAS, Decker Construction Company was the only bidder for Heat Welding and Asphalt Repairs, and was the lowest responsive, responsible, and best bidder for Concrete Repairs, and

WHEREAS, an emergency exists in the usual daily operation of the Divisions of Water, Electricity, and Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into contracts with Decker Construction Company, for Heat Welding, Asphalt Repairs, and Concrete Repairs, in an emergency manner, as current contracts will expire at the end of April, and we would like to have the current contracts in place as close to the expiration date as possible, for the immediate preservation of public health, peace, property and safety; now, therefore,

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

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into contracts with Decker Construction Company, as the lowest responsive, responsible, and best bidder, for Heat Welding, Asphalt Repairs, and Concrete Repairs, for the Divisions of Water, Electricity, and Sewerage and Drainage, Department of Public Utilities.

Section 2. That the expenditure of \$800,000.00 or as much thereof as may be needed, is hereby authorized from Object Level One 03, Object Level Three 3375, Fund Names and Numbers, Departments, OCA Codes and amounts listed below, to pay the cost thereof.

<u>Fund Name</u>	<u>Fund No.</u>	<u>Dept. No.</u>	<u>OCA Code</u>	<u>Amount</u>
Water Works Operating	600	60-09	602722	\$ 10,000.00
	602730			\$ 550,000.00
				\$ 560,000.00

Electricity Operating 550 60-07 606723 \$ 40,000.00

Sewer Systems Operating 650 60-05 605089 \$ 200,000.00

\$ 800,000.00

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

Legislation Number: 0735-2005

Drafting Date: 04/08/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Department of Public Utilities recommends reimbursement to a customer for over-payment of water and sewer charges. Upon inspection of the customer's metering system, it was determined that the meter only had four dials, but the outside remote register had five dials. This discrepancy caused their billing to be over by \$29,250.33. Adjustments have been made to assure accurate meter readings in the future.

It is requested that this legislation be handled in an emergency manner in order to reimburse the customer at the earliest possible date.

FISCAL IMPACT: There is no budgetary impact because we are returning funds that the customer already paid.

Title

To authorize the Director of Public Utilities to reimburse a customer a portion of water and sewer charges, to authorize the expenditure of \$27,994.22 from Water Systems Operating Fund and \$1,211.11 from Sewer Systems Operating Fund, and to declare an emergency. (\$29,205.33)

Body

WHEREAS, upon inspection of a customer's metering system, it was determined that the meter only had four dials, but the outside remote register had five dials, and

WHEREAS, the discrepancy in the number of dials caused their billing to be over by \$29,250.33, and

WHEREAS, the Department of Public Utilities recommends reimbursement to the customer, as they paid this amount, 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 reimburse a customer a portion of water and sewer charges, in an emergency manner in order to reimburse the customer at the earliest possible date, for the immediate preservation of public health, peace, property and safety; now, therefore,

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

Section 1. That the Director of Public Utilities be and is hereby authorized to reimburse a customer a portion of water and sewer charges.

Section 2. That the expenditure of \$29,205.33 or as much thereof as may be needed is hereby authorized from Object

Level One 05, Object Level Three 5512, Fund Names and Numbers, Departments, OCA Codes and amounts listed below, to pay the cost thereof.

<u>Fund Name</u>	<u>Fund No.</u>	<u>Dept. No.</u>	<u>OCA Code</u>	<u>Amount</u>
Water Works Operating	600	60-09	030759	\$ 27,994.22
Sewer Systems Operating	650	60-05	031609	\$ 1,211.11

\$ 29,205.33

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

Legislation Number: 0745-2005

Drafting Date: 04/11/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND:

Need: This legislation is to authorize and direct the direct the Finance Director to issue a purchase order to Ohio Trailer Supply, Inc. for the purchase of ten (10) commercial trailers for the Fire Division. Grant funding from the Department of Homeland Security through the Franklin County EMA for portable water tank system equipment, was made available via Ordinance 0360-2005. This equipment will consist of trailers, pumps, hose and related equipment; these commercial trailers will transport said equipment.

Bid Information: Competitive bids were solicited via the Purchasing Division as Solicitation SA001590, with the sole bidder being Ohio Trailer Supply, Inc.

Contract Compliance: 310972939

Emergency Designation: Emergency action is requested as funds are needed immediately for this purchase, to insure grant funds are spent within the grant period.

FISCAL IMPACT:

Budgeted Amount: Funds are available for this purchase in the Fire Division's 2005 General Government Grant Fund, FEMA Portable Water Tank System Project.

TitleTo authorize and direct the Finance Director to issue a purchase order to Ohio Trailer Supply, Inc. for the purchase of commercial trailers for the Fire Division; to authorize the expenditure of \$65,600.00 from the General Government Grant Fund; and to declare an emergency. (\$65,600.00)

Body**WHEREAS**, a need exists to purchase commercial trailers to haul portable water tank equipment for the Fire Division; and

WHEREAS, competitive bids were solicited for this purchase via the Purchasing Division as Solicitation SA001590, with Ohio Trailer Supply, Inc. submitting the sole bid; and

WHEREAS, funds for this purchase were made available from a grant from the Department of Homeland Security through the Franklin County EMA via Ordinance 0360-2005; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, in that it is immediately necessary to purchase said commercial trailers and to ensure that grant funds are spent within the grant period, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Finance Director be and is hereby authorized and directed to issue a purchase order to Ohio Trailer Supply, Inc. for the purchase of commercial trailers for the Fire Division per the terms and conditions of Solicitation SA001590.

Section 2. That the amount of \$65,600.00, or so much thereof as may be necessary is hereby authorized to be expended from the Fire Division 30-04, General Government Grant Fund 220, OCA Code 344013, Object Level Three Code 6641.

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

Legislation Number: 0746-2005

Drafting Date: 04/12/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND:

Need: This legislation is to authorize and direct the direct the Finance Director to issue a purchase order to Machinery & Tool Rentals Inc. for the purchase of ten (10) trash pumps for the Fire Division. Grant funding from the Department of Homeland Security through the Franklin County EMA for portable water tank system equipment, was made available via Ordinance 0360-2005. This equipment will consist of trailers, pumps, hose and related equipment.

Bid Information: Competitive bids were solicited via the Purchasing Division as Solicitation SO020456, with Machinery & Tool Rentals Inc. submitting the lowest, best, responsive and responsible bid.

Contract Compliance: 314415854

Emergency Designation: Emergency action is requested as funds are needed immediately for this purchase, to insure grant funds are spent within the grant period.

FISCAL IMPACT:

Budgeted Amount: Funds are available for this purchase in the Fire Division's 2005 General Government Grant Fund, FEMA Portable Water Tank System Project.

TitleTo authorize and direct the Finance Director to issue a purchase order to Machiner & Tool Rentals Inc. for the purchase of trash pumps for the Fire Division; to authorize the expenditure of \$13,532.40 from the General Government Grant Fund; and to declare an emergency. (\$13,532.40)

BodyWHEREAS, a need exists to purchase trash pumps for portable water tank systems for the Fire Division; and

WHEREAS, competitive bids were solicited for this purchase via the Purchasing Division as Solicitation SO020456, with Machinery & Tool Rentals Inc. submitting the lowest, best, responsive and responsible bid; and

WHEREAS, funds for this purchase were made available from a grant from the Department of Homeland Security through the Franklin County EMA via Ordinance 0360-2005; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, in that it is immediately necessary to purchase said pumps and to ensure that grant funds are spent within the grant period, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Finance Director be and is hereby authorized and directed to issue a purchase order to Machinery & Tool Rentals Inc. for the purchase of ten (10) trash pumps for the Fire Division per the terms and conditions of Solicitation

SO020456.

Section 2. That the amount of \$13,532.40, or so much thereof as may be necessary is hereby authorized to be expended from the Fire Division 30-04, General Government Grant Fund 220, OCA Code 344013, Object Level Three Code 6641.

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

Legislation Number: 0747-2005

Drafting Date: 04/12/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND** The Fire Division is in need to purchase five (5) boat motors for it's rescue boat fleet; this ordinance authorizes and directs the Finance Director to issue a purchase order to Delta Marine Enterprises Inc. in the amount of \$11,280.00 for this purchase via the Safety Bond Fund in accordance with Solicitation SO020471.

Bid Information/Contract Compliance: Bids were solicited via the Purchasing Division as Solicitation SO020471, with Delta Marine Enterprises Inc. submitting the lowest, best, responsive and responsible bid.

Contract Compliance: 311068352

Emergency Designation: This legislation is to be considered an emergency measure to allow for the immediate use of funds, and immediate purchase of this equipment.

FISCAL IMPACT: Funds exist within the Safety Bond Fund for this purchase.

TitleTo authorize and direct the Finance Director to issue a purchase order to Delta Marine Enterprises Inc. in the amount of \$11,280.00, for the purchase of boat motors for the Fire Division; to authorize the expenditure of \$11,280.00 from the Safety Bond Fund; and to declare an emergency. (\$11,280.00)

Body**WHEREAS,** the Fire Division is in need of boat motors for it's rescue boat fleet; and

WHEREAS, bids were solicited via the Purchasing Division as Solicitation SO020471, with Delta Marine Enterprises Inc. submitting the lowest, best, responsive and responsible bid; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to purchase said boat motors for lifesaving equipment 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 Finance Director is hereby authorized to issue a purchase order to Delta Marine Enterprises Inc. for the purchase of five (5) boat motors in accordance with Solicitation SO020471.

Section 2. That the expenditure of \$11,280.00 or so much thereof as may be necessary is hereby authorized to be expended from the Fire Division 30-04, via Safety Bond Fund 701; OCA 644559; Apparatus Replacement Project 340101; Object Level 1 06; Object Level 3 6641 to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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: 0749-2005

Drafting Date: 04/12/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation **BACKGROUND** The Fire Division is in need to purchase a Connector Rescue Boat for it's rescue boat fleet; this ordinance authorizes and directs the Finance Director to issue a purchase order to Rescue One Corporation in the amount of \$14,410.00 for this purchase via the Safety Bond Fund in accordance with Solicitation SO020531.

Bid Information/Contract Compliance: Bids were solicited via the Purchasing Division as Solicitation SO020531, with Rescue One Corporation submitting the lowest, best, responsive and responsible bid.

Contract Compliance: 202306916

Emergency Designation: This legislation is to be considered an emergency measure to allow for the immediate use of funds, and immediate purchase of this equipment.

FISCAL IMPACT: Funds exist within the Safety Bond Fund for this purchase. Title To authorize and direct the Finance Director to issue a purchase order to Rescue One Corporation in the amount of \$14,410.00, for the purchase of a Connector Rescue Boat for the Fire Division; to authorize the expenditure of \$14,410.00 from the Safety Bond Fund; and to declare an emergency. (\$14,410.00)

Body **WHEREAS,** the Fire Division is in need of a Connector Rescue Boat for it's rescue boat fleet; and

WHEREAS, bids were solicited via the Purchasing Division as Solicitation SO020531, with Rescue One Corporation submitting the lowest, best, responsive and responsible bid; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to purchase this lifesaving equipment for the aforementioned purpose for the preservation of the public health, peace, property, safety, and welfare; Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Finance Director is hereby authorized to issue a purchase order to Rescue One Corporation for the purchase of a Connector Rescue Boat in accordance with Solicitation SO020531.

Section 2. That the expenditure of \$14,410.00 or so much thereof as may be necessary is hereby authorized to be expended from the Fire Division 30-04, via Safety Bond Fund 701; OCA 644559; Apparatus Replacement Project 340101; Object Level 1 06; Object Level 3 6641 to pay the cost thereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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: 0754-2005

Drafting Date: 04/12/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. **BACKGROUND:**

The City of Columbus has provided \$6,228,395.00 to the Army Corps of Engineers for the installation of a corrosion protection lining system of the Scioto-Main Trunk Sewer, in connection with the West Columbus Local Protection Project. The project is complete, and now requires the City to provide an additional \$65,000.00 to pay for the negotiated settlement of construction claims from the contractor. The claims were a result of flooding which occurred during the installation of the liner. This will be the final payment under the terms of the agreement with the Army Corps of Engineers with respect to the Scioto-Main Trunk Sewer project.

2. FISCAL IMPACT:

The Division did not foresee the need for further funding during the preparation of the 2004 or 2005 Capital Improvements Budget, and therefore is requesting City Council to amend the 2004 Capital Improvements Budget to accommodate this additional payment. The projects from which funds from are being transferred from are residual funds no longer required within the affected project account.

3. EMERGENCY DESIGNATION:

The Division is requesting that this ordinance be made an emergency measure in order to provide the required funds immediately as required by the Project Cooperation Agreement between the City of Columbus and the Army Corps of Engineers.

TitleTo authorize the Director of Public Utilities to advance payment to the United States of America, Department of the Army, for purposes of authorizing a final construction contract modification and payment for the Scioto Main Trunk Sewer, in connection with the West Columbus Local Protection Project, to authorize the transfer, appropriation, and expenditure of \$65,000.00 from the Sanitary Sewer Bond Fund to the Scioto River Flood Control Fund; for the Division of Sewerage and Drainage, and to declare an emergency. (\$65,000.00)

BodyWHEREAS, the Congress of the United States, in Public Law 99-662, has specified that the cost of the Scioto River West Flood Wall (West Columbus Local Protection Project-WCLPP) flood control project, including costs of designing the project, shall be shared between the Federal government and the local non federal sponsor; and

WHEREAS, a Project Cooperation Agreement (PCA), as required by Section 221 of the Flood Control Act of 1970, Public Law 91-611, has been authorized by Ordinance No. 1184-93, as passed by Columbus City Council on May 17, 1993, and was also approved by the City Attorney on July 19, 1993

WHEREAS, during the original design phase of the Scioto Main Trunk Sewer Project, the extent of the corrosion in the system due to the generation of hydrogen sulfide gas that produces sulfuric acid in the presence of water was not known. Recent investigations have shown that the system has an increasing problem of corrosion. In the past, the wastewater contained more metals that inhibit the growth of the hydrogen sulfide producing bacteria. Removing these metals has increased the potential for corrosion, also, the expanding service area adds to the corrosion potential by increasing the travel time which allows for the increased production of hydrogen sulfide by the bacteria; and

WHEREAS, Ordinance No. 1732-02, as passed by Columbus City Council on November 18, 2002, authorized the Director of Public Utilities to advance the payment of \$4,600,000.00 to the Army Corps of Engineers for the cost of installing a corrosion protection liner in the Scioto Main Trunk Sewer, in connection with the West Columbus Local Protection Project, and

WHEREAS, Ordinance 0704-2003, as passed May 5, 2003 by Columbus City Council provided an additional \$1,400,000.00, due to the removal of grit from the Scioto-Main Trunk Sewer from Jackson Pike to Frank Road; increased difficulty caused by the complexity of the Jackson Pike Flow diversion structure; the filling of the joints in the Scioto Main that is required to fulfill the warranty requirements of the corrosion protection system; the installation of new manholes for safety and material access; and

WHEREAS, Ordinance No. 0968-2004, as passed June 21, 2004 by Columbus City Council provided an additional \$228,395.00 for the increased costs of additional material overruns; linabond polymer costs; quality assurance services; and construction administration and supervision services that were required to successfully complete the project scope; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to advance the additional funds necessary to address the settlement of construction claims needed to close the aforementioned contract work; and to authorize the transfer of funds from the Sanitary Sewer Bond Fund to the Scioto River Flood Control Fund; pursuant to fulfilling project funding and scheduling commitments under the terms of the project cooperation agreement, for the preservation of the public health, peace, property, and safety; now, therefore,

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

Section 1. That the City Auditor is hereby authorized to transfer \$65,000.00, from within the Sanitary Sewer Bond Fund No. 663; Division 60-05, as follows:

FROM:

Proj. 650138| Blacklick Creek San. Subt.| OCA 642876| Obj. Level 3: 6630| \$909.64
Proj. 650195| Rocky Fork Interceptor| OCA 663111| Obj. Level 3: 6630| \$5,000.00
Proj. 650315| Compost Facility Active Solar| OCA 642876| Obj. Level 3: 6630| \$6,595.11
Proj. 650323| Wastewater Plants Upgrade| OCA 642876| Obj. Level 3: 6630| \$138.24
Proj. 650342| Wastewater Treat. Plant Ind.| OCA 642876| Obj. Level 3: 6630| \$4,534.73
Proj. 650417| 2nd Ave. San. Siphon| OCA 642876| Obj. Level 3: 6630| \$518.15
Proj. 650473| Brewery Area Sep. Dist.| OCA 642876| Obj. Level 3: 6630| \$692.50
Proj. 650510| Sewer Maint. Facility| OCA 642876| Obj. Level 3: 6630| \$1,611.63

TO:

Proj. 650901| Transfer to Other Funds| OCA 900663| Obj. Level 3: 5501| \$65,000.00

Section 2. That the City Auditor is hereby authorized to transfer \$65,000.00 from Sanitary Sewer Bond Fund No. 663 to the Scioto River Flood Control Fund No. 727, Department 60-05, as follows:

FROM:

Proj. 650901| Transfer to Other Funds| OCA 900663| Obj. Level 3: 5501| \$65,000.00

TO:

Proj. 650892| West Cols. Local Prot. Proj.| OCA 605675| Obj. Level 3: 6630| \$65,000.00

Section 3. That \$65,000.00 is hereby appropriated for the West Columbus Local Protection Project, within the Scioto River Flood Control Fund No. 727, Department 60-05, as follows:

Proj. 650892| West Columbus Local Protection Project| OCA 605675| Obj. Level 3: 6630| \$65,000.00.

Section 4. That the City Auditor be and hereby is, authorized to make payment for the advancement of funds that are required to providing for the funding of final construction costs associated with the Scioto Main Trunk Sewer Project, in accordance with the terms and conditions of the Project Cooperation Agreement on file in the office of the Division of Sewerage and Drainage's Stormwater Program Section.

Section 5. The for the purpose of advancing the funds stated in Section 1 herein, the amount of \$65,000.00, or as much thereof as may be needed, be and the same is hereby authorized to be expended within Division 60-05| Scioto River Flood Control Fund No. 727| Department 60-05| Obj. Level Three 6630| Project Account No. 650892| OCA 605675.

Section 6. That the 2004 Capital Improvements Budget Ordinance No. 1059-2004 is hereby amended as follows, to provide sufficient budget authority for the advancement of funds referenced in the preamble hereto.

CURRENT:

Project 650892 - Scioto River West Floodwall - \$0

AMENDED TO:

Project 650892 - Scioto River West Floodwall - \$65,000.00 (Fund 663 Carryover)

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

Legislation Number: 0761-2005

Drafting Date: 04/14/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: Contract No. DL008559 authorized the expenditure of \$29,120 to the Ohio Hispanic Coalition to provide a full time interpreter for non-English speaking clients at the CHD Perinatal Clinics. There has been an increase in demand for these services and additional funds are needed to allow for continued services. Changes to the current contract will be in Scope of Services and Compensation. The cost of the modification for these additional services will not exceed \$6,720 for a total contract cost of \$35,840.

Emergency action is requested in order to avoid a delay in providing client services.

FISCAL IMPACT: Funding for this contract modification is budgeted in the 2005 Health Department Grants Fund.

Title

To authorize the Board of Health to modify and increase a contract with the Ohio Hispanic Coalition for the provision of interpretation and enabling services, to authorize the expenditure of \$6,720 from the Health Department Grants Fund to pay the cost thereof, and to declare an emergency. (\$6,720)

Body

WHEREAS, Contract No. DL008559 authorized the expenditure of \$29,120 to the Ohio Hispanic Coalition to provide interpretation services to non-English speaking clients of the CHD Perinatal Clinics; and,

WHEREAS, additional work is needed to continue these services through June 30, 2005; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to modify and increase said contract with the Ohio Hispanic Coalition for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delay in client 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 modify Contract No. DL008559 with the Ohio Hispanic Coalition to provide interpretation and enabling services for non-English speaking clients of the CHD Perinatal clinics, for the period ending June 30, 2005, in an amount not to exceed \$6,720.

SECTION 2. That the expenditure of \$6,720 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50-01, Object Level One 03, Object Level Three 3337, Grant No. 504018, OCA No. 504018.

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

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

Legislation Number: 0765-2005

Drafting Date: 04/14/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Public Service Director to modify a contract for landscape maintenance at the I-71 Complex located at 757 Carolyn Avenue/750 Piedmont Road, the Health Department at 240 Parsons Avenue, the Police Academy at 1000 North Hague Avenue, and two Police substations at 1375 Cleveland Avenue and 950 East Main Street. Landscape activities include full service lawn mowing, edging, four rounds of lawn fertilizing, maintenance of all planting beds, pruning of all trees and shrubs, weeding of all planting beds, mulching, and spring clean-up. The contract also provides for the hydro-seeding of the grass strip surrounding City Hall that was damaged by the chemicals used during the winter to melt snow and ice on the sidewalks. The original contract was awarded based on bids received October 7, 2003, and was authorized by Ord. 0029-2004 (passed March 9, 2004) covering all of 2004, including snow/ice removal as well as landscaping. The snow/ice removal portion was renewed for all of 2005 by Ord. 2184-2004 in the amount of \$25,000.00 (passed December 15, 2004). This ordinance modifies that renewal, the second of four one-year renewal options. The three Police buildings are additions to the original contract.

Emergency action is requested so that lawn maintenance may be continued without interruption.

Fiscal Impact: In 2005, the Facilities Management Division budgeted \$64,021.00 for snow/ice removal and landscape maintenance. This ordinance authorizes an expenditure of \$50,364.43 for the landscape maintenance only. The additional funds necessary for this modification will be available through cost savings realized on the UTC mowing contracts used for all other facilities. The Facilities Management Division spent \$23,376.50 in 2004 for landscape services with Winnsapes. That contract was for two locations only and did not include as many services. Winnsapes Contract Compliance Number 31-1313521, exp. 07/08/2007.

Title

To authorize the Public Service Director to modify a contract for the Facilities Management Division with Winnsapes for landscape maintenance at various City-owned locations; to authorize the expenditure of \$50,364.43 from the General Fund; and to declare an emergency. (\$50,364.43)

Body

WHEREAS, it is necessary to provide landscape maintenance at the I-71 Complex, the Health Department, the Police Academy, and Police substations at 1375 Cleveland Avenue and 950 East Main Street, and

WHEREAS, modifying the Winnsapes contract accomplishes this necessary goal, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Facilities Management Division, in that it is immediately necessary to authorize the Public Service Director to modify a contract for the Facilities Management Division with Winnsapes for the landscape maintenance at various City locations so that such services can continue without interruption, thereby preserving the public health, peace, property, safety, and welfare; now therefore:

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

SECTION 1. That the Public Service Director is hereby authorized to modify a contract for the Facilities Management Division with Winnsapes for the landscape maintenance of the I-71 Complex, the Health Department, the Police Academy, and Police substations at 1375 Cleveland Avenue and 950 East Main Street.

SECTION 2. That the expenditure of \$50,364.43, 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: 010
OCA Code: 597208
Object Level 1: 03
Object Level 3: 3377
Amount: \$50,364.43

SECTION 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the mayor neither approves or vetoes the same.

Legislation Number: 0781-2005

Drafting Date: 04/18/2005

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 physicians who meet 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 - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, in the amount of \$35,000 for the period January 1, 2005 through December 31, 2005.

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

FISCAL IMPACT: \$52,000 is budgeted in the Health Department Grants Fund for physician services for the T.B. Clinic. This contract is for \$35,000, 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 - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic, to authorize the expenditure of \$35,000 from the Health Department Grants Fund to pay the costs thereof, to waive provisions of competitive bidding, and to declare an emergency. (\$35,000)

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 - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, can provide physicians who have 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 - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, 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 - Division of Infectious Disease and Internal Medicine, acting through its practice plan, OSU Internal Medicine, LLC, for physician services for the Ben Franklin Tuberculosis Clinic for the period January 1, 2005 through December 31, 2005.

SECTION 2. That to pay the costs of said contract, the expenditure of \$35,000 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: 35,000.

SECTION 3. That the provisions of Section 329.09 of the Columbus City Code are hereby waived. See attachment waiverOSUphy05.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: 0786-2005

Drafting Date: 04/19/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This ordinance will grant permission to the Columbus Landmarks Foundation to apply for a temporary liquor permit authorizing the sale of alcoholic beverages at City Hop Kick Off Celebration, to be held June 17, 2005.

This organization wishes to sell alcoholic beverages to eligible patrons on various public streets and properties to be used for the events.

The City of Columbus, acting by and through its Director of Recreation and Parks, is required to grant approval to the organizers of this event so they may obtain the required permits from the Ohio Division of Liquor Control.

Emergency action is requested to enable Columbus Landmarks Foundation to obtain temporary liquor permit in time for event.

Fiscal Impact:

Title

To authorize and direct the Director of Recreation and Parks to grant consent to the Columbus Landmarks Foundation to apply for permission to sell alcoholic beverages at City Hop Kick Off Celebration, June 17, 2005, and to declare an emergency.

Body

WHEREAS, City Hop Kick Off Celebration will take place June 17, 2005; and

WHEREAS, following precedent, the organizers of this event wish to sell alcoholic beverages at said event; and

WHEREAS, this event takes place in whole or in part on public property; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to grant permission to the Columbus Landmarks Foundation to apply for permission to sell alcoholic beverages in time for the event; and

WHEREAS, to this end, permission from the City of Columbus is required as it is the property owner involved; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and is hereby authorized and directed to grant consent on behalf of the City of Columbus to the Columbus Landmarks Foundation to apply for appropriate liquor permits to enable the sale of alcoholic beverages during the hours specified in said permits and at the specified location during City Hop Kick Off Celebration, June 17, 2005.

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: 0793-2005

Drafting Date: 04/20/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

Need: An appropriation of \$969,429.00 is needed from the unappropriated balance of the Federal, State and Mandatory Law Enforcement Contraband/Seizure Funds for the Division of Police. Funds were received from seized and forfeited property and must be used solely for law enforcement purposes as specified in Ordinance 1850-85. These funds are needed to purchase various services, supplies, and equipment.

BID INFORMATION: N/A

CONTRACT COMPLIANCE NUMBER: N/A

EMERGENCY DESIGNATION: Emergency legislation is requested so as to provide funding for maintenance contracts and travel and training expenses that have already occurred.

FISCAL IMPACT:

Since these funds to be appropriated are from the Law Enforcement Contraband Seizure Funds, there will be no effect on the financial status of the General Fund.

Title

To authorize an appropriation of \$969,429.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase equipment, supplies, and services; and to declare an emergency. (\$969,429.00)

Body

WHEREAS, monies were received from seized and forfeited property; and

WHEREAS, funds received from these forfeitures must be solely used for law enforcement purposes as specified in Ordinance #1850-85; and

WHEREAS, an emergency exists as it is immediately necessary to appropriate funds in the Law Enforcement Contraband Seizure Funds in order to purchase supplies, services, and equipment for the Division of Police 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 from the unappropriated monies in the Law Enforcement Contraband Seizure Fund, Fund No. 219, 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, 2005 the sum of \$969,429.00 is appropriated to the Division of Police, #30-03, as follows:

STATE SEIZURE

OBJ LEVEL 1	OBJ LEVEL 3	OCA	AMOUNT
02	2140	301838	28,439.00
02	2193	301838	8,270.00
02	2194	301838	3,850.00
02	2202	301838	900.00
02	2206	301838	11,300.00
02	2215	301838	20,360.00
02	2221	301838	77,954.00
02	2224	301838	81,200.00
02	2265	301838	11,856.00
03	3295	301838	60,000.00
03	3332	301838	1,800.00
03	3336	301838	80,000.00
03	3353	301838	15,000.00
03	3367	301838	20,000.00
05	5513	301838	5,000.00
06	6640	301838	5,000.00
06	6646	301838	53,000.00
06	6697	301838	6,500.00
TOTAL			\$490,429.00

MANDATORY DRUG FINES

OBJ LEVEL 1	OBJ LEVEL 3	OCA	AMOUNT
02	2206	300459	6,500.00
02	2224	300459	7,500.00

TOTAL \$ 14,000.00

FEDERAL SEIZURE

<u>OBJ LEVEL 1</u>	<u>OBJ LEVEL 3</u>	<u>OCA</u>	<u>AMOUNT</u>
02	2193	300988	328,660.00
02	2206	300988	25,000.00
03	3330	300988	10,000.00
03	3331	300988	10,000.00
03	3367	300988	17,300.00
03	3372	300988	48,040.00
06	6649	300988	26,000.00
TOTAL			\$465,000.00

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

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

Legislation Number: 0797-2005

Drafting Date: 04/20/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

ROBERT A. MEYER, JR., Executive Vice President of DOMINION HOMES INC., an Ohio corporation, has submitted the plats VILLAGE AT HILLIARD RUN SECTION 1 PART 1 and VILLAGE AT HILLIARD RUN SECTION 1 PART 2 to the City Engineer's Office for review and approval. These plats have been reviewed and approved by the City Engineer. The following legislation allows the City to accept said plats for property located south off of Renner Road and west of Hilliard - Rome Road.

Title

To accept the plats titled VILLAGE AT HILLIARD RUN SECTION 1 PART 1 and VILLAGE AT HILLIARD RUN SECTION 1 PART 2 from ROBERT A. MEYER, JR., Executive Vice President of DOMINION HOMES INC., an Ohio corporation.

Body

WHEREAS, the plats titled VILLAGE AT HILLIARD RUN SECTION 1 PART 1 and VILLAGE AT HILLIARD RUN SECTION 1 PART 2 (hereinafter "plats"), have been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, ROBERT A. MEYER, JR., Executive Vice President of DOMINION HOMES INC., an Ohio corporation, owner of the platted land, desires to subdivide this land to include private streets; and

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

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

Section 1. That the plat titled VILLAGE AT HILLIARD RUN SECTION 1 PART 1 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

Section 2. That the plat titled VILLAGE AT HILLIARD RUN SECTION 1 PART 2 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

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

Legislation Number: 0799-2005

Drafting Date: 04/20/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation Background:

This ordinance provides for the appropriation of grant funds for various services in 2005 that are funded through grants and donations.

Emergency legislation is required to have funding available for necessary expenditures to carry on services without interruption.

Fiscal Impact:

The fiscal impact of this ordinance will be to reduce the Recreation and Parks Grant Fund's unappropriated balance by \$98,775.04.

Title

To authorize an appropriation of \$98,775.04 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for various services during 2005 funded through grants and donations, and to declare an emergency. (\$98,775.04)

Body

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 to carry on services without interruption, thereby preserving the public health, peace, property, safety, and welfare; now, therefore

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

SECTION 1. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, 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, 2005, the sum of \$98,775.04 is appropriated to the Recreation and Parks Department, Department No. 51-01, as follows:

Grant OCA Object

<u>Grant Title</u>	<u>No.</u>	<u>Code</u>	<u>Level 3</u>	<u>Amount</u>
Music in the Air-Donations/Grants	518626	510784	3336	\$98,775.04

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

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

Legislation Number: 0802-2005

Drafting Date: 04/21/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Exhaust System Repair for Fleet Management. The term of the proposal option contract would be two (2) years. Contract is through May 30, 2007. The Purchasing Office opened formal bids on April 7, 2005.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001594 GRW One Hundred Eighty-Eight (MAJ:184, MBE:3, FBE:1) bids were solicited; two (2) (MAJ:2) bids were received.

The Purchasing Office is recommending award of primary and secondary contracts to the lowest, responsive, responsible and best bidders:

- Wilson's Auto Service Inc., MAJ, CC#310668047, \$75,000.00 (Primary)
 - Complete Brake Service, Inc., MAJ, CC#311180560, \$25,000.00 (Secondary)
- Total Estimated Annual Expenditure: \$100,000.00

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

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

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

Title

To authorize and direct the Finance Director to enter into two (2) contracts for the option to purchase Exhaust System Repair with Wilson's Auto Service Inc. (primary) and Complete Brake Service Inc. (secondary), to authorize the expenditure of two (2) dollars to establish the contract from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$2.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 7, 2005 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, These parts are used to repair and keep city vehicles and equipment operational, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division in that it is immediately necessary to enter into a contract(s) for an option to purchase Exhaust System Repair, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to enter into the following contract(s) for an option to purchase Exhaust System Repair in accordance with Solicitation No. SA001594 GRW as follows:

Wilson's Auto Service Inc. All Items: Primary, Amount: \$1.00
Complete Brake Service Inc. All Items: Secondary, Amount: \$1.00

SECTION 2. That the expenditure of \$2.00 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: 0803-2005

Drafting Date: 04/21/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the appropriation and expenditure of \$50,000 from the Emergency Human Services Fund. These funds represent a match from the City for the Columbus Workforce Alliance's research and demonstration project, 'Meeting the Needs of Unemployed and Underemployed Job Seekers.' The objective of this project is to determine and highlight best practices for helping low-income unemployed and/or underemployed individuals residing in the Empowerment Zone area to find jobs.

The Ohio Governor's Workforce Policy Board has approved a grant to the Alliance of \$450,000.00 for the project, and requires a match from other entities. In addition to the City of Columbus, additional funds have been secured from the United Way, The Columbus Foundation and National City Foundation.

Research stemming from the pilot project will benefit not only job seekers, but also employers and State workforce

development systems by providing an analysis of barriers that prevent gainful employment and a strategy for removal of those barriers.

The Salvation Army of Greater Columbus will serve as fiscal agent on behalf of the Columbus Workforce Alliance for the agreement.

FISCAL IMPACT: Funds will be allocated from the FY2005 Emergency Human Services Fund.

Title

To authorize the appropriation of \$50,000.00 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with The Salvation Army of Greater Columbus; to authorize the expenditure of \$50,000.00 from the Emergency Human Services Fund; and to declare an emergency. (\$50,000.00)

Body

WHEREAS, it is the desire of the Director of the Department of Development to appropriate funds from the unappropriated balance of the Emergency Human Services Fund and to contract with The Salvation Army of Greater Columbus on behalf of the Columbus Workforce Alliance; and

WHEREAS, the Columbus Workforce Alliance will use appropriated funds to conduct the research and demonstration project 'Meeting the Needs of Unemployed and Underemployed Job Seekers'; and

WHEREAS, this pilot project will provide an analysis of barriers to the gainful employment of persons residing in the Empowerment Zone area of Columbus and a strategy for how best to remove the barriers; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to appropriate said funds and to enter into a contract with the Salvation Army of Greater Columbus on behalf of the Columbus Workforce Alliance to allow work on this vital project to begin immediately, all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE**,

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

Section 1. That from the unappropriated monies in the Emergency Human Services Fund, and from any and all sources unappropriated for any other purpose during the fiscal year ending December 31, 2005, the sum of \$50,000.00 be and is hereby appropriated to the Department of Development, Department No. 44-05, Fund 232, Object Level One 03, Object Level Three 3337, OCA Code 445205.

Section 2. That the Director of the Department of Development be and is hereby authorized to contract with The Salvation Army of Greater Columbus on behalf of the Columbus Workforce Alliance to fund the research and demonstration project 'Meeting the Needs of Unemployed and Underemployed Job Seekers'. The project will provide an analysis of barriers to the gainful employment of persons residing in the Empowerment Zone area and a strategy for removal of those barriers.

Section 3. That for the purpose as stated in Section 2, the expenditure of \$50,000.00 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Emergency Human Services Fund, Department of Development, Department No. 44-05, Fund 232, Object Level One 03, Object Level Three 3337, OCA Code 445205.

Section 4. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959, as amended

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: 0805-2005

Drafting Date: 04/21/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This ordinance will repeal and replace Chapter 921 of the Columbus City Codes. The replacement codes were created to bring existing code up to date and to establish a compromise on many items with the Ohio Department of Natural Resources, Division of Watercraft in order to bring the Columbus waterway codes into closer definition to State laws, while still maintaining local regulations in areas that are unique to the Columbus area and respective reservoirs and waterways. The joint committee represented from Recreation and Parks Department, Division of Water and the Division of Police have worked with the Waterways Safety Committee, an advisory group to the City of Columbus, for two years including open public meetings and input from many waterways constituent groups to establish these changes.

Fiscal Impact: N/A

Title

To repeal and replace Chapter 921 of the Columbus City Codes to bring waterway codes up to date and to bring City of Columbus codes into closer compatibility with State waterway codes.

Body

WHEREAS, it is necessary to repeal and replace Chapter 921 of the Columbus City Codes to reflect changes that bring this chapter into closer matching to State of Ohio waterways code, though retaining some codes that are unique to the Columbus area; Now, therefore,

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

SECTION 1. That Chapter 921 of the Columbus City Codes be repealed and replaced to read as follows:

WATERCRAFT ON RESERVOIRS

921.01 Definitions.

As used in this chapter:

(1) "**Canoe**" means a narrow vessel of shallow draft pointed at both ends and propelled by human muscular effort and includes kayaks.

(2) "**City-controlled**" includes all City owned land, including but not limited to leases, easements and other legal agreements and all waters within the territorial limits of the City of Columbus or bounded by city owned lands.

- (3) "**Coast guard approved**," means bearing an approval number assigned by the United States coast guard.
- (4) "**Contiguous property**" shall mean lands owned by persons upstream from the dams which have a common boundary line with reservoir lands but not including abutting property separated from the reservoir by a right of way dedicated for public use.
- (5) "**Director, Auditor, Treasurer**" shall mean the duly appointed officers of the City acting in their official capacity or through their deputies or employees legally authorized to act in their stead.
- (6) "**Diver's flag**" means a red flag not less than one foot square having a diagonal white stripe extending from the masthead to the opposite lower corner that when displayed indicates that divers are in the water.
- (7) "**Dock**" means a structure or platform designed to provide access to or an area to secure watercraft. Boat docking facility means any facility supporting watercraft and designated by the Director of Recreation and Parks, which excludes private permitted dock structures.
- (8) "**Idle speed**" means the slowest possible speed needed to maintain steerage or maneuverability.
- (9) "**Immediate family**" mean those family members residing within the same household.
- (10) "**Income taxpayer**" means a taxpayer of the Columbus City Income Tax for the year preceding the issuance of any license, slip rental permit or private dock lease.
- (11) "**Inflatable watercraft**" means any vessel constructed of rubber, canvas, or other material that is designed to be inflated with any gaseous substance, constructed with two or more air cells, and operated as a vessel. Inflatable watercraft propelled by a motor shall be classified as powercraft and shall be registered by length. Inflatable watercraft propelled by a sail shall be classified as a sailboat and shall be registered by length. Excludes any contrivances that do not bear a Hull Identification Number (HIN) recognized by the United States Coast Guard.
- (12) "**In operation**" in reference to a vessel means that the vessel is being navigated or otherwise used on the waterways of this city.
- (13) "**Law enforcement vessel**" means any vessel used in law enforcement and under the command of a law enforcement officer.
- (14) "**Muffler**" means an acoustical suppression device or system that is designed and installed to abate the sound of exhaust gases emitted from an internal combustion engine and that prevents excessive or unusual noise.
- (15) "**Navigable waters**," means waters which come under the jurisdiction of the Department of the Army of the United States and any waterways within or adjacent to this state, except inland lakes having neither a navigable inlet nor outlet.
- (16) "**No wake**" has the same meaning as "idle speed."
- (17) "**Operator**" includes any person, who navigates or has under his control a vessel, or vessel and detachable motor, on waterways of this city.
- (18) "**Ordinary High Water Mark**" means the line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.
- (19) "**Owner**" includes any person who claims lawful possession of a vessel by virtue of legal title or equitable interest therein that entitled the person to that possession.

- (20) "**Pedal boat**," means any watercraft designed to be propelled by pedals only through human muscular effort.
- (21) "**Person**" includes any legal entity defined as a person in 1.59 of the Revised Code and any body politic, except the United States and this state, and includes any agent, trustee executor, receiver, assignee, or other representative thereof.
- (22) "**Personal watercraft**" means a vessel, less than sixteen feet in length, that is propelled by machinery and designed to be operated by an individual sitting, standing, or kneeling on the vessel rather than by an individual sitting or standing inside the vessel.
- (23) "**Powercraft**" means any vessel propelled by machinery, fuel, rockets, or similar device.
- (24) "**Reservoirs**" shall mean the O'Shaughnessy, Griggs and Hoover water supply storage reservoir, and all adjacent city lands, unless specifically designated otherwise, from the dams upstream to the further most upstream extent of City-owned shores of the streams feeding into the reservoirs.
- (25) "**Resident**" shall mean a bona fide resident or registered voter of the City.
- (26) "**Rowboat**" means any vessel designed to be rowed and that is propelled by human muscular effort by oars or paddles and upon which no mechanical propulsion device, electric motor, internal combustion engine, or sail has been affixed, or is used for the operation of such vessel.
- (27) "**Sailboat**" means any vessel, equipped with mast and sails, dependent upon the wind to propel it in the normal course of operation.
- (a) Any sailboat equipped with an inboard engine is deemed a powercraft with auxiliary sail.
- (b) Any sailboat equipped with detachable motor is deemed a sailboat with auxiliary power.
- (c) Any sailboat being propelled by mechanical power, whether under sail or not, is deemed a powercraft and subject to all laws and rules governing powercraft operation.
- (28) "**Sewage**" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body waste.
- (29) "**South Side Scioto River Park**" means the area bounded downstream by the spillway at Greenlawn Avenue and upstream a distance of one and one-quarter statute miles.
- (30) "**Type one personal flotation device**" means a device which is designed to turn an unconscious person floating in water from a face downward position to a vertical or slightly face upward position, and that has at least nine kilograms, approximately twenty pounds, of buoyancy.
- (31) "**Type two personal flotation device**" means a device which is designed to turn an unconscious person in the water from a face downward position to a vertical or slightly face upward position and that has at least seven kilograms, approximately fifteen and four-tenths pounds, of buoyancy.
- (32) "**Type three personal flotation device**" means a device which is designed to keep a conscious person in a vertical or slightly face upward position and that has at least seven kilograms, approximately fifteen and four-tenths pounds of buoyancy.
- (33) "**Type four personal flotation device**," means a device that has at least seven and five-tenths kilograms, approximately sixteen and five-tenths pounds, of buoyancy, and designed to be thrown to a person in the water and not worn.

(34) **"Type five personal flotation device"** means a device that, unlike other personal flotation devices, has limitations on its approval by the United States coast guard, including without limitation, all of the following:

(a) The approval label on the type five personal flotation device indicates that the device is approved for the activity in which the vessel is being used or as a substitute for a personal flotation device of the type required on the vessel in use;

(b) The personal flotation device is used in accordance with any requirements on the approval label;

(c) The personal flotation device is used in accordance with the requirements in its owner's manual if the approval label refers to such a manual.

(35) **"Vessel"** includes every description of watercraft, including non-displacement craft and seaplanes, designed to be used as a means of transportation on water. Excludes any contrivances that do not bear a Hull Identification Number (HIN) recognized by the United States Coast Guard.

(36) **"Visible"** means visible on a dark night with clear atmosphere.

(37) **"Watercraft"** means any of the following when used or capable of being used for transportation on the water:

(a) A vessel operated by machinery either permanently or temporarily affixed;

(b) A sailboat other than a sailboard; Board type sailboats without rigidly affixed masts; commonly referred to as "sailboards" are not watercraft; excludes any contrivances that do not bear a Hull Identification Number (HIN) recognized by the United States Coast Guard.

(c) An inflatable, manually propelled boat that is required by federal law to have a hull identification number meeting the requirement of the United States coast guard;

(d) A canoe or rowboat.

"Watercraft" does not include ferries as referred to in Chapter 4583 of the Revised Code.

"Watercraft" excludes any contrivances that do not bear a Hull Identification Number (HIN) recognized by the United States Coast Guard.

Watercraft subject to Section 1547.54 of the Revised Code shall be divided into *five*

Classes as follows:

Class A: Less than sixteen (16) feet in length;

Class 1: At least sixteen (16) feet but less than twenty-six (26) feet in length;

Class 2: At least twenty-six (26) feet but less than forty (40) feet in length;

Class 3: At least forty (40) feet but not more than sixty-five (65) feet in length.

Class 4: At least sixty-five (65) feet in length.

(38) **"Watercraft dealer"** means any person who is regularly engaged in the business of manufacturing, selling, displaying, offering for sale, or dealing in vessels at an established place of business. "Watercraft dealer" does not include a person who is a marine salvage dealer or any other person who dismantles, salvages, or rebuilds vessels using used parts.

(39) **"Waterways of the City"** shall mean all City-administered water including, but not limited to reservoirs, reservoir lands, rivers, lakes, creeks, streams, ponds and water-filled quarries. Unless otherwise provided, this chapter applies to all vessels operating on waterways of this city. Nothing in this chapter shall be construed in contravention of any valid federal act or regulations, but is in addition to such act or regulation where not inconsistent.

921.01-1 Vessel and operations on waterways.

A) In all waterways of the City except Griggs, O'Shaughnessy and Hoover Reservoirs and the downtown Scioto River Pool or as otherwise authorized by this chapter, no person shall operate any vessel of:

(1) Less than eight (8) feet or more than (22) twenty two feet in length or;

(2) Less than thirty-six (36) inches in beam or;

(3) Less than fifty (50) pounds in weight;

(4) More than ten (10) horsepower.

(B) Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft bearing a Hull Identification Number (HIN) recognized by the United States Coast Guard as vessels and watercraft are permitted and specifically exempted from the length, beam and weight requirements.

(C) No watercraft shall operate beyond the safety cable at those dams where safety cables have been installed. In those areas where there are no safety cables, no vessel shall operate within one hundred (100) feet of any dam. No vessel shall be operated within one hundred (100) feet of the downriver side of any dam.

(D) Except as otherwise provided in this chapter, no person shall operate any motorized vessel on any waterways of the City at a speed exceeding idle speed within a distance of one hundred (100) feet of the shorelines.

(E) No person shall swim or wade in any waterways of the City, except as a means of rescue, nor allow a minor, who is in custodial care, to swim or wade. This section shall not prohibit wading for the purpose of fishing.

(F) Personal watercraft, which are classified by the coast guard as small Class A-1 or A-2 vessels and which use, as their primary source of mechanical power, an inboard or outboard motor powering a jet pump, and which are designed to be operated by a person in a sitting, standing, or kneeling position rather than that of the conventional manner of either sitting or standing inside the vessel, are prohibited on all City controlled waterways.

(G) No person shall operate any motorized vessel on waterways of the City at a speed exceeding ten (10) miles per hour between sunset and sunrise.

(H) Between the dates of November 30 of each year to April 1 of the following year, all vessels must be removed from all stakes, boat docks, sailboat moorings and waterways. Any vessel found unattended in any waterways of the City or park controlled by the City of Columbus between the dates as specified in this paragraph will be considered abandoned by the owner and will be impounded by a law enforcement officer and will be subject to provisions as set forth elsewhere in this chapter.

(I) Sailboarding for the purpose of this chapter shall be limited to those sailboats without a rigidly affixed mast and which meet all the other requirements of this chapter.

(J) No person shall engage or attempt to engage in any sailboard activity without wearing an adequate and effective coast guard approved type one, two or three personal floatation device in good and serviceable condition and of appropriate size, or a jacket or harness specifically manufactured for sailboarding, and which provides for positive buoyancy in the water.

(K) This section shall not be construed or interpreted so as to prevent or prohibit boating on waterways of the City between the dates of November 30th of each year and April 1st of the following year, except in restricted areas, provided that the vessel is not stored on City property and is immediately removed from the waterway after use.

921.01-2 Vessels and operations on the downtown Scioto River Pool.

(A) Unless otherwise authorized by this chapter no person shall operate in the downtown Scioto River Pool from one hundred (100) feet south of the intake dam opposite the Dublin Road Pumping Station, south to the safety cable at the Main Street Dam and from one hundred (100) feet south of the Main Street Dam to the safety cable at the Scioto River Park Dam (Greenlawn Dam), and north on the Olentangy River to the Goodale Avenue Bridge, any vessel of:

(1) Less than eight (8) feet or more than 22 feet.

(2) Less than thirty-six (36) inches in beam or;

(3) Less than fifty (50) pounds in weight.

(B) Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft bearing a Hull Identification Number (HIN) and recognized by the United States Coast Guard as vessels and watercraft are permitted and specifically exempted from the length, beam and weight requirements.

(C) No person shall operate any motorized vessel in this area at a speed greater than ten (10) miles per hour.

(D) No person shall operate any motorized vessel at a speed exceeding idle speed within a distance of one hundred (100) feet of the shorelines.

921.01-3 Vessel and operations in Griggs Reservoir.

(A) Unless otherwise authorized in this chapter, no person shall operate in Griggs Reservoir any vessel of:

(1) Less than eight (8) feet or more than 22 feet.

(2) Less than thirty-six (36) inches in beam or;

(3) Less than fifty (50) pounds in weight.

(B) Exceptions: Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft bearing a Hull Identification Number (HIN) and recognized by the United States Coast Guard as vessels and watercraft are permitted and are specifically exempted from the length, beam and weight requirements provided;

(1) Rowing shells are permitted during the months of May through September on weekdays from one hour before sunrise until sunset and on weekends and holidays from one hour before sunrise until 10:00 a.m. Rowing shells are permitted at all times during the months of October through April on all days of the week. Rowing shells will be operated parallel to the shoreline at a distance no greater than one hundred (100) feet except that north of the Hayden Run Bridge rowing shells will be operated no greater than fifty (50) feet of the shoreline. Rowing shells longer than forty-five (45) feet will not be permitted north of the Hayden Run Road Bridge. There will be four crossing areas and rowing shells will utilize only those areas designated for crossing.

(2) The crossing areas will be:

(a) The no wake zone south of buoy number one (1).

(b) Between the north side of the Fishing Road Bridge and buoy number three.

(c) At buoy number four (4) ("Fisherman's Wall"). Rowing shells will not stop within the open zone when crossing.

(d) Between buoy number five and the south side of the Hayden Run Road Bridge.

(3) The rowing shell course shall be:

(a) Northbound shells leaving the west side boathouse shall immediately assume a course on the west side of the river to the Fishing Road Bridge. Shells launching on the east side, shall cross to the west side in the no wake zone south of buoy number one (1) to begin the course and use the same route when returning.

- (b) Northbound on the east side of the river from the Fishinger Road Bridge to the Hayden Run Road Bridge.
- (c) Northbound on the west side of the river between Hayden Run Road Bridge and the Griggs Park northern boundary line approximately two hundred (200) feet south Rt. 161.
- (d) Southbound or returning shells shall hug the west bank all the way back to the boathouse.
- (4) Canoes, kayaks, pedal boats and inflatable watercraft shall operate parallel to the shoreline at a distance no greater than fifty (50) feet from the shoreline in all areas parallel and adjacent to an open zone except for the safe operation around a navigational hazard. There will be two crossing areas and canoes, kayaks, pedal boats and inflatable watercraft will utilize only those areas designated for crossing.
- (a) The crossing areas will be:
- (1) Within 100 feet either side of the Fishinger Road Bridge.
 - (2) Within 100 feet either side of the Hayden Run Road Bridge.
- (b) Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft will not operate on the east side of the river between buoy number six (6) and buoy number seven (7).
- (C) Operations of sailboats and sailboards are prohibited.
- (D) The waterway from the safety cables north of the dam shall be open to boating at all times.
- (E) Motorized vessel operations, zones, and their speed limits shall be:
- (1) From the safety cables north of the dam to buoy number one (1), motorized vessels shall be operated at idle speed;
 - (2) From buoy number one (1) to buoy number two (2), on the eastern half of the river, motorized vessels shall be operated at idle speed, and on the western half, motorized vessels shall be operated at a speed not to exceed forty (40) miles per hour;
 - (3) The speed limit from buoy number two (2) north to buoy number three (3) is idle speed;
 - (4) The speed limit from buoy number three (3) north to buoy number five (5) is forty (40) miles per hour.
 - (5) The speed limit from buoy number five (5) north to buoy number six (6) is idle speed.
 - (6) The speed limit from buoy number six (6) north to buoy number seven (7) shall be forty (40) miles per hour, except within the eastern two-thirds (2/3) of the waterways when skiing is being conducted, no motorized vessel, which is not actively engaged in towing water-skiers shall be operated at a speed exceeding idle speed;
 - (7) The speed limit from buoy number seven (7) north to two hundred (200) feet south of Rt.161 shall be idle speed.
- F) Water-skiing will be permitted only between buoy number three (3) to buoy number five (5) and between buoy number six (6) to buoy number seven (7).
- (G) The eastern two-thirds (2/3) of the waterway, from buoy number six (6) to buoy number seven (7) is designated as a water sports practice and tournament zone, with a ski jump area on the eastern portion thereof as well as a slalom course.
- (H) No person shall operate any motorized vessel at a speed exceeding idle speed within a distance of one hundred (100) feet of the shorelines.

921.01-4 Vessel and operations in Hoover Reservoir.

(A) Unless otherwise authorized by this chapter, no person shall operate in Hoover Reservoir any vessel of:

- (1) Less than eight (8) feet or more than 22 feet except sailboats which may be up to 25 feet in length.
- (2) Less than thirty-six (36) inches in beam or;
- (3) Less than fifty (50) pounds in weight or;
- (4) More than ten (10) horsepower or restricted thereto.

(B) Exceptions:

- (1) Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft bearing a Hull Identification Number (HIN) and recognized by the United States Coast Guard as vessels and watercraft are permitted and specifically exempted from the length, beam and weight requirements.
- (2) Board type sailboats without rigidly affixed masts; commonly referred to as "sailboards" are specifically exempted from the length, beam and weight requirements and their hours of use shall be restricted to those hours from sunrise to sunset.

(C) The waterway north of the no boat buoys at the dam shall be open to boating at all times except for areas specifically exempted. Boating will not be permitted within one hundred (100) feet of the down-river side of the dam.

(D) No person shall operate a motorized vessel at a speed greater than ten (10) miles per hour.

(E) Before launching a vessel with a motor in excess of ten (10) horsepower, the motor will be tilted and must remain tilted while on the waterway.

(1) Motors in excess of ten (10) horsepower may remain in a non-tilt position provided their prop is removed prior to launch and remain so while on the waterway.

(F) No water skiing will be permitted.

(G) No person shall operate any motorized vessel at a speed exceeding idle speed within a distance of one hundred (100) feet of the shorelines.

921.01-5 Vessel and operations in O'Shaughnessy Reservoir.

(A) Unless otherwise authorized by this chapter, no person shall operate in O'Shaughnessy Reservoir any vessel of:

- (1) Less than eight (8) feet or more than 22 feet.
- (2) Less than thirty-six (36) inches in beam or;
- (3) Less than fifty (50) pounds in weight.

(B) Exceptions:

Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft bearing a Hull Identification Number (HIN) and recognized by the United States Coast Guard as vessels and watercraft are permitted and are specifically exempted from the length, beam and weight requirements;

(C) The above exempted vessels are permitted provided that:

(1) Rowing shells are permitted during the months of May through September on weekends and holidays from one hour before sunrise until 10:00 a.m. Rowing shells are permitted on all other days of the year from sunrise until sunset. Rowing shells will be operated parallel to the shoreline at a distance no greater than one hundred (100) feet except that between buoy number four (4) and buoy number five (5) rowing shells will be operated no greater than fifty (50) feet from the shoreline. Rowing shells will utilize only those areas designated for crossing.

(2) Crossing areas will be:

(a) The No Wake areas.

(b) Just south of buoy number four (4).

(3) Canoes, kayaks, pedal boats and inflatable watercraft shall operate parallel to the shoreline at a distance not greater than fifty (50) feet from the shoreline in all areas parallel and adjacent to an open zone, except for the safe operation around navigational hazards.

(4) Canoes, kayaks, rowing shells, pedal boats and inflatable watercraft will not operate on the east side of the river between buoy number four (4) and buoy number five (5) "Tournament Water-ski Zone".

(5) Canoes, kayaks, pedal boats and inflatable watercraft may operate anywhere within the posted no wake zones.

(6) The designated canoe, kayak, pedal boat and inflatable watercraft crossing shall be between buoy number two (2) and buoy number three (3).

(D) Board type sailboats without rigidly affixed masts, referred to as "sailboards" are permitted in the area from the safety cable at the dam north to buoy number one (1).

(E) The waterway north of the safety cable north of the dam shall be open to boating at all times.

(F) Vessel operations, zones, and speed limits shall be:

(1) From the safety cable north of the dam north to buoy number one (1) is a designated sailboat area and all sailboats shall stay south of buoy number one on Saturdays, Sundays and holidays.

(a) Exception: Sailboats launching or docked south of Home Road may sail in a path as direct as possible to and from the designated sailing area south of buoy number one (1).

(2) The speed limit in the area known as Eversole Run and Twin Lakes shall be no wake, idle speed.

(3) The speed limit between buoy number one (1) and buoy number two (2) shall be forty (40) miles per hour and is designated as an open zone;

(4) The speed limit between buoy number two (2) and buoy number three (3) shall be no wake, idle speed;

(5) The speed limit between buoy number three (3) and buoy number four (4) shall be forty (40) miles per hour and is designated as an open zone;

(6) The speed limit between buoy number four (4) and buoy number five (5) shall be forty (40) miles per hour except within the eastern two-thirds (2/3) of the waterway when skiing is being conducted, no vessel, which is not actively engaged in towing water-skiers, shall be operated at a speed greater than no wake, idle speed;

(7) The speed limit north of buoy number five (5) shall be no wake, idle speed.

(E) Water-skiing will be permitted only between buoy number one (1) and buoy number two (2) and between buoy number three (3) and buoy number five (5).

(F) The eastern two-thirds of the waterway between buoy number four (4) and buoy number five (5) is designated as a water sports practice and tournament zone with a ski jump area on the eastern portion thereof as well as a slalom course.

(G) No person shall operate any motorized vessel at a speed exceeding idle speed within a distance of one hundred (100) feet of the shoreline.

Break1

921.01-6 Permits for special water events.

(A) No person or organization shall conduct any race, regatta, or other special event upon the waterways of the City without first obtaining written permission, upon application not less than thirty (30) days prior to the time of the proposed race, regatta, or event from the Director of Recreation and Parks. The Director of Recreation and Parks shall have the authority to direct the procedures of these scheduled events and, if necessary, prevent the operation of other boats in certain areas during the designated time of such event. The Director of Recreation and Parks shall timely inform the Chief of Police of the approved scheduled event.

(B) Waterways of the City shall be open to all citizens on equal terms and none shall be given special privileges thereon, or be permitted to make use of the waterways of the City for any purpose not practically common to all, except, upon written application, when it is in the best interest of the City, the Director of Recreation and Parks has the authority to issue permits for conduct on park property that may otherwise be in violation of this chapter, and to attach conditions to such permits.

(C) Nothing in this section shall be construed to mean that the operator of a vessel competing in a specially authorized race, regatta, or special event shall not attempt to attain high speeds on a marked racing course. Such events will provide for vessel operation on an hourly basis from non-affected areas.

(D) It shall be the duty of every person or organization claiming to have a permit for a special water event issued by the Director of Recreation and Parks to produce and display such permit upon the request of any law enforcement officer or authorized City of Columbus official.

921.01-7 Application for City owned docks, stakes and moorings.

(A) Rentals of a City boat dock, boat stake or mooring shall be issued on a permit prepared for that purpose and on file in the office of the Director of Recreation and Parks. The permit shall not be transferred, assigned, loaned or subleased.

(B) An applicant for a City dock, stake or mooring permit must prove ownership of a vessel by presenting the current State of Ohio registration certificate or similar registration or copy thereof from the State in which the vessel is registered. No vessel other than the one designated on the permit shall be tied to the designated dock, stake or mooring:

(1) The Director may consider applicants owning vessels with current registrations from States other than Ohio provided the applicant presents a current State of Ohio registration certificate within ten (10) working days, failure to do so shall result in the forfeiture of the fee and revoking of the permit.

(2) The Director may consider an applicant for any vacant City owned docks, stakes or mooring without a current registration, provided proof of purchase is presented in writing. Within forty-five (45) calendar days the applicant must prove ownership of a vessel by presenting the State of Ohio registration certificate or copy thereof for the vessel to be placed at the dock, stake or mooring. No vessel other than the one designated on the permit shall be tied to the assigned dock, stake or mooring. Failure to comply with this section shall result in the forfeiture of the fee and revoking of the permit.

(3) The Director may consider corporate applicants or applicants using leased vessels for docks, stakes or moorings with proper proof of vessel and corporate ownership or proper proof of the lease agreement, current registration and ownership of the leased vessel.

(C) Permits for the rental of a City slip, private dock, boat-stake or mooring permit shall be signed by the same person whose name appears on the registration certificate or by the power of attorney.

(D) Applicants seeking a temporary boat dock or stake will also be required to present an Ohio registration certificate or similar type of registration from the state in which the boat is registered.

(1) Provided space is available from May 1st through October 31st of each year, temporary docking may be available on the waterways for a period of not less than one (1) day and not more than fourteen (14) consecutive days. Temporary dock permits shall be obtained from the Department of Recreation and Parks. Boaters utilizing the temporary dock system may not store their boat trailers on park property and/or waterways.

(2) Short-term courtesy docks and docking stakes may be provided at each of the waterways for boaters to utilize the recreational facilities for a period of time, not to exceed two hours. Such docks and/or stakes shall be designated by the Director of Recreation and Parks, and posted accordingly.

(E) The applicant shall agree to abide by all the laws, rules and regulations relative to his and/or his family's conduct, his or their use and operation of watercraft and outboard motors, use of all waterways of the City, adjacent lands, boat docks, boat stakes and moorings. Further, the applicant agrees to assume the defense of and to indemnify and save harmless the City from any and all claims, suits, loss or damage or injury to person(s) or property of any kind or nature whatsoever arising in the use or operation of any vessel, outboard motor, boat dock, boat stake or moorings.

(F) The Director of Recreation and Parks shall not be required to approve any permits that are not in the best interest of the City of Columbus. Any misstatement of fact on any permit shall, at the discretion of the Director of Recreation and Parks, constitute sufficient grounds for the rejection or cancellation of any license, or rental permit issued thereunder. The Director of Recreation and Parks shall notify any person whose permit is rejected or cancelled in writing and the reason therefore shall be stated.

(G) Any violation of the terms or conditions of any license, or rental permits shall be reported by a law enforcement officer to the Director of Recreation and Parks and may result in the temporary or permanent suspension or cancellation of such license, or rental permit by the Director of Recreation and Parks.

(H) The Recreation and Parks Commission shall establish rental fees for both permanent and temporary uses of City owned boat slips; finger slip docks, boat stakes, and sailboat moorings on the waterways.

(I) All moneys received from the annual slip, stake and mooring rental as provided for in this section shall be placed in the operation and extension fund for the Department of Recreation and Parks.

(J) With the exception of temporary docks, all dock permits, must be renewed between the dates of January 1 and April 15 of each year. All dock permits provided for in this section shall begin on May 1 and expire on October 31 of the calendar year.

(K) All stake permits must be renewed between the dates of January 1 and March 15, inclusive, of the calendar year. All stake permits provided for in this section shall begin on April 1 and expire on October 31 of the calendar year.

(L) Dock, stake or moorings will revert back to the City for reissue if the permit is cancelled or not renewed within the time specified elsewhere in this chapter.

(M) Installation of lockers of any description is prohibited on all City-owned boat slips on all waterways of the City. No person shall in any manner alter any City-owned boat slips or to attach materials of any nature to any City-owned boat slip on any waterways of the City without the expressed written permission of the Director of Recreation and Parks.

(N) Location and installation of each stake shall be under the supervision of the Director of Recreation and Parks. One boat is permitted to one stake, with the exception of pontoon or "float" boats, which shall require two stakes. Stakes will be furnished and installed by the City of Columbus, in a number and location deemed advisable by the Director.

(O) Areas that are designated as "sailboat," "pontoon" or "float boat" areas will be used exclusively for these boats.

(P) Upon the payment of the appropriate fee, the Director of Recreation and Parks will issue a boat, stake or sailboat mooring permit for a designated area at a specific waterway.

(Q) Any vessel found unattended in any waterways of the City between the dates of November 30 of each year to April 1 of the following year, will be considered abandoned by the owner and will be impounded subject to the provisions as set forth in this chapter regarding the abandonment of vessels.

(R) Any vessel found in any waterways of the City in violation of this section will be impounded and will be subject to the provisions as set forth in this chapter regarding the abandonment of vessels.

921.01-8 Permitting of private docks, stakes and moorings.

(A) Permitting for a private boat dock, boat stake or mooring shall be issued on a permit prepared for that purpose and on file in the Office of the Director of Recreation and Parks. The permit shall not be transferred, assigned, loaned or subleased;

(1) As used in this section, private docks refer to, and shall include, docks, platforms or any other such structure which have been privately constructed and maintained by the applicant and which extend over or on the waterways of the City and shall include all such facilities whether extending from private lands, or lands controlled by the City.

(2) Each contiguous property owner, applicant, may be issued not more than one permit per legal address which shall include one (1) vessel. Additional vessels registered to the same property owner may be considered and the Recreation and Parks Commission establish such fees. The Department shall determine the placement of such dock, stake or mooring and reserves the right of denial to any applicant wherein such conditions as natural or navigational hazards/barriers exist or there is a determination made that the issuance of such permit shall negatively impact upon a sensitive shoreline habitat.

(B) The applicant shall agree to abide by all the laws, rules and regulations relative to the applicant's and/or the applicant's family's conduct, his/her or their use and operation of any vessel, use of all waterways of the City, adjacent lands, boat docks, boat stakes and moorings. Furthermore, the applicant shall agree to assume the defense of and to indemnify and save harmless the City from any and all claims, suits, loss or damage or injury to person(s) or property of any kind or nature whatsoever arising in the use or operation of any vessel, boat dock or boat stake.

(C) The Recreation and Parks Commission shall establish rental fees and late charges for private docks, stakes and moorings. All dock; stake and mooring permits must be renewed between the dates of January 1 and March 15 of each year. All dock; stake and mooring permits provided for in this section shall begin April 1 and expire on November 30 of the calendar year;

(1) If the waterways of the City have reached the maximum Safe Boating Carrying Capacity a grace period may be given until May 1st, of that year which shall include a late fee. After May 1st, the Director may permit the first eligible applicant, whose name appears on the official waterways waiting list, an opportunity to apply for dock, stake or mooring privileges;

(2) If the waterways of the City have not reached the maximum Safe Boating Carrying Capacity by the Recreation and Parks Commission, a late fee schedule shall apply.

(D) Any violation of the terms or conditions of any license, or rental permits shall be reported by a City official to the Director of Recreation and Parks and may result in the temporary or permanent suspension or cancellation of such license, or rental permit by the Director of Recreation and Parks.

(E) Any permit granted to individuals hereunder shall be for the sole benefit of the permittee and the permittee's immediate

family, residing in the same household. A permit will only be issued for private docks, stakes and moorings to the person or persons whose name appears on the property deed of a contiguous private residence. An applicant for a private dock, stake or mooring permit must prove ownership of a vessel by presenting the current State of Ohio registration certificate or copy thereof for the vessel(s) to be moored in the dock, stake or mooring before the permit will be issued. No vessel(s) other than those designated on the permit shall be tied to the designated dock, stake or mooring.

(1) The Director may issue a special permit to any private dock, stake or mooring applicant not owning a vessel.

(2) The Director may approve temporary docking privileges for contiguous private permit holders, not to exceed thirty (30) days in a boating season.

(3) The Director may consider applicants using leased vessels for docks, stakes or moorings with proper proof of the lease agreement, current registration and ownership of the leased vessel.

(F) Permits for the rental of a private dock, stake or mooring shall be signed by the same person whose name appears on the registration certificate or by power of attorney. Certificates of title for vessels moored in private docks, stakes or moorings shall bear the same name as named on the private dock, stake or mooring permit and shall be shown upon request unless exempted by 921.01-8 (E)(2). No vessel other than those designated on the permit shall be tied to the designated dock, stake or mooring. No area of waterfront for private docks, stakes or moorings shall be used for any commercial purposes or for rental or loan to others. Any violation of this section shall be cause for revocation of the permit.

(G) All vessels must be removed from private docks and stakes between the dates of November 30 of each year to April 1 of the following year.

(H) Any vessel found unattended in any waterways of the City between the dates of November 30 of each year to April 1 of the following year will be considered abandoned by the owner and will be impounded subject to the provisions as set forth in this chapter regarding the abandonment of vessels.

(I) Any vessel in any waterways of the City in violation of this section will be impounded subject to the provisions as set forth in this chapter regarding the abandonment of vessels.

(J) No boathouses or other structures shall be constructed on permitted ground. Private docks may be left in the water during the winter season, November 30 of each year until the following April 1, provided they were permitted the previous season.

(K) No private boat dock, stake or mooring permits shall be allowed on the west side of Griggs Reservoir south of the Fishinger Road Bridge. This does not apply to existing legally maintained boat club leases with the Recreation and Parks Department.

(L) Application for new private docks, stakes and moorings along the shores of the waterways will be given consideration only for those areas that are contiguous to undeveloped City property provided:

(1) All applicants for private dock permits must own real property adjacent to undeveloped city controlled property. The applicant's property, at a minimum, must be contiguous and parallel to undeveloped city controlled property for one hundred (100) feet. All new applicants as of January 1, 2005 must own real property contiguous and parallel to undeveloped City property within two hundred and fifty (250) feet of the ordinary high water mark. Current property owners whose real property line are greater than two hundred and fifty (250) feet away from the ordinary high water mark and have a current valid private dock permit will be permitted to renew annually until such time as the property owner fails to renew the annual permit.

(2) All applicants for private stake permits must own real property adjacent to undeveloped City controlled property. The applicant's property, at a minimum, must be contiguous and parallel to undeveloped City controlled property for ten (10) feet. All new applicants as of January 1, 2005 must own real property contiguous and parallel to undeveloped City property within two hundred and fifty (250) feet of the ordinary high water mark. Current property owners whose real property line are greater than two hundred and fifty (250) feet away from the ordinary high water mark and have a current

valid private stake permit will be permitted to renew annually until such time as the property owner fails to renew the annual permit.

(3) The waterways of the City does not exceed established safe boating carrying capacity based on formulas developed by the Ohio Department of Natural Resources, and established and adopted by the Recreation and Parks Commission. If said waterway is at maximum Safe Boating Carrying Capacity, the applicant will be placed on such official waterways waiting list and may receive the first available opening.

(M) Application for renewal of private boat docks and stakes that are already installed and in use on the waterways of the City as of the effective date of this section shall not be required to meet the requirements of subsection (L)(1) and (L)(2). If permittee fails to renew the permit by the annual renewal date then said application will be considered as new and must meet the provisions of subsection (L).

(N) The permitted area may include a five (5) foot wide path extending from the Applicant's property to the water's edge, as laid out and approved by the Director of Recreation and Parks in accordance with rules adopted by the Director of Recreation and Parks.

(O) Permittees may erect a floating dock subject to the permission of and in accordance with the standards of the United States Army Corps of Engineers and City of Columbus. Plans for proposed docks must be submitted to and approved by the Director.

(1) The Recreation and Parks Commission may adopt Administrative Rules for floating boat dock construction, maintenance and other privileges pertaining to the use of undeveloped City parkland. Violation of Administrative Rules shall result in the temporary or permanent revocation of docking privileges and/or impoundment of vessel(s) and removal of associated structures on parkland.

(2) The Director must approve any alteration or improvements to existing permitted structure(s) in writing.

(P) Private boat docks and stakes without the proper permit are prohibited and will be considered abandoned by the owner and will be removed subject to provisions as set forth in this chapter and the Administrative Rules.

(Q) Placement or storage of any private property on reservoir parkland is prohibited without written approval from the Director.

(R) By March 31, 2001, all applicants for new or renewal of permits for private docks, stakes and moorings along the shore of the waterways of the City must have an approved land stewardship agreement on file with the Division of Water prior to the issuance of said permit. A land stewardship agreement shall define agreed upon water supply reservoir watershed best management practices and landscape enhancements that abutting property owners may perform on city property.

(S) All private docks, ramps, improved walkways, improvements, utilities or any other private structures or property shall be removed by the person or person(s) originally granted permission to make the improvements, at their expense, if at any time that person or person(s) fails to renew the annual permit or transfers the adjacent private property to a new owner. These improvements may only be left in place if a new owner advises the City of Columbus, Recreation and Parks Department, in writing that they accept full responsibility for the maintenance and removal (if necessary) of these improvements. This acceptance must be on an approved Columbus Recreation and Parks Department form for this purpose and must be submitted within ninety days of the transfer of the adjacent real property. Any and all encroachment issues must be fully resolved to the satisfaction of the City of Columbus before permission or permits may be granted for any dock, stake, mooring or additional improvements.

921.01-9 Boat concessions.

(A) The Director of Recreation and Parks is authorized to advertise and receive bids and let to the highest responsive, responsible bidder(s), boat concession(s) on waterways of the City, where it is deemed to be in the public's best interest. Only successful bidders for these concessions will be permitted to operate boats for any commercial purposes or for hire to

others, and such concession agreement shall be subject to the applicable rules and regulations provided for in this chapter and such further rules and regulations as may be promulgated and established by the Director of Recreation and Parks for the operation and maintenance of such boats including the maximum permissible number of passengers thereon.

The Director of Recreation and Parks must approve the charge for rides on, or rental of, any such boats and the schedule for charges may provide different rates for adults, children and chartered trips. Such concession agreements shall also provide for saving the City free and harmless from all claims and demands by reason of the operation and maintenance of such boats. The Director of Recreation and Parks shall require in the contract that the successful bidder furnish bond by an approved surety in an amount satisfactory to him as necessary to secure the protection of all persons in or out of the concessionaire's boats who claim to have suffered damages by reason of the operation of such boats.

(B) No person shall operate or cause to be operated in any waterways of the City any vessel for any commercial purpose or for hire to others, until permission has been obtained from the Director of Recreation and Parks by enactment of an enabling ordinance by City Council.

(C) Vessels operating under a concession agreement shall be exempt from the length limitations found elsewhere in this chapter.

(D) A law enforcement officer shall impound any vessel or dock being used in violation of this section. Violations of this regulation shall be cause for revocation of any concession agreement issued pursuant to this chapter. All money received from any of the concession agreements shall be placed in the Operation and Extension Fund of the Department of Recreation and Parks.

921.01-10 Pedal boats.

(A) Pedal boats that bear a Hull Identification Number (HIN) recognized by United States Coast Guard as watercraft are permitted and are specifically exempted from the length, beam and weight requirements except that at O'Shaughnessy, Hoover and Griggs Reservoirs they are restricted to the same areas where canoes and kayaks may operate.

921.01-11 Aircraft landings.

No person shall land any aircraft on any waterways of the City, unless:

- (1) The aircraft is experiencing mechanical problems and must make an emergency landing or;
- (2) Application has been made and approval granted by the Director of Recreation and Parks for such aircraft landings.

921.01-12 Iceboats

No person shall operate an iceboat on any waterways of the city except on Hoover reservoir, and shall meet the following requirements:

- (1) Iceboats may not be propelled by any means other than sails;
- (2) Gross vessel weight may not exceed 300 pounds, to include mast, sails, and all other equipment;
- (3) Are required to carry fifty (50) feet of line readily accessible for use.

921.01-14 No liability assumed by City for safety of persons or property.

The City shall assume no liability whatsoever for the safety of boats, vessels, iceboats, boat slip, private boat docks, boat stakes or moorings, or the operators or users thereof or passengers therein or thereon located on waterways of the City and land. In each application for rental of a City slip, a private dock or stake permit, the applicant shall agree to assume the defense of, indemnify and save harmless the City from any and all claims, suits, loss or damage or injury to persons or property of any kind or nature whatsoever occurring to persons or property of the applicant, including, but not limited to

his family, servants, agents, guests, invitees or any other person, arising in connection with the use or operation of any boat, iceboat, outboard motor, boat slip, private boat dock, boat stake or mooring, in, on or about waterways of the City or land.

921.01-15 Designated launch facilities.

Launching and/or loading of a vessel in any waterways of the City will only be permitted in areas and times designated by the Director of Recreation and Parks and specifically marked for that purpose.

921.01-16 Harassment of fishers prohibited.

(A) No person shall purposely prevent or attempt to prevent any person from fishing for a wild animal as authorized by Chapter 1533 of the Ohio Revised Code by any of the following means:

- (1) Placing oneself in a location in which the person knows or should know that the person's presence may affect the behavior of the wild animal being fished for or otherwise affect the feasibility of the taking of the wild animal by the fisherman;
- (2) Creating a visual, aural, olfactory, or physical stimulus intended to affect the behavior of the wild animal being fished for;
- (3) Affecting the condition or location of personal property intended for use in the fishing activity.

(B) No person shall fail to obey the order of a peace officer or game protector to desist from conduct that violates division (A) of this section.

(C) This section applies only to acts committed on lands or waterways of the City upon which fishing activity may lawfully occur. This section does not apply to acts of a peace officer, the owner of the lands or waters, or a tenant or other person acting under authority of the owner on the lands or water.

(D) As used in this section, "peace officer" has the same meaning as in Section 2935.01 of the Revised Code, and 1531.13 of the Revised Code. (ORC 1533.03)

(E) Fishing contrivance(s) not attended to in special management areas, as designated by the Director, are subject to removal if such contrivance(s) interferes with special management operations.

921.01-17 Law enforcement officers exempt.

Any vessel operated by any law enforcement officers shall be exempted from all length, weight, beam and speed requirements on the waterways of the City.

921.01-18 Officers orders in event of emergency.

Law enforcement officers are authorized to issue orders, either in person or by writing or by means of visible or audible signal for the purpose of controlling the use of the waterways of the City, adjacent lands and City-owned parks in conformance with the provisions of the Columbus City Codes and Revised Code. In the event of fire, high water, storm or other emergency or when reasonably necessary for the safety of or to protect the public or City property, said officer may issue orders as conditions may require, notwithstanding the provisions of the Columbus City Codes and/or the Revised Code.

921.03 Flashing lights prohibited.

(A) No person shall install or use any intermittently flashing light of any type or color on any vessel in use or operation on the waterways of the City, except in accordance with federal law.

(B) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

9.21.04 Siren prohibited except for emergency.

(A) No person, except an authorized vessel representative of the federal government, the State, or any of its political subdivisions or this City shall use or operate a siren on the waterways of the City except for emergency purposes.

(B) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

921.05 Requirements for operation of certain powercraft by person born in 1982 or later.

No person born on or after January 1, 1982, shall operate on the waterways of the City, a powercraft powered by more than 10 horsepower, unless the operator successfully has completed either a safe boater course approved by the National Association of State Boating Law Administrators or a proctored or non-proctored proficiency examination that test knowledge of information included in the curriculum of such a course, and has received a certificate as evidence of successful completion of the course or examination.

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921.051 Duty to present certificate or proof of holding it.

A person born on or after January 1, 1982, who is operating on the waterways of the City a powercraft powered by more than 10 horsepower and who is stopped by a law enforcement officer in the enforcement of Chapter 921 of the City Code or similar statute of the Revised Code or rules adopted under it shall present to the law enforcement officer, not later than seventy-two hours after being stopped, a certificate obtained by the person pursuant to section 921.05 of the City Code of similar statute in the Revised Code prior to being stopped or proof of holding such a certificate. Failure of the person to present the certificate or proof of holding it within seventy-two hours constitutes prima-facie evidence that of a violation of section 921.05 of the City Code or similar statute in the Revised Code.

921.052 Powercraft rentals to persons born in 1982 or later.

(A) No rental business shall lease, hire or rent a powercraft powered by more than ten horsepower for operation on the waterways of the City to a person born on or after January 1, 1982, unless the person meets one of the following requirements:

(1) The person signs a statement on the rental agreement or attached to the rental agreement that the person has successfully completed a safe boater course approved by the National Association of State Boating Law Administrators or has successfully completed a proficiency examination as provided in section 921.05 of the City Code or similar statute of the Revised Code.

(2) The person receives educational materials from the rental business and successfully passes, with a score of ninety per cent or better, an abbreviated examination given by the rental business. The achievement of a passing score on the examination shall be indicated on or attached to the powercraft rental agreement.

(B) Any person born on or after January 1, 1982, operating or supervising the operation of a leased, hired, or rented powercraft shall:

(1) Meet the requirements for boater education of division (A) of this section.

(2) Be named as an operator on the agreement that leases, hires, or rents the powercraft.

(C) The division of watercraft shall make available to all watercraft rental businesses in Ohio boater safety educational materials and an abbreviated examination that shall be used by the watercraft rental business for the purposes of division

(A) (2) of this section.

921.06 Restrictions on child operators; duty of supervisory adult.

(A) Except as otherwise provided in this division, no person under twelve years of age shall operate any vessel on the waterways of the City unless the person is under the direct visual and audible supervision, during the operation, of a person who is eighteen years of age or older. This division does not apply to a powercraft, powered by more than ten horsepower, which shall be governed by division (B) of this section.

(B) No person under twelve years of age shall operate on the waterways of the City a powercraft, powered by more than ten horsepower unless the person is under the direct visual and audible supervision, during the operation, of a person eighteen years of age or older who is aboard the powercraft and, in the case of such a supervising person born on or after January 1, 1982, who holds a certificate obtained under section 921.05 of this code or 1547.05 of the Revised Code or, in the case of a rented powercraft, meets the requirements of section 921.052 or similar section of the Revised Code.

(C) No supervising person eighteen years of age or older shall permit any person who is under the supervising person's supervision and who is operating a vessel on the waterways of the City to violate any section of this chapter or a rule adopted under it.

921.07 Reckless or unsafe operation.

(A) Any person who operates any vessel or manipulates any water skis, aquaplane, or similar device on the waterways of the City carelessly or heedlessly, or in disregard of the rights or safety of any person, vessel, or property, or without due caution, at a rate of speed or in a manner so as to endanger any person, vessel, or property is guilty of reckless operation of the vessel or other device.

(B) No person shall operate or permit the operation of a vessel in an unsafe manner. A vessel shall be operated in a reasonable and prudent manner at all times.

Unsafe vessel operation includes, without limitation, any of the following:

(1) A vessel becoming airborne or completely leaving the water while crossing the wake of another vessel at a distance of less than one hundred feet, or at an unsafe distance, from the vessel creating the wake;

(2) Operating at such a speed and proximity to another vessel or to a person attempting to ride on one or more skis, surfboard, inflatable device, or similar device being towed by a vessel so as to require the operator of either vessel to swerve or turn abruptly to avoid collision;

(3) Operating less than two hundred feet directly behind a person water skiing or attempting to water ski;

(4) Weaving through congested traffic.

921.071 Authority of officer when especially hazardous condition exists.

(A) If a law enforcement officer observes a vessel being used and determines that at least one of the unsafe conditions identified in division (C) of this section is present and that an especially hazardous condition exist, the officer may direct the operator of the vessel to take whatever immediate and reasonable actions are necessary for the safety of the persons aboard the vessel, including directing the operator to return the vessel to mooring and remain there until the situation creating the hazardous condition is corrected or has ended.

For the purposes of this section, an especially hazardous condition is one in which a reasonably prudent person would believe that the continued operation of a vessel would create a special hazard to the safety of the persons aboard the vessel.

(B) The refusal by an operator of a vessel to terminate use of the vessel after being ordered to do so by a law enforcement officer under division (A) of this section is prima-facie evidence of a violation of section 921.07 of the City Code or

similar statute in the Revised Code.

(C) For the purpose of this section, any of the following is an unsafe condition:

- (1) Insufficient personal flotation devices;
- (2) Insufficient fire extinguishers;
- (3) Overloaded, insufficient freeboard for the water conditions in which the vessel is operating;
- (4) Improper display of navigation lights;
- (5) Fuel leaks, including fuel leaking from either the engine or the fuel system;
- (6) Accumulation of or an abnormal amount of fuel in the bilges;
- (7) Inadequate backfire flame control;
- (8) Improper ventilation.

(D) This section does not apply to any of the following:

- (1) Foreign vessels temporarily using waters that are subject to the jurisdiction of the United States;
- (2) Military vessels, vessels owned by the state or a political subdivision, or other public vessels, except those that are used for recreation;
- (3) A ship's lifeboats, as defined in section 1548.01 of the Revised Code;
- (4) Vessels that are solely commercial and that are carrying more than six passengers for hire.

921.08 Operation in certain areas prohibited; no wake or idle speed areas; marking by buoys or signs.

(A) No person shall operate a vessel within or through any area that has been buoyed off designating it as an area in which vessels are prohibited.

(B) (1) No person shall operate a vessel at greater than idle speed or at a speed that creates a wake under any of the following circumstances:

- (a) Within three hundred feet of any marina, boat-docking facility, boat gasoline dock, launch ramp, recreational boat harbor;
- (b) Within any area buoyed or marked as a no wake area on waterways of the city.

(2) Division (B)(1) of this section does not apply in any of the following places:

- (a) Any other area designated by the Director of Recreation and Parks unless it is marked by a buoy or sign as a no wake or idle speed area.
- (b) Within any waterways of the city as permitted by the Director of Recreation and Parks who has authorized the holding of a special event of a community nature on that water.

(C) No person shall operate a vessel in any area of restricted or controlled operation in violation of the designated restriction.

(D) No person shall operate a vessel within three hundred feet of an official diver's flag unless the person is tendering the diving operation.

(E) All areas of restricted or controlled operation as described in division (A) of this section or as provided for in Section 921.14 of the City Code or similar statute of the Revised Code shall be marked by a buoy or sign designating the restriction. All waters surrounded by or lying between such a buoy or sign and the closest shoreline are thereby designated as an area in which the designated restrictions shall apply in the operation of any vessel.

Markings or buoys designating areas of restricted or controlled operation shall be so spaced as to show all around the horizon. Lineal spacing between the buoys shall be such that under normal conditions of visibility any buoy shall be readily visible from the next adjacent buoy. No colors or symbols, except as provided for in rules of the Chief of the Division of Watercraft of the State of Ohio, shall be used on buoys or signs for marking closed or controlled areas of boating waters.

(F) No person shall permit any vessel to be operated on the waterways of the city in violation of this section.

921.09 Prohibitions on mooring, anchoring, tying up.

(A) No person shall moor or anchor any vessel in a designated speed zone or water ski zone. No person, unless in distress and no other vessel is endangered thereby, shall moor to, anchor to, or tie up to any marker, aid, buoy, light, or other aid to navigation.

(B) No person shall anchor or moor any vessel to any stake, sailboat mooring or dock in any reservoir, reservoir land or reservoir property or waterways of the City without a proper permit issued by the Office of the Director of Recreation and Parks.

(C) No person shall operate or permit to be operated any vessel on the waterways of the city in violation of this section.

921.10 Operator to stop and furnish information upon accident or collision.

In case of accident to or collision with persons or property on the waterways of the City, due to the operation of any vessel, the operator having knowledge of the accident or collision shall immediately stop the vessel at the scene of the accident or collision, to the extent that it is safe and practical, and shall remain at the scene of the accident or collision until the person has given his or her name and address and, if the person is not the owner, the name and address of the owner of the vessel, together with the registration number of the vessel, if any, to any person injured in the accident or collision or to the operator, occupant, owner or attendant of any vessel damaged in the accident or collision or to any law enforcement officer at the scene of the accident or collision.

If the injured person is unable to comprehend and record the information required to be given by this section, the other operator involved in the accident or collision shall forthwith notify the nearest law enforcement agency having authority concerning the location of the accident or collision, and the operator's name, address, and the registration number, if any, of the vessel the person was operating, and then remain at the scene of the accident or collision or at the nearest location from which notification is possible until a law enforcement officer arrives, unless removed from the scene by an emergency vehicle operated by the state or a political subdivision or by an ambulance.

If the accident or collision is with an unoccupied or unattended vessel, the operator so colliding with the vessel shall securely attach the information required to be given in this section, in writing, to a conspicuous place in or on the unoccupied or unattended vessel.

921.11 Operation or physical control under influence of alcohol or drug; testing.

(A) No person shall operate or be in physical control of any vessel underway, or shall manipulate any water skis, aquaplane, or similar device upon the waterways of the City if any of the following applies:

(1) The person is under the influence of alcohol or a drug of abuse, or the combined influence of alcohol and a drug of abuse;

(2) The person has a concentration of ten-hundredths of one percent or more by weight of alcohol in the person's blood;

(3) The person has a concentration of fourteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of the person's urine;

(4) The person has a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath.

(B) No person under twenty-one years of age shall operate or be in physical control of any vessel underway or shall manipulate any water skis, aquaplane, or similar device on the waterways of the City if any of the following applies:

(1) The person has a concentration of at least two-hundredths of one per cent, but less than ten-hundredths of one percent by weight of alcohol in the person's blood;

(2) The person has a concentration of at least twenty-eight one-thousandths of one gram, but less than fourteen-hundredths of one gram by weight of alcohol per one hundred milliliters of the person's urine;

(3) The person has a concentration of at least two-hundredths of one gram, but less than ten-hundredths of one gram by weight of alcohol per two hundred ten liters of the person's breath.

(C) In any proceeding arising out of one incident, a person may be charged with a violation of division (A)(1) and a violation of division (B)(1), (2), or (3) of this section, but the person shall not be convicted of more than one violation of those divisions.

(D) In any criminal prosecution for a violation of this section or of an ordinance of any municipal corporation relating to operating a vessel or using any water skis, aquaplane, or similar device while under the influence of alcohol or a drug of abuse, the court may admit evidence on the concentration of alcohol or a drug of abuse in the defendant's blood, urine or breath at the time of the alleged violation as shown by chemical analysis of the defendant's blood, urine, or breath taken within two hours of the time of the alleged violation.

When a person submits to a blood test, only a physician, registered nurse, or qualified technician or chemist shall withdraw blood for the purpose of determining its alcohol or drug of abuse content. This limitation does not apply to the taking of breath or urine specimens. A physician, registered nurse, or qualified technician or chemist may refuse to withdraw blood for the purpose of determining its alcohol or drug of abuse content if in the opinion of the physician, nurse, or technician or chemist, the physical welfare of the person would be endangered by the withdrawing of blood.

The blood, urine, or breath shall be analyzed in accordance with methods approved by the Director of Health by an individual possessing a valid permit issued by the Director pursuant to Section 3701.14.3 of the Revised Code.

If there was at the time the blood, urine, or breath was taken a concentration of less than ten-hundredths of one percent by weight of alcohol in the defendant's blood, less than fourteen-hundredths of one gram by weight of alcohol per one hundred milliliters of the defendant's urine, or less than ten-hundredths of one gram by weight of alcohol per two hundred ten liters of the defendant's breath, that fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.

Upon the request of the person who was tested, the results of the test shall be made available to the person or the person's attorney or agent, immediately upon the completion of the test analysis.

The person tested may have a physician, registered nurse, or qualified technician or chemist of the person's own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer, and shall be so advised. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

A physician, registered nurse, or qualified technician or chemist who withdraws blood from a person pursuant to this

section, and a hospital, first-aid station, or clinic at which blood is withdrawn from a person pursuant to this section, is immune from criminal liability, and from civil liability that is based upon a claim of assault and battery or based upon any other claim that is not in the nature of a claim of malpractice, for any act performed in withdrawing blood from the person.

(E) For the purposes of this section, "operate" means that a vessel is being used on the waterways of the City when the vessel is not securely affixed to a dock or to shore or to any permanent structure to which the vessel has the right to affix or that a vessel is not anchored in a designated anchorage area or boat camping area that is established by the United States coast guard, this state, or a political subdivision and in which the vessel has the right to anchor.

921.111 Implied consent.

(A) Any person who operates a vessel or uses any water skis, aquaplane, or similar device upon any waterways of the City shall be deemed to have given consent to a chemical test or tests of the person's blood, breath, or urine for the purpose of determining its alcohol or drug of abuse content if arrested for the offense of operating a vessel or using any water skis, aquaplane, or similar device in violation of Section 921.11 of the City Code or similar statute in the Revised Code. The test or tests shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been operating a vessel or using any water skis, aquaplane, or similar device in violation of Section 921.11 of the City Code or similar statute in the Revised Code. The law enforcement agency by which the officer is employed shall designate which of the tests shall be administered.

(B) Any person who is dead, unconscious or who is otherwise in a condition rendering the person incapable of refusal shall be deemed not to have withdrawn consent provided by division (A) of this section and the test or tests may be administered, subject to Sections 313.12 to 313.16 of the Revised Code.

(C) Any person under arrest for the offense of operating a vessel or using any water skis, aquaplane, or similar device in violation of Section 921.11 of the City Code or similar statute in the Revised Code shall be advised of the consequences of refusing to submit to a chemical test designated by the law enforcement agency as provided in division (A) of this section. The advice shall be in a written form prescribed by the Chief of the Division of Watercraft and shall be read to the person. The form shall contain a statement that the form was shown to the person under arrest and read to him in the presence of the arresting officer and either another law enforcement officer, civilian law enforcement employee, or an employee of a hospital, first-aid station, or clinic, if any, to which the person has been taken for first-aid or medical treatment. The witnesses shall certify to this fact by signing the form.

(D) If a person under arrest for the offense of operating a vessel or using any water skis, aquaplane, or similar device in violation of Section 921.11 of the City Code or similar statute of the Revised Code refuses upon the request of a law enforcement officer to submit to a chemical test designated by the law enforcement agency as provided in division (A) of this section, after first having been advised of the consequences of the person's refusal as provided in division (C) of this section, no chemical test shall be given, but the chief, upon receipt of a sworn statement of the law enforcement officer that the law enforcement officer had reasonable grounds to believe the arrested person had been operating a vessel or using any water skis, aquaplane, or similar device while under the influence of alcohol or a drug of abuse, under the combined influence of alcohol and a drug of abuse, or with a prohibited concentration of alcohol in the person's blood, urine, or breath, and upon receipt of the form as provided in division (C) of this section certifying that the arrested person was advised of the consequences of the refusal, shall inform the person by written notice that the person is prohibited from operating a vessel or using any water skis, aquaplane, or similar device, and is prohibited from registering any watercraft in accordance with section 1547.54 of the Revised Code, for one year following the date of the alleged violation of section 921.11 or similar section of the Revised Code. The suspension of these operation, use, and registration privileges shall continue for the entire one-year period, subject to review as provided in this section.

If the person under arrest is the owner of the vessel involved in the alleged violation, the law enforcement officer who arrested the person shall seize the watercraft registration certificate and tags from the vessel involved in the violation and forward them to the chief. The chief, in addition to informing the person by written notice that the person is prohibited from operating a vessel or using any water-skis, aquaplane, or similar device, and from registering any watercraft in accordance with section 1547.54 of the Revised Code, for one year following the date of the alleged violation, shall retain the impounded registration certificate and tags, and shall impound all other registration certificates and tags issued to the

person in accordance with sections 1547.54 and 1547.57 of the Revised Code, for a period of one year following the date of the alleged violation, subject to review as provided in this section.

If the arrested person fails to surrender the registration certificate because it is not on the person of the arrested person or in the watercraft, the law enforcement officer who made the arrest shall order the person to surrender it within twenty-four hours to the law enforcement officer or the law enforcement agency that employs the law enforcement officer. If the person fails to do so, the law enforcement officer shall notify the chief of the Division of Watercraft of that fact in the statement the officer submits to the chief under this section.

(E) Upon suspending a person's operation, use, and registration privileges in accordance with division (D) of this section, the Chief of the Division of Watercraft shall notify the person in writing, at the person's last known address, and inform the person that the person may petition for a hearing in accordance with division (F) of this section. If a person whose operation, use, and registration privileges have been suspended petitions for a hearing or appeals any decision that is adverse to the person, the suspension of privileges shall begin at the termination of any hearing or appeal unless the hearing or appeal resulted in a decision favorable to the person.

(F) Any person who has been notified by the Chief of the Division of Watercraft that the person is prohibited from operating a vessel or using any water skis, aquaplane, or similar device and from registering any watercraft in accordance with section 1547.54 of the Revised Code, or who has had the registration certificate and tags of the person's watercraft impounded pursuant to division (D) of this section, within twenty days of the notification or impoundment, may file a petition in the municipal court or the county court, or if the person is a minor in juvenile court, in whose jurisdiction the arrest occurred, agreeing to pay the cost of the proceedings and alleging error in the action taken by the Chief of the Division of Watercraft under division (D) of this section or alleging one or more of the matters within the scope of the hearing as provided in this section, or both. The petitioner shall notify the Chief of the Division of Watercraft of the filing of this petition and send the Chief of the Division of Watercraft a copy of the petition.

The scope of the hearing is limited to the issues of whether the law enforcement officer had reasonable grounds to believe the petitioner was operating a vessel or using any water skis, aquaplane, or similar device while under the influence of alcohol or a drug of abuse, under the combined influence of alcohol and a drug of abuse, or with a prohibited concentration of alcohol or a drug of abuse in the person's blood, urine, or breath, whether the petitioner was placed under arrest, whether the petitioner refused to submit to the chemical test upon request of the offender, and whether the petitioner was advised of the consequences of the refusal.

(G)(1) The Chief of the Division of Watercraft shall furnish the court a copy of the affidavit as provided in division (C) of this section and any other relevant information requested by the court.

(2) In hearing the matter and in determining whether the person has shown error in the decision taken by the Chief of the Division of Watercraft as provided in division (D) of this section, the court shall decide issue upon the relevant, competent, and material evidence submitted by the Chief of the Division of Watercraft or the person whose operation, use, and registration privileges have been suspended.

In the proceedings, the Chief of the Division of Watercraft shall be represented by the prosecuting attorney of the county in which the petition is filed if the petition is filed in a county court or juvenile court, except that if the arrest occurred within a city or village within the jurisdiction of the county court in which the petition is filed, the city director of law or village solicitor of that city or village shall represent the Chief of the Division of Watercraft. If the petition is filed in the municipal court, the Chief of the Division of Watercraft shall be represented as provided in section 1901.34 of the Revised Code.

(3) If the court finds from the evidence submitted that the person has failed to show error in the action taken by the Chief of the Division of Watercraft under division (D) of this section or in one or more of the matters within the scope of the hearing as provided in division (F) of this section, or both, the court shall assess the cost of the proceeding against the person and shall uphold the suspension of the operation, use, and registration privileges provided in division (D) of this section. If the court finds that the person has shown error in the action taken by the Chief of the Division of Watercraft under division (D) of this section or in one or more of the matters within the scope of the hearing as provided in division

(F) of this section, or both, the cost of the proceedings shall be paid out of the county treasury of the county in which the proceedings were held, the operation, use, and registration privileges of the person shall be reinstated without charge, and the registration certificate and tags, if impounded, shall be returned without charge.

(4) The court shall give information in writing of any action taken under this section to the Chief of the Division of Watercraft.

(H) At the end of any period of suspension or impoundment imposed under this section, and upon request of the person whose operation, use, and registration privileges were suspended or whose registration certificate and tags were impounded, the chief shall reinstate the person's operation, use, and registration privileges by written notice and return the certificate and tags.

(I) No person who has received written notice from the Chief of the Division of Watercraft that the person is prohibited from operating a vessel or using any water skis, aquaplane, or similar device, and from registering a watercraft, or who has had the registration certificate and tags of the person's watercraft impounded, in accordance with division (D) of this section, shall operate a vessel or use any water skis, aquaplane, or similar device, for a period of one year following the date of the person's alleged violation of Section 921.11 of the City Code or similar statute in the Revised Code.

break3

921.12 Incapacitated operators prohibited.

No person shall operate any vessel if the person is so mentally or physically incapacitated as to be unable to operate the vessel in a safe and competent manner.

No person shall permit any vessel to be operated on the waterways of the City in violation of this section.

921.13 Fail to comply with order of law enforcement officer; fleeing.

(A) No person shall fail to comply with any lawful order or direction from any law enforcement officer having authority to direct, control, or regulate the operation or use of vessels.

(B) No person shall operate any vessel so as to purposely elude or flee from a law enforcement officer after receiving a visible or audible signal from a law enforcement officer to bring the vessel to a stop.

(C) No person shall permit any vessel to be operated on the waterways of the City in violation of this section.

921.131 Duty upon approach of law enforcement vessel.

(A) Upon the approach of a law enforcement vessel with at least one flashing, rotating or oscillating light of a color conforming with the requirements of federal law, the operator of any vessel shall stop if followed or give way in any crossing, head on, or overtaking situation, and shall remain in that position until the law enforcement vessel has passed, except when otherwise directed by a law enforcement officer. If traffic conditions warrant, a siren or other sound-producing device also may be operated as an additional signaling device. This section does not relieve the operator of any law enforcement vessel from the duty to operate with due regard for the safety of all persons and property on the waterways of the City.

(B) No person shall permit any vessel to be operated on the waterways of the City in violation of this section.

921.14 Water-skiing confined to ski zones.

(A) Any person who rides or attempts to ride upon one or more water-skis, surfboard, or similar device, or who engages or attempts to engage in barefoot skiing, and any person who operates a vessel towing a person riding or attempting to ride on one or more water skis, surfboard, or similar device, or engaging or attempting to engage in barefoot-skiing, shall confine that activity to the water area within a designated ski zone on all bodies of water whereon a ski zone has been established.

(B) On all bodies of water designated as "open zone", that is, having a combined speed and ski zone, the activities

described in division (A) of this section shall be confined to the open zone.

(C) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

(D) Water-skiing in the Griggs and O'Shaughnessy Reservoir, and White Sulphur Quarry, shall be conducted under the following restrictions and no participant shall fail to comply:

(1) All towropes shall be of equal length, if the same vessel tows multiple skiers.

(2) No towline shall exceed seventy-five (75) feet in length, including the length of the yoke from the rear of the transom.

(3) Any vessel towing a water-skier shall at all times be operated on a counterclockwise course parallel to the thread of the waterway and at no time operated in a zigzag or circular course, nor closer than one hundred (100) feet to the shore.

(a) Exception: Skiers may make the return trip back through the slalom course; however, if up bound and down bound vessels meet head on in the slalom course the up bound/northbound vessel will give way.

(4) In the event of a fallen skier(s) the operator of the towing vessel shall immediately reduce the vessel speed and proceed without delay by the most direct route to the fallen skier.

(5) "Shallow water" and "dry water starts" will be permitted in the water sports practice and tournament zones and the White Sulphur Quarry. In the case of shallow water starts, the skier shall be at least fifty (50) feet from shore at the time of the start. The tow vessel, for both shallow and dry water starts, shall be at least seventy-five feet from the shore.

(6) After starts, skiers must maintain at least a one hundred (100) foot interval between the skier and all shorelines.

(7) Swimming will only be permitted to effect a rescue.

(8) No person shall leave a ski afloat in the water unattended.

(9) While skiing is being conducted no vessel shall be anchored in the water sports practice and tournament zones more than fifty (50) feet from shore.

(10) The public may participate in the water sports practice and tournament zones.

(11) No person, operating a vessel or motor vehicle, shall tow or pull in waterways a person having possession or control of an airfoil device or similar device capable of lifting a person airborne. No person, having possession or control of an airfoil device or similar device capable of lifting a person airborne, shall permit himself or herself to be towed in any waterway.

(12) Law enforcement officers, upon proper cause, may cause skiing to cease when conditions are such as to render water skiing hazardous. This will be accomplished by placing red flags at the buoys designating the water sports practice and tournament zones. If skiing is ordered stopped, the stoppage shall be of not less than one hour's duration.

(13) Inner tubes or other inflatable contrivances used as water-ski devices will not be permitted on the waterways of this City, except that handicapped persons may use inner tubes, other inflatable contrivances, or knee boards as water-ski devices with prior permission from Recreation and Parks, permits section.

(A) No person shall tow, or be towed upon, any skiing device unless specifically authorized by this section.

(14) No operator of any vessel shall tow any person who fails to comply with this section.

(15) The City shall assume no responsibility whatsoever for the safety of person or vessel using or attempting to use the water sports practice and tournament zones as designated or the White Sulphur Quarry and at the related facilities thereto with or without permission. All ski clubs and any other organization using or attempting to use the water sports practice and tournament zones shall agree that the City shall not be held liable and shall agree to save and hold harmless the City from any claim or claims and actions at law for property damaged or personal injuries resulting to any person or persons

arising out of the use of the water sports practice and tournament zones.

921.15 Observer required when towing skier.

(A) Any person who operates a vessel towing any person riding or attempting to ride upon one or more water skis, surfboard, or similar device, or engaging or attempting to engage in barefoot skiing, on the waterways of the City shall have present in the vessel a person or persons other than the operator, ten years of age or older, who shall at all times observe the progress of the person(s) being towed. The operator of the towing vessel shall at all times observe the traffic pattern toward which the vessel is approaching.

(B) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

921.16 Water-skiing after dark prohibited.

No person shall ride or attempt to ride upon water skis, surfboard, or similar device, or engage or attempt to engage in barefoot skiing, or use or operate any vessel to tow any person thereon on the waterways of the City during that period of the day between sunset and sunrise, except upon special permit issued by the Director of Recreation and Parks.

921.18 Personal flotation device required for towed person.

(A) No person shall ride or attempt to ride upon water skis, surfboard, or similar device being towed by a vessel without wearing an adequate and effective coast guard approved type one, two, or three personal flotation device, or type five personal flotation device specifically designed for water skiing, in good and serviceable condition and of appropriate size, except upon special permit issued by the Director of Recreation and Parks.

(B) No person shall engage or attempt to engage in barefoot skiing without wearing an adequate and effective coast guard approved type one, two, or three personal flotation device or type five personal flotation device specifically designed for water skiing, in good and serviceable condition and of appropriate size, or a wet suit specifically designed for barefoot skiing.

(C) No operator of a vessel shall tow any person who fails to comply with division (A) or (B) of this section.

921.19 Ski jumps prohibited.

No person shall install or maintain any structure or inclined platform known as a water ski jump on the waterways of the City. No person shall use any such platform or structure for the purpose of water ski jumping, except upon special permit issued by the Director of Recreation and Parks.

921.21 Inflatable vessel regulations.

(A) No person shall use or offer for use on the waterways of the City any inflatable vessel made of canvas, rubber, synthetic rubber or vinyl plastic unless the inflatable vessel is of multiple air cell or compartment construction and is capable of remaining afloat if one air cell or compartment is punctured or collapsed.

(B) Floating fishing contrivances, referred to as "belly boats," and while the user is actively engaged in fishing, are restricted to use within waterways, or zones of waterways, in which the speed limit does not exceed ten (10) miles per hour, provided that use of such contrivance on a City reservoir is restricted to use within twenty-five (25) feet of shoreline and prohibited in City marinas.

921.22 Sitting, standing, walking on moving vessel restricted.

(A) No occupant of any vessel underway on the waterways of the City shall sit, stand or walk upon any portion of the vessel not specifically designed for that movement, except when immediately necessary for the safe and reasonable navigation or operation of the vessel. No operator of a vessel under way on the waterways of the City shall allow any occupant of the vessel to sit, stand, or walk on any portion of the vessel underway not specifically designed for that use

except when immediately necessary for the safe and reasonable navigation or operation of the vessel.

(B) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

921.23 Engine warm-up required.

The pilot or engineer of any powercraft for hire to carry passengers shall not permit passengers to come aboard before the engine of such powercraft has been permitted to run for a minimum of two minutes.

921.24 Children under 10 must wear appropriate size personal flotation device.

No person shall operate or permit to be operated any vessel under eighteen feet in length while there is present in the vessel any person under ten years of age, not wearing a coast guard approved type one, two, or three personal flotation device in good and serviceable condition of appropriate size securely attached to the person under ten years of age.

921.25 Operation without personal flotation devices prohibited.

(A) No person shall operate or permit to be operated any watercraft on the waterways of the City:

(1) Sixteen feet or greater in length, without carrying on board one type one, two, or three personal flotation device for each person on board and one type four personal flotation device;

(2) Less than sixteen feet in length, including canoes and kayaks of any length, without carrying on board one type one, two, or three personal flotation device for each person on board.

(B) A type five personal flotation device may be carried in lieu of a type one, two, or three personal flotation device required under division (A) of this section.

(C) No person shall operate or permit to be operated any commercial vessel on the waterways of the City:

(1) That is less than forty feet in length and is not carrying persons for hire without carrying aboard at least one type one, two, or three personal flotation device for each person aboard;

(2) That is carrying persons for hire or is forty feet in length or longer and is not carrying persons for hire without carrying aboard at least one type one personal flotation device for each person aboard;

(3) That is twenty-six feet in length or longer without carrying aboard at least one type four ring life buoy in addition to the applicable requirements of divisions (C)(1) and (2) of this section.

(D) Each personal flotation device carried aboard a watercraft or commercial vessel pursuant to this section shall be coast guard approved and in good and serviceable condition, of appropriate size for the wearer, and readily accessible to each person aboard the watercraft at all times.

(E) As used in this section, "commercial vessel" means any vessel used in the carriage of any person or property for a valuable consideration whether flowing directly or indirectly from the owner, partner, or agent or any other person interested in the vessel.

"Commercial vessel" does not include any vessel that is manufactured or used primarily for noncommercial use or that is leased, rented, or chartered to another for noncommercial use.

921.251 Distress signals and flag required.

(A) No person shall operate a vessel upon the waterways of the City unless the vessel carries either a distress flag at least two feet square and international orange in color or a coast guard approved daytime distress signal.

(B) No person shall display any distress signal, unless a vessel or a person is in distress and in need of help.

(C) Division (A) of this section does not apply to:

- (1) Vessels competing in an organized marine parade, race, regatta, or similar event;
- (2) Manually propelled vessels;
- (3) Sailboats less than twenty-six feet in length with completely open construction and without propulsion machinery.

(D) The distress signals required by this section shall be in good and serviceable condition, readily accessible, and of the type and quantities required by regulation adopted under 46 U.S.C. 4302, as amended.

(E) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

921.26 Anchor and line required; exception.

(A) All watercraft, except sailboats less than sixteen feet long having a cockpit depth of less than twelve inches and except canoes, shall carry an anchor and line of sufficient weight and length to anchor the watercraft securely. The chief of the division of watercraft, by rule, may exempt other types of watercraft from this section after determining that carrying such anchor and line would constitute a hazard.

(B) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

921.27 Fire extinguishers required on powercraft.

(A) Except those powercraft propelled by an electric motor and those less than twenty-six feet in length designed for use with an outboard motor, of open construction, and not carrying passengers for hire, all powercraft shall carry fire extinguishers as prescribed in this section. The fire extinguishers shall be capable of extinguishing a burning gasoline fire, shall be so placed as to be readily accessible and in such condition as to be ready for immediate and effective use and shall comply with minimum or higher standards for such extinguishers then prevailing as prescribed by the United States coast guard.

(B) Class A and Class 1 powercraft shall carry at least one B-1 fire extinguisher. Class 2 powercraft shall carry at least two B-1 fire extinguishers or at least one B-2 fire extinguisher. Class 3 powercraft shall carry at least three B-1 fire extinguishers, or at least one B-1 and one B-2 fire extinguisher. A B-1 fire extinguisher is one containing a minimum of one and one-fourth gallons foam, four pounds carbon dioxide, two pounds dry chemical, two and one-half pounds halon, or another extinguishing material approved by the United States coast guard, in a quantity approved by the United States coast guard, for such use. A B-2 fire extinguisher is one containing a minimum of two and one-half gallons foam, fifteen pounds carbon dioxide, ten pounds dry chemical, ten pounds halon or another extinguishing material approved by the United States coast guard, in a quantity approved by the United States coast guard, for such use.

(C) No person shall operate or permit to be operated on the waterways of the City any powercraft that does not comply with this section.

921.28 Backfire flame control device.

Every gasoline engine installed in a vessel after April 25, 1940, except an outboard motor, shall be equipped with an acceptable device to control backfire flame. The device shall comply with all of the following:

- (A) Be securely attached to the air intake with a flame-tight connection;
- (B) Be in proper working order;
- (C) Be coast guard approved or comply with either SAE J1928 or UL 1111:

(D) Be marked to indicate approval or compliance under division (C) of this section.

921.29 Ventilation required on powercraft.

All powercraft using gasoline or other liquid fuel having a flashpoint of less than 110 degrees F. shall be provided with ventilation as follows:

(A) At least two ventilators fitted with cowls or their equivalent for the purpose of properly and efficiently ventilating the bilges of every engine and fuel tank compartment in order to remove any inflammable or explosive gases;

(B) Any type of ventilating system approved for use by the United States coast guard;

(C) The ventilation of the boat is not required where the greater portion of the bilges of the engine and fuel tank compartment is open to the natural atmosphere.

921.30 Law enforcement official may order storage of vessel or outboard motor left on private property; towing by private dock owner.

(A) As used in this section and Sections 921.301, 921.302 and 921.304 of the City Code or similar sections of the Revised Code.

(1) "Vessel or outboard motor" excludes an abandoned junk vessel or outboard motor, as defined in Section 921.303 of the City Code, or similar statute of the revised code, or any watercraft or outboard motor under Section 4585.31 of the Revised Code.

(2) "Law Enforcement Agency" means any organization or unit comprised of law enforcement officers, as defined in of Section 2901.01 of the Revised Code.

(B)(1) The Chief of Police, upon complaint of any person adversely affected, may order into storage any vessel or outboard motor that has been left on private property other than a private dock or mooring facility or structure, for at least seventy-two hours without the permission of the person having the right to the possession of the property. The Chief, upon complaint of the owner of a marine repair facility or place of storage, may order into storage any vessel or outboard motor that has been left at the facility or place of storage for a longer period than that agreed upon. The Chief shall designate the place of storage. When ordering a vessel or motor into storage under division (B)(1) of this section, the Chief, whenever possible, shall arrange for the removal of the vessel or motor by a private tow truck operator or towing company.

(2) (a) Except as provided in division (B)(2)(d) of this section, no person, without the consent of the owner or other person authorized to give consent, shall moor, anchor or tie a vessel or outboard motor at a private dock or mooring facility or structure owned by another person if the owner has posted, in a conspicuous manner, a prohibition against the mooring, anchoring, or tying of vessels or outboard motors at the dock, facility, or structure by any person not having the consent of the owner or other person authorized to give consent.

(b) If the owner of a private dock or mooring facility or structure has posted at the dock, facility, or structure, in a conspicuous manner, conditions and regulations under which the mooring, anchoring, or tying of vessels or outboard motors is permitted at the dock, facility, or structure, no person, except as provided in division (B)(2)(d) of this section, shall moor, anchor, or tie a vessel or outboard motor at the dock, facility, or structure in violation of the posted conditions and regulations.

(c) The owner of a private dock or mooring facility or structure may order towed into storage any vessel or outboard motor found moored, anchored, or tied in violation of division (B)(2)(a) or (b) of this section, provided that the owner of the dock, facility, or structure post on it a sign that states that the dock, facility, or structure is private, is visible from all entrances to the dock, facility, or structure, and contains all of the following information:

(i) The enforcement specified in division (B)(2)(a) or (b) of this section, as applicable;

(ii) A notice that violators will be towed and that violators are responsible for paying the cost of the towing;

(iii) The telephone number of the person from whom a towed vessel or outboard motor may be recovered, and the address of the place to which the vessel or outboard motor will be taken and the place from which it may be recovered.

(d) Division (B)(2)(a) and (b) of this section do not prohibit a person from mooring, anchoring, or tying a vessel or outboard motor at a private dock or mooring facility or structure if either of the following applies:

(i) The vessel or outboard motor is disabled due to a malfunction, provided that the person immediately removes the vessel or outboard motor from the dock, facility, or structure when the malfunction is corrected or when a reasonable attempt has been made to correct it;

(ii) Weather conditions are creating an imminent threat to safe operation of the vessel or outboard motor, provided that the person immediately removes the vessel or outboard motor from the dock, facility, or structure when the weather conditions permit safe operation of the vessel or outboard motor.

(e) A person whose vessel or outboard motor is towed into storage under division (B)(2)(c) of this section either shall pay the cost of the towing of the vessel or outboard motor or shall reimburse the owner of the dock or mooring facility or structure for the cost that the owner incurs in towing the vessel or outboard motor.

(3) Subject to division (C) of this section, the owner of a vessel or outboard motor that has been removed under division (B) of this section may recover the vessel or motor only in accordance with division (F) of this section.

(C) If the owner or operator of a vessel or outboard motor that has been ordered into storage under division (B) of this section arrives after the vessel or motor has been prepared for removal but prior to its actual removal from the property, the owner or operator shall be given the opportunity to pay a fee of not more than one-half of the charge for the removal of vessels or motors under division (B) of this section that normally is assessed by the person who has prepared the vessel or motor for removal, in order to obtain release of the vessel or motor. Upon payment of that fee, the vessel or motor shall be released to the owner or operator, and upon its release, the owner or operator immediately shall move it so that it is not on the private property without the permission of the person having the right to possession of the property, or is not at the facility or place of storage without the permission of the owner, whichever is applicable.

(D) The Chief of Police shall maintain a record of vessels or outboard motors that the Chief orders into storage under division (B)(1) of this section. The record shall include an entry for each such vessel or motor that identifies the vessel's hull identification number or serial number, if any, the vessel's or motor's make, model, and color, the location from which it was removed, the date and time of its removal, the telephone number of the person from whom it may be recovered, and the address of the place to which it has been taken and from which it may be recovered. Any information in the record that pertains to a particular vessel or motor shall be provided to any person who, pursuant to a statement the person makes either in person or by telephone, is identified as the owner or operator of the vessel or motor and requests information pertaining to its location.

(E) Any person who registers a complaint that is the basis of the Chief's order for the removal and storage of a vessel or outboard motor under division (B)(1) of this section shall provide the identity of the law enforcement agency with which the complaint was registered to any person who, pursuant to a statement the person makes, is identified as the owner or operator of the vessel or motor and requests information pertaining to its location.

(F)(1) The owner of a vessel or outboard motor that is ordered into storage under division (B) of this section may reclaim it upon payment of any expenses or charges incurred in its removal, in an amount not to exceed two hundred dollars, and storage, in an amount not to exceed five dollars per twenty-four hour period, and upon presentation of proof of ownership, which may be evidenced by a certificate of title to the vessel or motor, certificate of United States coast guard documentation, or certificate of registration if the vessel or motor is not subject to titling under Section 1548.01 of the Revised Code.

(2) If a vessel or motor that is ordered into storage under division (B) of this section remains unclaimed by the owner for thirty days, the procedures established by Sections 921.301, and 921.302 of the City Code shall apply.

(3) If a vessel or outboard motor ordered into storage under division (B)(2) of this section remains unclaimed for seventy-two hours after being stored, the tow truck operator or towing company that removed the vessel or outboard motor shall provide notice of the removal and storage to the Chief of Police the vessel or outboard motor had been moored, anchored, or tied in violation of division (B (2) of this section. The notice shall be in writing and include the vessel's hull identification number or serial number, if any, the vessel's or outboard motor's make model, and color, the location from which it was removed, the date and time of its removal, the telephone number of the person from whom it may be recovered, and the address of the place to which it has been taken and from which it may be recovered.

Upon receipt of the notice, the Chief of Police immediately shall cause a search to be made of the records of the Division of Watercraft to ascertain the owner and any lien-holder of the vessel or outboard motor, and, if known, shall send notice to the owner and lien-holder, if any, at the owner's and lien-holder's last known address by certified mail, return receipt requested, that the vessel or outboard motor will be declared a nuisance and disposed of if not claimed not later than thirty days after the date of the mailing of the notice.

If the owner or lien-holder makes no claim to the vessel or outboard motor within thirty days of the date of the mailing of the notice, the Chief of Police shall file with the clerk of courts of the county in which the place of storage is located an affidavit showing compliance with the requirements of division (F)(3) of this section, and the vessel or outboard motor shall be disposed of in accordance with section 921.302 of the City Code or similar section of the Revised Code.

(G) No person shall remove, or cause the removal of, any vessel or outboard motor from private property other than in accordance with division (B) of this section or Section 921.301 of the City Code or similar section of the Revised Code.

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921.301 Storage of vessel or motor left in sunken, beached, drifting or docked condition; notice; affidavit; salvage certificate.

The Chief of Police may order into storage any vessel or outboard motor that has been left in a sunken, beached or drifting condition for any period of time, or in a docked condition, on a public street or other property open to the public, or upon or within the right-of-way of any waterway, road, or highway, for forty-eight hours or longer without notification to the Chief of the reasons for leaving the vessel or motor in any such place or condition. The Chief shall designate the place of storage of any vessel or motor ordered removed by him.

The Chief shall immediately cause a search to be made of the records of the Division of Watercraft to ascertain the owner and any lien-holder of a vessel or outboard motor ordered into storage by the Chief, and, if known, shall send notice to the owner and lien-holder, if any, at the person's last known address by certified mail, return receipt requested, that the vessel or motor will be declared a nuisance and disposed of if not claimed within ten days of the date of mailing of the notice. The owner or lien-holder of the vessel or motor may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the vessel or motor, certificate of United States coast guard documentation, or certificate of registration if the vessel or motor is not subject to titling under Section 1548.01 of the Revised Code.

If the owner or lien-holder makes no claim to the vessel or outboard motor within ten days of the date of mailing of the notice, and if the vessel or motor is to be disposed of at public auction as provided in Section 921.302 of the City Code, the Chief shall file with the clerk of courts of the county in which the place of storage is located an affidavit showing compliance with the requirements of this section. Upon presentation of the affidavit, the clerk of courts shall without charge issue a salvage certificate of title, free and clear of all liens and encumbrances, to the Chief and shall send a copy of the affidavit to the Chief of the Division of Watercraft. If the vessel or outboard motor is to be disposed of to a marine salvage dealer or other facility as provided in Section 921.302 of the City Code, the Chief shall execute in triplicate an affidavit, as prescribed by the Chief of the Division of Watercraft, describing the vessel or motor and the manner in which it was disposed of, and that all requirements of this section have been complied with. The Chief shall retain the original of the affidavit for his records and shall furnish two copies to the marine salvage dealer or other facility. Upon presentation of a copy of the affidavit by the marine salvage dealer or other facility, the clerk of courts shall issue to such owner a salvage certificate of title, free and clear of all liens and encumbrances.

Whenever the marine salvage dealer or other facility receives an affidavit for the disposal of a vessel or outboard motor as provided in this section, such owner shall not be required to obtain an Ohio certificate or title to the vessel or motor in his own name if the vessel or motor is dismantled or destroyed and both copies of the affidavit are delivered to the Clerk of Courts. Upon receipt of such an affidavit, the Clerk of Courts shall send one copy of it to the Chief of the Division of Watercraft.

921.302 Disposal of unclaimed vessel or motor.

(A) Unclaimed vessels or outboard motors ordered into storage under division (B) of Section 921.30 or Section 921.301 of the City Code shall be disposed of at the order of the Chief of Police in any of the following ways:

- (1) To a marine salvage dealer.
- (2) To any other facility owned, operated, or under contract with the City of Columbus.
- (3) To a charitable organization, religious organization, or similar organization not used and operated for profit;
- (4) By sale at a public auction by the Chief, or an auctioneer licensed under Chapter 4707 of the Revised Code, after giving notice of the auction by advertisement, published once a week for two consecutive weeks in a newspaper of general

circulation in the county.

(B) Any moneys accruing from the disposition of an unclaimed vessel or motor that are in excess of the expenses resulting from the removal and storage of the vessel or motor shall be credited to the general revenue fund of the City of Columbus.

(C) As used in this section, "charitable organization" has the same meaning as in section 1716.01 of the Revised Code.

921.303 Disposal of abandoned vessel or motor.

(A) As used in this section and Section 921.304 of City Code or similar statute in 1547.304 of the Revised Code.

(1) "Abandoned junk vessel or outboard motor," means any vessel or outboard motor meeting all of the following requirements:

(a) It has been left on private property for at least seventy-two hours without the permission of the person having the right to the possession of the property; left in a sunken, beached, or drifting condition for any period of time; or left in a docked condition, on a public street or other property open to the public, or upon or within the right-of-way of any waterway, road, or highway, for forty-eight hours or longer without notification to the Chief of Police of the reasons for leaving the vessel or motor in any such place or condition;

(b) It is three years old, or older;

(c) It is extensively damaged, such damage including but not limited to any of the following: missing deck, hull, transom, gunwales, motor, or out-drive;

(d) It is apparently inoperable;

(e) It has a fair market value of two hundred dollars or less.

(2) "Law enforcement agency" means any organization or unit comprised of law enforcement officers, as defined in Section 2901.01 of the Revised Code.

(B) The Chief of Police, upon notification of such action, shall order any abandoned junk vessel or outboard motor to be photographed by a law enforcement officer. The officer shall record the make of vessel or motor, the hull identification number or serial number when available, and shall also detail the damage or missing equipment to substantiate the value of two hundred dollars or less. The Chief shall thereupon immediately dispose of the abandoned junk vessel or outboard motor to a marine salvage dealer or other facility owned, operated, or under contract to the City for the destruction of such vessels or motors. The records and photographs relating to the abandoned junk vessel or outboard motor shall be retained by the law enforcement agency ordering the disposition of the vessel or motor for a period of at least two years. The law enforcement agency shall execute in quadruplicate an affidavit, as prescribed by the Chief of the Division of Watercraft, describing the vessel or motor and the manner in which it was disposed of, and that all requirements of this section shall have been complied with, and shall sign and file the same with the clerk of courts of the county in which the vessel or motor was abandoned. The clerk of courts shall retain the original of the affidavit for the clrk' file, shall furnish one copy thereof to the Chief of the Division of Watercraft, one copy to the marine salvage dealer or othr faciity handling the disposal of the vessel or moto, and one copy to the law enforcment ageny ordering the disposal, who shall file such copy with the records and photographs relating to the disposal. Any moneys arising from the disposal of an abandoned junk vessel or outboard motor shall be credited to the general revenue fund of the City of Columbus.

Notwithstanding Section 921.301 of the City Code, any vessel or outboard motor meeting the requirements of divisions (A)(1)(c) to (e) of this section which has remained unclaimed by the owner or lien-holder for a period of ten days or longer following notification as provided in Section 921.301 of the City Code may be disposed of as provided in this section.

921.304 Abandonment of vessel or motor without notice to law enforcement official prohibited.

No person shall purposely leave an abandoned junk vessel or outboard motor on private property for more than

seventy-two (72) hours without the written permission of the person having the right to the possession of the property; in a sunken, beached, or drifting condition for any period of time; or in a docked condition, on a public street or other property open to the public, or upon or within the right-of-way of any waterway, road, or highway, for forty-eight (48) hours or longer without notification to the Chief of the reasons for leaving the vessel or motor in any such place or condition. For purposes of this section, the fact that an abandoned junk vessel or outboard motor has been so left without permission or notification is prima-facie evidence of abandonment.

921.31 Muffler or muffler system; noise level violations.

(A) Every powercraft operated on the waterways of the City shall be equipped at all times with a muffler or a muffler system that is in good working order, in constant operation, and effectively installed to prevent excessive or unusual noise.

(B)(1) No person shall operate or give permission for the operation of a powercraft on the waterways of the City in such a manner as to exceed a noise level of ninety decibels on the "A" scale when subjected to a stationary sound level test as prescribed by SAE J2005.

(2) No person shall operate or give permission for the operation of a powercraft on the waterways of the City in such a manner as to exceed a noise level of seventy-five decibels on the "A" scale measured as specified by SAE J1970. Measurement of a noise level of not more than seventy-five decibels on the "A" scale of a powercraft in operation does not preclude the conducting of a stationary sound level test as prescribed by SAE J 2005.

(C) No person shall operate or give permission for the operation of a powercraft on the waterways of the City that is equipped with an altered muffler or muffler cutout, or operate or give permission for the operation of a powercraft on the waterways of the City in any manner that bypasses or otherwise reduces or eliminates the effectiveness of any muffler or muffler system installed in accordance with this section, unless the applicable mechanism has been permanently disconnected or made inoperable.

(D) No person shall remove, alter, or otherwise modify in any way a muffler or muffler system in a manner that will prevent it from being operated in accordance with this section.

(E) No person shall manufacture, sell, or offer for sale a powercraft that is not equipped with a muffler or muffler system that prevents noise levels in excess of those established in division (B)(1) of this section.

(F) This section does not apply to any of the following:

(1) A powercraft that is designed, manufactured, and sold for the sole purpose of competing in racing events. The exception established under division (F)(1) of this section shall be documented in each sale agreement and shall be acknowledged formally by the signatures of the buyer and the seller. The buyer and the seller shall maintain copies of the sale agreement. A copy of the sale agreement shall be kept aboard the powercraft when it is operated. A powercraft to which the exception established under division (F)(1) of this section applies shall be operated on the waterways of the City only in accordance with division (F)(2) of this section.

(2) A powercraft that is actually participating in a sanctioned racing event or in tune-up periods for a sanctioned racing event on the waterways of this city and that is being operated in accordance with division (F)(2) of this section. For the purposes of division (F)(2) of this section, a sanctioned racing event is a racing event that is conducted in accordance with section 1547.20 of the Revised Code or that is approved by the United States coast guard. The operator of a powercraft that is operated on the waterways of this city for the purpose of a sanctioned racing event shall comply with that section and requirements established under it or with requirements established by the coast guard, as appropriate. Failure to comply subjects the operator to this section.

(3) A powercraft that is being operated on the waterways of the City by or for a boat or engine manufacturer for the purpose of testing, development, or both and that complies with division (F)(3) of this section. The operator of such a powercraft shall have aboard at all times and shall produce on demand of a law enforcement officer a current, valid letter issued by the chief of the division of watercraft in accordance with the rules adopted under division (I)(1) of this section.

(G) A law enforcement officer who is trained in accordance with rules adopted under division (I)(2) of this section and who has reason to believe that a powercraft is not in compliance with the noise levels established in this section may direct the operator of the powercraft to submit it to an on-site test to measure the level of the noise emitted by the powercraft. The operator shall comply with that direction. The officer may remain aboard the powercraft during the test at the officer's discretion.

If the level of the noise emitted by the powercraft exceeds the noise levels established in this section, the officer may direct the operator to take immediate and reasonable measures to correct the violation, including returning the powercraft to a mooring and keeping it at mooring until the violation is corrected or ceases.

(H) A law enforcement officer who conducts powercraft noise level test pursuant to this section shall be trained to do so in accordance with the rules adopted under division (I)(2) of this section.

(I) In accordance with Chapter 119 of the Revised Code, the chief shall adopt rules establishing both of the following:

(1) Requirements and procedures for the issuance of letters under division (F)(3) of this section. The rules shall require, without limitation, that each such letter adequately identify the powercraft concerning which the letter is issued and specify the purpose for which the powercraft is being operated.

(2) Requirements and procedures for the training of law enforcement officers who conduct powercraft noise level test pursuant to this section. The rules shall require the training to include, without limitation, the selection of a site where noise level is measured and the calibration and use of noise measurement equipment.

921.32 Vessel dwelling unlawful.

No person shall use any vessel for the purpose of establishing or maintaining a dwelling of either permanent or temporary nature on any of the waterways of the City.

921.321 Vessel camping prohibited.

(A) Vessel camping shall be prohibited on all waterways of the city without written permission from the Director.

(B) As used in this section, vessel camping means habitation and sleeping by any occupant in any vessel after hours of park closure.

921.33 Sink, toilet or sanitary system restrictions.

No person shall launch, moor, dock, use, or operate or permit to be operated on any waterways of the City any vessel that contains a sink, toilet, or sanitary system that is capable of discharging urine, fecal matter, contents of a chemical commode, kitchen wastes, laundry wastes, slop sink drainage, or other household wastes into the waterways of the City. Such sink, toilet, or sanitary system shall be removed or sealed or made to drain into a tank or reservoir that can be carried or pumped ashore for disposal in a sewage treatment works approved by the Director of Environmental Protection.

921.34 Violation resulting in injury or damage is evidence of negligence in a civil action.

Violations of sections 921.03 to 921.33 or similar sections of the Revised Code, which result in injury to persons or damage to property, shall constitute prima facie evidence of negligence in a civil action.

921.38 Rental of improperly equipped vessel prohibited.

No person who lets vessels for hire, or the agent or employee thereof, shall rent, lease, charter, or otherwise permit the use of a vessel, unless the person provides the vessel with the equipment required under Sections 921.25, 921.251, 921.26, 921.27, 921.28, 921.29 and 921.31 of the City Code or similar sections of the Revised Code and rules adopted under this chapter regarding the equipment of vessels, and complies with the requirements of Sections 921.24, 921.40, 921.53,

921.57 of the City Code or similar sections of the Revised Code and either 1547.54 or 1547.542 of the Revised Code and rules adopted under this chapter to implement and enforce those sections.

921.39 Capacity plate required.

(A) No person after January 1, 1977, shall manufacture, sell, or offer for sale any watercraft propelled by machinery as its principal source of power, or watercraft designed to be manually propelled, less than twenty feet in length, and designed to carry two or more persons, manufactured after that date, unless a capacity plate containing the correct information as prescribed by regulations adopted by the United States coast guard, is firmly attached to the watercraft. The capacity plate shall be attached in such location that it is clearly legible from the position designed or intended to be occupied by the operator when underway.

(B) No person shall operate or permit to be operated on the waterways of the City watercraft for which a capacity plate is required under this section unless the capacity plate is attached.

(C) No person shall alter, remove, or deface any information contained on the capacity plate unless the manufacturer has altered the watercraft in such a way that would require a change in the information contained on the capacity plate.

(D) As used in this section, "manufacture" means to construct or assemble a watercraft, or to alter a watercraft in such a manner as to affect or change its weight capacity or occupant capacity.

921.40 Exceeding capacity plate figures; absence of plate.

(A) No person shall operate or permit to be operated on the waterways of the City a watercraft to which a capacity plate is attached, if the total load exceeds the weight capacity indicated on the capacity plate, if the number of persons aboard exceeds the occupant capacity indicated on the capacity plate, or if the horsepower of any attached outboard motor exceeds the maximum horsepower indicated on the capacity plate.

(B) When no capacity plate exists, no person shall operate or permit to be operated on the waterways of the City a watercraft if a reasonably prudent person would believe that either of the following circumstances applies:

- (1) The total load aboard the watercraft has associated with it a risk of physical harm to persons or property;
- (2) The total horsepower of any inboard engine or attached outboard motor has associated with it a risk of physical harm to persons or property.

921.49 Littering prohibited.

(A) As used in this section, "litter" means garbage, trash, waste, rubbish, ashes, cans, bottles, wire, paper, cartons, vessel parts, vehicle parts, furniture, glass, or anything else of an unsightly or unsanitary nature.

(B) No operator or occupant of a vessel or any other person shall, regardless of intent, throw, drop, discard, or deposit litter from any vessel in operation or control upon or in any waterways of the City, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

(C) No operator of a vessel in operation upon any waterways of the City shall allow litter to be thrown, dropped, discarded, or deposited from the vessel, except into a litter receptacle in a manner that prevents its being carried away or deposited by the elements.

921.57 Tags indicating expiration date; attachment of identification number.

(A) Except as otherwise provided in division (C) of this section, when the chief of the division of watercraft issues a registration certificate under section 1547.54 of the Revised Code, the chief also shall issue to the applicant two tags not larger than three inches square, color coded, indicating the expiration date of the certificate. The owner of watercraft

currently documented by the United States coast guard and for which a registration certificate is issued shall securely affix one tag to the watercraft's port side and the other tag to the starboard side so that the tags are clearly visible under normal operating conditions. The tags shall be removed from the watercraft when they become invalid. The owner of any other watercraft for which a registration certificate is issued shall securely affix one tag to the watercraft's port side, six inches toward the stern from the identification number, and the other tag to the starboard side, six inches toward the stern from the identification number. The tags shall be securely affixed to the watercraft prior to its operation, but shall be removed from the watercraft when they become invalid. A person may operate without a registration certificate issued under section 1547.54 of the Revised Code, for a period not to exceed forty-five days, any watercraft required to be titled on the waters in this state if the person is in compliance with section 1547.531 [1547.53.1] of the Revised Code.

(B) The owner of every watercraft requiring numbering by this state shall attach to each side of the bow of the watercraft the permanent identification number in such manner as may be prescribed by applicable federal standards in order that it shall be clearly visible. The number shall be maintained in a legible condition at all times. No number other than the number assigned to a watercraft or granted by reciprocity pursuant to Chapter 1547 of the Revised Code shall be painted, attached, or otherwise displayed on either side of the bow of the watercraft.

(C) When the chief issues a registration certificate under section 1547.54 of the Revised Code for a canoe, rowboat, or inflatable watercraft that has not been numbered under section 1547.53 of the Revised Code, the chief also shall issue to the applicant a tag not larger than three inches by six inches, with distinguishing color coding and a number for identification purposes. The owner of the canoe, rowboat, or inflatable watercraft for which the registration certificate is issued shall affix the tag securely to a location on the canoe, rowboat, or inflatable watercraft as prescribed by rules adopted by the chief under section 1547.52 of the Revised Code.

(D) No person shall operate or permit to be operated any watercraft on the waters in this City in violation of this section.

921.59 Duties after collision or accident; accident reports.

The operator of a vessel involved in a collision, accident, or other casualty, so far as the person can do so without serious danger to the operator's own vessel, crew, and passengers, shall render to other persons affected by the collision, accident, or other casualty such assistance as may be practicable and as may be necessary in order to save them from or minimize any danger caused by the collision, accident, or other casualty. The operator also shall give the operator's name, address, and identification of the operator's vessel in writing to any person injured and to the owner of any property damaged in the collision, accident, or other casualty.

Any person who renders assistance at the scene of a collision, accident, or other casualty involving a vessel is not liable in a civil action for damages or injury to persons or property resulting from any act or omission in rendering assistance or in providing or arranging salvage, towage, medical treatment, or other assistance, except that the person is liable for willful or wanton misconduct in rendering assistance. Nothing in this section precludes recovery from any tortfeasor causing a collision, accident or other casualty, of damages caused or aggravated by the rendering of assistance.

In the case of collision, accident, or other casualty involving a vessel, the operator thereof, if the collision, accident, or other casualty results in loss of life, personal injury requiring medical treatment beyond first aid, or damage to property in excess of five hundred dollars, shall file with the Chief of the Division of Watercraft a full description of the collision, accident, or other casualty, on a form prescribed by the Chief. The report so filed shall be used for statistical purposes only and shall not be admissible for any civil, criminal, or administrative action at law.

If the operator of the involved vessel in a collision, accident, or other casualty is incapacitated, the investigating law enforcement officer shall file the required form as prescribed by the Chief of the Division of Watercraft.

921.63 Enforcement.

Every law enforcement officer, within the area of his authority, may enforce the provisions of this chapter and Chapter 1547 of the Revised Code, and rules adopted by the chief of the division of watercraft, and in the exercise thereof may stop and board any vessel subject to this chapter, or Chapter 1547 of the Revised Code and rules adopted under it.

921.66 Alteration of identifying marks; false information on application.

No person shall deface or alter any serial number, model designation, or other identifying mark on any watercraft or motor as placed thereon by the manufacturer thereof, or remove, deface, or alter the registration number of any watercraft as the registration number appears on the bow thereof except by specific order of the Chief of the Division of Watercraft.

921.69 Firearms offenses; signaling devices.

(A) As used in this section:

(1)"Firearm and handgun have the same meanings as Section 2923.11 of the Revised Code.

(2)"Unloaded" has the same meaning as in Section 2923.16 of the Revised Code.

(B) No person shall knowingly discharge a firearm while in or on a vessel.

(C) No person shall knowingly transport or have a loaded firearm in a vessel, in a manner that the firearm is accessible to the operator or any passenger.

(D) No person shall knowingly transport or have a firearm in a vessel, unless it is unloaded and is carried in one of the following ways:

(1) In a closed package, box, or case;

(2) In plain sight with the action opened or the weapon stripped; or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight.

(E) (1) The affirmative defense authorized in divisions (D) (1) and (2) of Section 2923.12 of the Revised Code are affirmative defenses to a charge under division (C) or (D) of this section that involves a firearm other than a handgun, in a vessel that the actor transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section or division (B) or (C) of section 2923.16 of the Revised Code while the vessel was being operated on a waterway that was not on the actor's own property or while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

(2) No person who is charged with a violation of division (C) or (D) of this section shall be required to obtain a license or temporary emergency license to carry a concealed handgun under section 2923.1213 of the Revised Code as a condition for the dismissal of the charge.

(F) Divisions (B), (C), and (D) of this section do not apply to the possession or discharge of a United States Coast Guard approved signaling device required to be carried aboard a vessel under section 1547.251 of the Revised Code when the signaling device is possessed or used for the purpose of giving a visual distress signal. No person shall knowingly transport or possess any signaling device of that nature in or on a vessel in a loaded condition at any time other than immediately prior to the discharge of the signaling device for the purpose of giving a visual distress signal.

(G) No person shall operate or permit to be operated any vessel on the waterways of the City in violation of this section.

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(H) This section does not apply to officers, agents, or employees of this or any other state or of the United States or to law enforcement officers when authorized to carry or have loaded or accessible firearms in a vessel and acting within the scope of their duties, nor to persons legally engaging in hunting. Divisions (C) and (D) of this section do not apply to a person who transports or possesses a handgun in a vessel and who, at the time of that transportation or possession, is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under section 2923.125 or 2923.1213 of the Revised Code or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code, unless the person knowingly is in a place on the vessel described in division (B) of the section 2923.126 of the Revised Code.

(I) If a law enforcement officer stops a vessel for a violation of this section or any other law enforcement purpose, if any person on the vessel surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop.

921.92 Tampering with navigation aid or vessel prohibited.

No person shall knowingly:

(A) Damage, remove, or tamper with any signal, buoy, or other aid to navigation;

(B) Sever the mooring lines of, set adrift, or tamper with any vessel that is moored or tied up on the waterways of the City.

921.99 Penalties.

(A) Whoever violates Section 921.01-06, 921.01-07, 921.01-08 921.10, division (I) of Section 921.111, Section 921.13, 921.34, 921.66 or Section 921.70 of this chapter is guilty of a misdemeanor of the first degree.

(B) Whoever violates a provision of this chapter or a rule adopted thereunder, for which no penalty is otherwise provided, is guilty of a minor misdemeanor.

(C) Whoever violates Section 921.07 or 921.12 of this chapter without causing injury to persons or damage to property is guilty of a misdemeanor of the fourth degree.

(D) Whoever violates Section 921.07, 921.12, or 921.92 of the City Code causing injury or damage to property is guilty of a misdemeanor of the third degree.

(E) Whoever violates division (G) of Section 921.30 or Section 921.131, 921.25, 921.321, 921.33, 921.38, 921.39, 921.40, 921.69, or 921.92 of this chapter is guilty of a misdemeanor of the fourth degree.

(F) Whoever violates Section 921.11 of the City Code is guilty of a misdemeanor of the first degree and shall be punished as provided in division (F)(1), (2) or (3) of this section.

(1) Except as otherwise provided in division (F)(2) or (3) of this section, the court shall sentence the offender to a term of imprisonment of three consecutive days and may sentence the offender pursuant to section 2929.21 of the Revised Code to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine of not less than one hundred fifty or more than one thousand dollars.

The court may suspend the execution of the mandatory three consecutive days of imprisonment, that is required to impose by division (F)(1) of this section in the court, in lieu of the suspended term of imprisonment, places the offender on probation and requires the offender to attend, for three consecutive days, a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code. The court also may suspend the execution of any part of the mandatory three consecutive days of imprisonment that is required to impose by division (F)(1) of this section if the court places the

offender on probation for part of the three consecutive days; requires the offender to attend, for that part of the three consecutive days, a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code; and sentences the offender to a term of imprisonment equal to the remainder of the three consecutive days that the offender does not spend attending the drivers' intervention program. The court may require the offender, as a condition of probation, to attend and satisfactorily complete any treatment or education programs, in addition to the required attendance at a drivers' intervention program, that the operators of the drivers' intervention program determine that the offender should attend and to report periodically to the court on the offender's progress in the program. The court also may impose any other conditions of probation on the offender that it considers necessary.

(2) If, within five years of the offense, the offender has not been convicted of or pleaded guilty to a violation of Section 921.11 of the City Code, or Section 1547.11 of the Revised Code, or a municipal ordinance relating to operating a watercraft or manipulating any water skis, aquaplane, or similar device while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, of a municipal ordinance relating to operating a watercraft or manipulating any water skis, aquaplane, or similar device with a prohibited concentration of alcohol in the blood, breath or urine, of division (A)(1) of section 2903.06 of the Revised Code or former section 2903.06 or 2003.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, the court shall sentence the offender to a term of imprisonment of ten consecutive days and may sentence the offender pursuant to section 2929.21 of the Revised Code to a longer term of imprisonment. In addition, the court shall impose upon the offender a fine not less than one hundred fifty or more than one thousand dollars.

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code.

(3) If, within five years of the offense, the offender has been convicted of or pleaded guilty to more than one violation of division (F)(2) of this section, the court shall sentence the offender to a term of imprisonment of thirty consecutive days and may sentence the offender to a longer term of imprisonment of not more than one year. In addition, the court shall impose upon the offender a fine of not less than one hundred fifty or more than one thousand dollars.

In addition to any other sentence that it imposes upon the offender, the court may require the offender to attend a drivers' intervention program that is certified pursuant to section 3793.10 of the Revised Code.

(4) Upon a showing that imprisonment would seriously affect the ability of an offender sentenced pursuant to division (F)(1), (2) or (3) of this section to continue the offender's employment, the court may authorize that the offender be granted work release from imprisonment after the offender has served the three, ten or thirty consecutive days of imprisonment that the court is required by division (F)(1), (2) or (3) of this section to impose. No court shall authorize work release from imprisonment during the three, ten, or thirty consecutive days of imprisonment that the court is required by division (F)(1), (2), or (3) of this section to impose. The duration of the work release shall not exceed the time necessary each day for the offender to commute to and from the place of employment and the place of imprisonment and the time actually spent under employment.

(5) Notwithstanding any section of the City Code or Revised Code that authorizes the suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court shall suspend the ten or thirty consecutive days of imprisonment required to be imposed by division (F)(2) or (3) of this section or place an offender who is sentenced pursuant to division (F)(2) or (3) of this section in any treatment program in lieu of imprisonment until after the offender has served the ten or thirty consecutive days of imprisonment required to be imposed pursuant to division (F)(2) or (3) of this section.

Notwithstanding any section of the City Code or Revised Code that authorizes the suspension of the imposition or execution of a sentence or the placement of an offender in any treatment program in lieu of imprisonment, no court, except as specifically authorized by division (F)(1) of this section, shall suspend the three consecutive days of imprisonment required to be imposed by division (F)(1) of this section or place an offender who is sentenced pursuant to division (F)(1) of this section in any treatment program in lieu of imprisonment until after the offender has served three consecutive days of imprisonment required to be imposed pursuant to division (F)(1) of this section.

(G) Whoever violates Section 921.304 of the City Code or similar section of the Revised Code is guilty of a misdemeanor

of the fourth degree and also shall be assessed any costs incurred by the City in disposing of an abandoned junk vessel or outboard motor, less any money accruing to the City.

(H) Whoever violates division (B) or (C) of Section 921.49 of the City Code or similar section of the Revised Code is guilty of a minor misdemeanor.

(I) Whoever violates section 921.31 of the City Code or 154.31 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense. On each subsequent offense, the person is guilty of a misdemeanor of the third degree.

(J) Whoever violates section 921.05 or 921.051 of the City Code or 1547.05 or 1547.051 of the Revised Code is guilty of a misdemeanor of the fourth degree if the violation is not related to a collision, injury to a person, or damage to property and a misdemeanor of the third degree if the violation is related to a collision, injury to a person, or damage to property.

(K) The sentencing court, in addition to the penalty provided under this section for a violation of this chapter or rule adopted under it that involves a powercraft powered by more than ten horsepower and that, in the opinion of the court, involves a threat to the safety of persons or property, shall order the offender to complete successfully a boating course approved by the national association of state boating law administrators before the offender is allowed to operate a powercraft powered by more than ten horsepower on the waterways of this City. Violation of a court order under this division is punishable as contempt under Chapter 2705 of the Revised Code.

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

Legislation Number: 0808-2005

Drafting Date: 04/21/2005

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

AN05-005

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 Orange Township. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Notice of the annexation request was received from Delaware County. The ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Delaware County. Information to determine the municipal services that would be available was compiled following the receipt of the notice. This process takes a minimum of two weeks to complete. Preparation of the ordinance and submission to the City Clerk in order to have a timely hearing before City Council requires a minimum additional time of two weeks. All of the above creates the necessity for emergency legislation in order to meet the hearing deadline.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN05-005) of 6.451± Acres in Orange Township to the city of Columbus as required by the Ohio Revised Code. ~~and to declare an emergency.~~

Body

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed by Steve Vilardo on April 20, 2005; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Delaware; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the Far North Area Plan planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; **now, therefore and**

~~**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Delaware County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,~~

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 6.451± acres in Orange Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

See attached Fire Response Form.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: This site can be served by an existing 12 inch main located about 250 feet to the east. The developer will be responsible for the cost of the extension both to and across his property.

Sewer:

Sanitary Sewer:

This site is tributary to an existing 8" sanitary sewer located at the southeast corner of the tract. Mainline extension is required and to be installed at developer's expense. Gross density for development is limited to 12 people/ac per Delaware Co. Sewer Agreement with City of Columbus. The site has sewer service from existing sanitary sewers maintained by the county. The site is currently serviced by a pump station which will be relieved by gravity service in 2008. The condition of the exiting sewer system is unknown at this time.

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 6.451 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Orange Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Orange Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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

Legislation Number: 0809-2005

Drafting Date: 04/21/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This ordinance will enable the Director of Recreation and Parks to enter into a contract with the Phoenix Theatre Circle, 77 South High Street, Floor 2, Columbus, Ohio, 43215, for the purpose of creating, producing and staffing summer theatre camps and fall/winter classes at the Davis Performing Arts Center for Youth from May 15, 2005, to December 15, 2005.

A professional service agreement, DE062191, exists with the Phoenix Theatre Circle to provide development services for the period of May through December 2005, for \$18,000.00. An additional contract is needed for the above stated services in the amount of \$30,000.00. This need was not anticipated when the first agreement was processed.

The Contract Compliance Number for Phoenix Theatre Circle is #31-1395795.

Due to the unique skills, abilities and teaching experience necessary, the department is requesting the waiver of the bidding

provisions of the Columbus City Codes to enter into a contract with the Phoenix Theatre Circle.

This agreement is necessary to continue programming as the Davis Performing Arts Programs for Youth lost its artistic director in September 2004 and has not been able to obtain a replacement.

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

Fiscal Impact:

\$30,000.00 is budgeted from the Recreation and Parks Operating Fund to meet the financial obligation of this contract.

Title

To authorize and direct the Director of Recreation and Parks to enter into a contract with the Phoenix Theatre Circle for the purpose of creating, producing and staffing summer theatre camps and fall/winter classes at the Davis Performing Arts Center for Youth, to waive the necessary competitive bidding requirements, to authorize the expenditure of \$30,000.00 from the Recreation and Parks Operating Fund, and to declare an emergency. (\$30,000.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to waive the requirements of competitive bidding and contract with the Phoenix Theatre Circle for the purpose of creating, producing and staffing summer theatre camps and fall/winter classes at the Davis Performing Arts Center from May 15, 2005 through December 15, 2005; 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 agreement so funding is in place for said expenditures and no classes need to be cancelled, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That this Council finds it in the best interest of the City of Columbus to waive requirements of competitive bidding for professional services for the instructing of theatre classes at the Davis Performing Arts Center, and does hereby waive provisions of Section 329.06(b) of the Columbus City Codes.

SECTION 2. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with the Phoenix Theatre Circle for the purpose of creating, producing and staffing theatre camps and classes at the Davis Performing Arts Center from May 15, 2005 through December 15, 2005.

SECTION 3. That the expenditure of \$30,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Operating Fund 285, OCA Code 511535, Object Level 3 #3346, to pay the cost thereof:

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: 0810-2005

Drafting Date: 04/21/2005

Version: 3

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: As required by Parkland Dedication Ordinance Number 1985-98 and in accordance with the Zoning Ordinance No. 1394-2004 rezoning certain real property under case number Z-04-014, M/I Homes of Central Ohio, LLC, an Ohio limited liability company, is to provide 10+ acres of parkland to the City in the Upper Albany West development area. Additionally, in order to comply with TND requirements, the aforementioned 10+ acres has been split into several parcels, that will be dedicated to and accepted by the City of Columbus, Ohio for parkland purposes. M/I Homes of Central Ohio, LLC has requested that (of the required 10+ acres) the City deed 2.528 acres back to M/I who will construct thereon a community center which will include recreational park facilities and open space for the residents of the Upper Albany West development area. As partial consideration to the City for the foregoing request, M/I Homes of Central Ohio, LLC has deeded an additional 10+ acres to the City for parkland purposes, said 10+ acres being located in the general vicinity but separate and distinct from the foregoing zoning requirements. The Recreation and Parks Department has determined that granting the requested real property will benefit the City by providing the general public and community with open space and recreational facilities in a timely manner, and should be allowed. The following legislation authorizes the Executive Director of the Recreation and Parks Department to execute those documents necessary to grant the subject real property.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested to allow the City to provide the general public and aforementioned community with certain open space and recreational facilities in a timely manner, as explained within the background of this legislation.

Title

To authorize the Executive Director of the Department of Recreation and Parks to execute a deed to M/I Homes of Central Ohio, LLC for certain City owned real property, to provide a community center, park recreational facilities and open space to residents in the Upper Albany West development area, and to the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised; **and to declare an emergency.**

Body

WHEREAS, As required by Parkland Dedication Ordinance Number 1985-98 and in accordance with the Zoning Ordinance No. 1394-2004 rezoning certain real property under case number Z-04-014, M/I Homes of Central Ohio, LLC, an Ohio limited liability company, is to provide 10+ acres of parkland to the City in the Upper Albany West development area; and

WHEREAS, additionally, in order to comply with TND requirements, the aforementioned 10+ acres has been split into several parcels, that will be dedicated to and accepted by the City of Columbus, Ohio for parkland purposes; and

WHEREAS, M/I Homes of Central Ohio, LLC has requested that (of the required 10+ acres) the City deed 2.528 acres back to M/I to be used for the construction of a community center and park recreational facilities as well as open space that M/I will construct for the benefit of residents of the Upper Albany West development area; and,

WHEREAS, as partial consideration to the City for the foregoing request, M/I Homes of Central Ohio, LLC has deeded an additional 10+ acres to the City for parkland purposes, said 10+ acres being located in the general vicinity but separate and distinct from the foregoing zoning requirements; and,

WHEREAS, after investigation, the Recreation and Parks Department has determined that granting the requested real property will benefit the City by providing the community with recreational facilities and open space in a timely manner, and should be allowed; ~~and~~ now, therefore:

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Executive Director of the Department of Recreation and Parks to execute a quitclaim deed and any ancillary documents required to grant said quitclaim deed 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 the Executive Director of Department of Recreation and Parks be and hereby is authorized to execute those documents, as prepared by the Real Estate Division, Department of Law, necessary to grant to M/I Homes of Central Ohio, LLC the following described real property, to-wit:

Situated in the State of Ohio, County of Franklin, and City of Columbus, and being all of Reserve F in UPPER ALBANY WEST SECTION 1 as the same is numbered and delineated on the recorded plat thereof, of record in Plat Book 105, Pages 86-90, Recorder's Office, Franklin County, Ohio.
Franklin County Tax Parcel No. 460-274361.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (*Land Review Commission*) and Section 329.25 (*competitive bidding*) to the extent that they may apply to this transaction with regards to this ordinance only.

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

Legislation Number: 0813-2005

Drafting Date: 04/22/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

A portion of the Whittier Peninsula has been identified for reuse as a new, urban mixed-use neighborhood. The redevelopment of the Whittier Peninsula implements the goals and objectives of the Whittier Reach section of the *Riverfront Vision*, a land use and development plan adopted by Columbus City Council in 1998. At this time it is necessary to secure the services of a qualified professional appraiser to determine the fair market value of certain real owned property located within the Whittier Peninsula necessary to the project. The following is an ordinance to authorize the City Attorney to, contract for professional services, and to expend the monies for payment of those costs in connection with the **Riverfront Vision Plan Project**.

FISCAL IMPACT: It has been determined that the funds will come from the Miranova TIF - City Riverfront Vision Account (Ordinance #1578-98), adopted by Columbus City Council on June 29, 1998.

EMERGENCY JUSTIFICATION:

Emergency action is requested to allow the appraisal of the subject parcel necessary for this project to proceed without delaying the project beyond its established time frame.

Title

To authorize the City Attorney to contract for professional services and to expend \$3,500.00 from the Miranova TIF Fund - City Riverfront Vision Account for costs in connection with acquisition of certain real property on the Whittier Peninsula consistent with the redevelopment plan known as the **Riverfront Vision Plan Project** and to declare an emergency.

Body

WHEREAS, the *Riverfront Vision*, adopted by Columbus City Council in 1998, is a land use and development plan that expresses the community's vision for nine-miles of river corridor that stretches along portions of the Scioto and Olentangy Rivers, from State Route 104 to Dodridge Street; and

WHEREAS, the *Riverfront Vision* establishes land use and development goals and objectives for the Whittier Peninsula and that these goals and objectives identify a combination of parkland and a new, mixed-use neighborhood development as appropriate redevelopment; and

WHEREAS, the Riverfront Commons Corporation, as part of the Riverfront Vision Plan, recommend the City purchase certain privately owned property on the Whittier Peninsula for reuse as parkland and redevelopment; and

WHEREAS, it is necessary to obtain an appraisal of the those targeted properties in order to initiate negotiations for purchase; and

WHEREAS, the purchase of the property will be conditioned on a future ordinance of Council; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the City Attorney to contract for professional services, and to expend the monies for costs in connection with the **Riverfront Vision Plan Project** so that the project is not delayed beyond its established timeframe, thereby preserving the public health, peace, property and safety; now, therefore:

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

Section 1. That the City Attorney be, and hereby is to contract with Kenneth Wilson for the professional services necessary in connection with the **Riverfront Vision Plan Project**; and

Section 2. That from the unappropriated balance in the Miranova TIF Fund - City Riverfront Vision Account, Fund 406, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2005, the sum of \$3,500.00, be and hereby is appropriated to the Auditor's Office, Department 22-01, Project 440071, OCA #440071, Object Level One 03, Object Level Three #3336.

Section 3. That the expenditure of \$3,500.00, or so much as may be necessary, be and is hereby authorized from the Auditor's Office, Department 22-01, Miranova TIF Fund - City Riverfront Vision Account, Fund 406, Project 440071, OCA 440071, Object Level One 03, Object Level Three #3336.

Section 4. That for the reasons state in the preamble hereto, which is herby 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: 0815-2005

Drafting Date: 04/22/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

The purpose of this legislation is to authorize the Director of Public Utilities to modify and extend a contract for Land Application of Biosolids for the Division of Sewerage and Drainage with Synagro Midwest Inc.

This contract provides for the disposal of sewage sludge on agricultural land. It is used by the Compost Facility and the Jackson Pike and Southerly Wastewater Treatment Plants. The Director of Public Utilities opened formal bids on May 26, 2004 and an award was made to the lowest, responsive and responsible bidders, Burch Hydro Incorporated and Synagro Midwest Inc. The contract language provides for 3 contract extensions and the Division of Sewerage and Drainage wishes to utilize the first of these three (3) extensions creating a new expiration date of September 30, 2006.

Because of concerns with the performance of Burch Hydro Inc., the Department of Public Utilities, Division of Sewerage and Drainage believes it is in the best interest of the City of Columbus to add additional funds to its contract with Synagro Midwest Inc. and not to add any additional funds to its contract with Burch Hydro Inc. The division intends to rebid the contract in the fall of 2005. The \$480,000.00 requested by this ordinance is the estimated amount needed by the Division of Sewerage and Drainage until a new contract is in place.

ORIGINAL BIDS:

Burch Hydro Inc 17860 Ankenytown Rd, Fredricktown OH (\$775,519.45)
Synagro Midwest Inc: 7014 E. Baltimore Street, Baltimore OH (\$804,825.35)
Metro Environmental Services 5055 Nike Dr, Hilliard OH (\$1,098,887.00)

SUPPLIER(S): Synagro Midwest Inc (76-0612568)

FISCAL IMPACT: \$480,000.00 is being requested for this service.

\$320,000.00 has been certified in 2004
\$900,000.00 was spent in 2003
\$895,000.00 was spent in 2002

Emergency legislation is being requested so that there is continued disposal of sewage sludge without interruption.

Title

To authorize the Director of Public Utilities to modify and extend an existing contract for the Land Application of Biosolids Services with Synagro Midwest Inc., for the Division of Sewerage and Drainage, to authorize the expenditure of \$480,000.00 from the Sewerage System Operating Fund, and to declare an emergency (\$480,000.00)

Body

WHEREAS, the Director of Public Utilities opened formal bids on May 26, 2004 for Land Application of Biosolids Services, and

WHEREAS, the contract language provides for 3 contract extensions and the Division of Sewerage and Drainage is requesting to the first of three extensions allowed by the contract specifications which will extend the contract expiration date to September 30, 2006, and

WHEREAS, Because of concerns with the performance of Burch Hydro Inc., the Department of Public Utilities, Division of Sewerage and Drainage believes it is in the best interest of the City of Columbus to add additional funds to its contract with Synagro Midwest Inc. and not to add any additional funds to its contract with Burch Hydro Inc., and

WHEREAS, the Division of Sewerage and Drainage desires to modify and extend the contract to allow Synagro Midwest Inc. to be awarded those items originally awarded to Burch Hydro Inc. until such time that the services can be rebid and a new contract awarded, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage

and Drainage due to out of service incinerators and it is immediately necessary to modify and increase the contract for Land Application of Biosolids Services so that there is continued disposal of sewage sludge 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 Public Utilities be and is hereby authorized to modify and extend the contract with Synagro Midwest Inc. for the Land Application of Biosolids Services for the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$480,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, as follows:

Southerly Wastewater Treatment Plant

OCA 605055
Object Level 1: 03
Object Level 03: 3419
Amount: \$255,000.00

Jackson Pike Wastewater Treatment Plant

OCA 605022
Object Level 1: 03
Object Level 03: 3419
Amount: \$225,000.00

TOTAL: \$480,000.00

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: 0817-2005

Drafting Date: 04/25/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance authorizes the City Auditor to appropriate and transfer funds within the general permanent improvement fund and authorizes the City Auditor to enter into contract for the purchase of software, hardware and related services for implementation of a citywide virtual government procurement solution (V.GOV) that will create a web-based system for solicitation and bid processing, fully integrated with the city's Performance purchasing and accounting systems. In addition, V.GOV provides improvements in vendor management including new vendor registration, vendor profile maintenance and business compliance through vendor self-service and is a software component that modifies and adds functionality to the existing Performance Series application. Because this software is proprietary to the vendor, the ordinance authorizes a sole source contract with Tier Technologies, Inc., with which the City Auditor also contracts for the other components of Performance. The cost of the V.GOV software and implementation services is \$161,400; the balance of the project cost includes equipment and software that will be obtained from various vendors, not known at this time. Each of these purchases will be made from qualified vendors and none will exceed \$20,000.

FISCAL IMPACT:

Funds are available for this transfer within the unallocated balance of the general permanent improvement fund for this project. The total cost of this project will not exceed \$185,000.

EMERGENCY: Emergency legislation is requested in order to facilitate the immediate purchase of the V.GOV software, implementation and related products and services in order to proceed with the project in a timely manner.

CONTRACT COMPLIANCE NUMBER: Tier Technologies, Inc. 94-3145844, Expiration: 07/03/05

Title

To authorize and direct the City Auditor to appropriate and transfer \$185,000 within the general permanent improvement fund; to authorize the City Auditor to enter into contract and to expend up to \$161,400 with Tier Technologies, Inc. for the purchase of software and implementation and related services for a citywide internet-based electronic procurement system (V.GOV), in accordance with the sole source provisions of the Columbus City Code; to authorize the balance of the project cost of up to \$23,600 to be expended for equipment and software that will be obtained from various vendors, not known at this time, for a total project cost of up to \$185,000 or as much thereof as may be necessary from the general permanent improvement fund; and to declare an emergency. (\$185,000.00)

Body

WHEREAS, it is desirable that the city acquire a web-based, citywide electronic procurement application that will create a system for solicitation and bid processing, fully integrated with the city's Performance purchasing and accounting systems; and

WHEREAS, funds for this acquisition are available within the unallocated balance of the general permanent improvement fund; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize this appropriation and transfer of funds to the City Auditor and that the City Auditor enter into contract with Tier Technologies, Inc. and various other vendors for implementation of V.GOV with the city's Performance purchasing system, in order to proceed with the project in a timely manner, 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 balance of the general permanent improvement fund, fund number 748, the amount of \$185,000.00 is hereby appropriated to project number 748999, oca 945748, object level 1 - 10, object level 3 - 5501.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$185,000.00 within the general permanent improvement fund, fund number 748, from project number 748999 to project number 450004, oca 450004, object level 1 - 6, object level 3 - 6655.

SECTION 3. That the City Auditor be and is hereby authorized to enter into a contract with Tier Technologies, Inc. in accordance with the sole source provisions of Section 329.07(e) of the Columbus City Code, for the purchase of software, implementation and related services for a citywide internet-based electronic procurement system (V.GOV) in an amount not to exceed \$161,400.00 and with various other vendors in an amount not to exceed \$23,600.00 for related equipment and software.

SECTION 4. That the expenditure of \$185,000.00 or so much thereof as may be necessary is hereby authorized to be expended from department 2201, fund 748, from project number 450004, oca 450004, object level 1-6, object level 3 - 6655.

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: 0821-2005

Drafting Date: 04/25/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Title

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to rent Uniforms/Floor Mat Rental with Cintas Corporation, and to declare an emergency.

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL000734 and FL000735 to and including May 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 maintain supplies, this is being 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 FL000734 and FL000735 for an option to rent Non-Safety Forces Uniforms and Building Maintenance Supplies thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance Director be and is hereby authorized and directed to modify and extend FL000734 and FL000735 with Cintas Corporation to and including May 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: 0823-2005

Drafting Date: 04/25/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase Ready Mix Concrete for the Transportation 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 April 30, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001602). Formal bids were opened on April 18, 2005. Twenty one (MAJ:21) bids solicited; three (MAJ:3) bids received.

Anderson Concrete submitted a complete bid for items 1 through 5B and items 6 and 7. F.W. Sloter submitted a complete bid for items 1 through 5B and item 7. Greensboro Corp. submitted a complete bid on items 5C through 5F and item 7. Since delivery costs and proximity to each specific job site will have a bearing on the lowest total, in accordance with the specifications, multiple bidders will be awarded contracts.

Anderson Concrete Company, Items #1 through 5B, and #6 are available at 402 Frank Rd. Items #1 through 5B, and #6 are available at 600 N. Hamilton Rd. Items #1 through 5B, are available at 6105 Westerville Rd. All items are available for delivery.

F. W. Sloter, Inc., #1 through 5B, are available at plants located at 1997 Harmon Ave., 6400 Proprietors Road / Worthington, and 370 Morrison Road. All items are available for delivery.

The Greensboro Corporation, Item #5C is available from Haul Road plant and McKinley Avenue plant. All items are available for delivery. After hour mobilization and surface preparation is available.

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

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

Anderson Concrete Company, CC#31-4356835

F. W. Sloter, Inc., CC#31-4405874

The Greensboro Corporation, CC#31-1319258

Total Estimated Annual Expenditure: \$250,000.00

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. All City agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into contracts for an option to purchase Ready Mix Concrete, with Anderson Concrete Company, F. W. Sloter, Inc, and The Greensboro Corporation, to authorize the expenditure of three dollars to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$3.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 18, 2005 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, all City agencies use Ready Mix Concrete to maintain public property in an attractive, safe, and healthy manner, 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 public properties are 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 services at risk; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division in that it is immediately necessary to enter into a contract for an option to purchase Ready Mix Concrete, 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 Ready Mix Concrete in accordance with Solicitation No. SA001602 as follows:

Anderson Concrete Company, Items #1 through 5B, 6, and 7 at 402 Frank Rd; Items #1 through 5B, #6 and #7 at 600 N. Hamilton Rd; Items #1 through 5B and 7, at 6105 Westerville Rd.

F. W. Slotter, Inc., Items #1 through 5B, heat between November and April, and #7, at plants located at 1997 Harmon Ave., 6400 Proprietors Road / Worthington, and 370 Morrison Road.

The Greensboro Corporation, Items #5C, 5D, 5E, 5F and 7 at Haul Road plant and McKinley Avenue plant.

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 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: 0825-2005

Drafting Date: 04/26/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

On February 22, 2005, the Department of Development entered into an Agreement with the Long Street Business Association, DL010177, for \$14,400 for administrative costs of the business association.

Since that time the Long Street Business Association has changed their name to the Long Street Businessmen's Association. It is now necessary to amend the agreement DL010177 to reflect the correct name of the business association.

Emergency action is requested so that the amendment to the agreement with the Long Street Businessmen's Association can be executed immediately. This will allow the Long Street Businessmen's Association to continue implementation of economic development activities uninterrupted.

FISCAL IMPACT:

No additional funds are needed for this amendment. In 2004, CDBG funds totaling \$14,400 were allocated to the Long Street Business Association for administrative costs. In 2005, \$14,400 in CDBG funds was also allocated to the Long Street Business Association for administrative costs.

Title

To authorize the Director of the Department of Development to amend the agreement with the Long Street Business Association by changing the name of the organization to the Long Street Businessmen's Association; and to declare an emergency.

Body

WHEREAS, the Department of Development entered into an agreement with the Long Street Business Association for

administrative costs related to the operation of the organization; and

WHEREAS, the Long Street Business Association has since changed its name to the Long Street Businessmen's Association; and

WHEREAS, the agreement with the Long Street Business Association need to be amended to reflect the name change; and

WHEREAS, no additional funds are needed to carry out the above activity; and

WHEREAS, emergency action is necessary to allow the Long Street Businessmen's Association to continue their economic development activities uninterrupted; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend the agreement with the Long Street Business Association to reflect their current name change to the Long Street Businessmen's Association all for the preservation of the public health, peace, property, safety and welfare;
NOW THEREFORE,

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

Section 1. That the Director of the Department of Development is hereby authorized and directed to amend Agreement DL010177 with the Long Street Business Association to reflect their new name to the Long Street Businessmen's Association.

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

Legislation Number: 0827-2005

Drafting Date: 04/26/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To establish a contract for the option to purchase Various Asphalt Concretes for the Trasportation 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 April 30, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA001603). Formal bids were opened on April 18, 2005. Twenty - seven (MAJ:23, M1A:4) bids solicited; five (MAJ:5) bids received.

Apple-Smith Corp. submitted a complete bid for items 1 and 2, item four, items 6 through 8, items 10 and 11, and item 13. Kokosing Materials submitted a complete bid for items 1 through 7 and items 10 through 12. Miller Pavement Materials submitted a complete bid for items 1 through 5, items 8 and 9, and item 13. QPR - a division of Lafarge submitted a complete bid for item 6. Shelley & Sands, Inc. submitted a complete bid for items 1 ,2 and item 4. Since delivery costs and proximity to each specific job site will have a bearing on the lowest total, in accordance with the specifications, multiple bidders will be awarded contracts.

Apple-Smith Corp., Items 1 and 2, item 4, and items 6 through 8 are available at 3040 McKinley Ave. All items are available for delivery. After hours mobilization is available.

Kokosing Materials, Items 1, 3, and 5 through 7 are available at 4755 South High Street. Items 1 through 5 are available at 6189 Westerville Road. All items are available for delivery.

Miller Pavement Materials, Items 1 through 5, items 8 and 9 are available at 700 Hart Road. After hours mobilization is available.

QPR,- a division of Lafarge, Item 6 is available by delivery only.

Shelley & Sands, Inc., Items 1, 2 and item 4 are available at 3200 Jackson Pike / Grove City.

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

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

Apple-Smith Corp., CC#31-1012654.

Kokosing Materials, CC# 31-0980603

Miller Pavement Materials , CC#31-1595128

QPR,- a division of Lafarge, CC#58-1290226

Shelley & Sands, Inc. CC#31-4351261

Total Estimated Annual Expenditure: \$200,000.00

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. All City agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance Director to enter into contracts for an option to purchase Various Asphalt Concretes, with Apple-Smith Corp., Kokosing Materials, Miller Pavement Materials , QPR - a division of Lafarge, Shelley & Sands, Inc., to authorize the expenditure of four dollars to establish the contracts from the Purchasing/Contract Operation Fund, and to declare an emergency. (\$5.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 18, 2005 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, all City agencies use Various Asphalt Concretes to maintain public property in an attractive, safe, and healthy manner, 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 public properties are 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 services at risk; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division in that it is immediately necessary to enter into a contract for an option to purchase Various Asphalt Concretes, 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 Various Asphalt Concretes in accordance with Solicitation No. SA001603 as follows:

Apple-Smith Corp., Items # 1, 2, 4, 6 through 8, 10, 11, and 13.

Kokosing Materials, Items # 1, 3, 5 through 7, and items 10 through 12 from 4755 South High Street Plant, and Items # 1 through 5, and 10 through 12 from 6189 Westerville Road Plant.

Miller Pavement Materials, Items # 1 through 5, 8, 9, and 13.

QPR - a division of Lafarge, Item # 6.

Shelley & Sands, Inc., Items # 1 ,2, and 4.

SECTION 2. That the expenditure of \$5.00 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: 0829-2005

Drafting Date: 04/26/2005

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the appropriation of \$465.00 from the unappropriated balance of the Special Purpose Fund, Historic Light Fixture Restoration Subfund. The Subfund was established in order to renovate and replace damaged glass panels in the historic light fixtures on the first floor of City Hall.

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: The Special Purpose Fund, Historic Light Fixture Restoration Subfund has sufficient funding to support a \$465.00 appropriation.

Title

To authorize the appropriation of \$465.00 from the unappropriated balance of the Special Purpose Fund, Historic Light Fixture Restoration Subfund, to the Public Service Department, Facilities Management Division, to provide funding for the restoration and replacement of glass panels of historic City Hall light fixtures; and to declare an emergency. (\$465.00)

Body

WHEREAS, glass panels of historic light fixtures in City Hall are in disrepair; and

WHEREAS, a special subfund was created to provide funding for the renovation and installation of said historic light fixtures, and

WHEREAS, it is necessary to appropriate said funds to the Facilities Management Division so that the installation and renovation of said historic light fixtures may be accomplished, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Facilities Management Division, in that it is immediately necessary to appropriate said funds for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That from the unallocated monies in the Special Purpose Fund 223, Historic Light Fixture Restoration Subfund 139, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2005, the sum of \$465.00 be and hereby is appropriated to the Public Service Department, Facilities Management Division 5907, OCA Code 223139, Object Level One - 03, Object Level Three - 3336.

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

SECTION 3. That 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: 0838-2005

Drafting Date: 04/27/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

AN05-007

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 PlainTownship. 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 (AN05-007) of 4.041± Acres in Plain Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

Body

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by Cardinal Title Holding Co. on April 27, 2005; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the Rocky Fork-Blacklick Accord planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 4.041± acres in Plain Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

At the present time fire protection for the proposed annexation is as follows:

See attached Fire Response Form.

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: The proposed annexation site shall receive city water service from the existing 12" water main located in Warner Rd.

Sewer:

Sanitary Sewer:

This site can be served by an existing 8 inch sewer located about 200 feet to the southeast. Main line extension will 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 4.041 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Plain Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Plain Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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

Legislation Number: 0845-2005

Drafting Date: 04/29/2005

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationThe 2005 budget funds in the Department of Finance for an improvement in the performance management component of ColumbusStat which involves creation of a management oversight group to assist departments in operating more efficiently to provide essential city services in the most effective and least costly way possible. This initiative is modeled upon Baltimore's CitiStat program. The oversight group will consist of existing executive-level personnel on Mayor's staff and in the Cabinet and will be staffed by Finance employees. The staggered addition of four positions was budgeted in Finance during 2005.

As part of the establishment of ColumbusStat program, a new classification was created by the Civil Service Commission, that of Performance Management Coordinator, which will oversee the functions associated with the ColumbusStat program. It is recommended that the classification be assigned a Pay Grade 93 (\$51,688-\$77,522), based on an analysis of relevant market and internal equity information.

Emergency action is needed in order to allow the Department of Finance to get the process underway to begin the expedited implementation of the performance management portion of the ColumbusStat program.

Fiscal Impact:

Funding for this position is included in the 2005 budget within the Department of Finance.

Title

To amend the Management Compensation Plan, Ordinance No. 2944-99, as amended, to enact a new classification within

Section 5(E); and to declare an emergency.

Body

WHEREAS, the Civil Service Commission has created the classification of Performance Management Coordinator; and

WHEREAS, it is necessary to reflect the Civil Service Commission's actions in the Management Compensation Plan; and

WHEREAS, it is necessary to assign a pay grade to the classification of Performance Management Coordinator; and

WHEREAS, this ordinance is being submitted as an emergency measure because the immediate establishment of the Performance Management Coordinator classification is necessary to expedite the implementation of the ColumbusStat program; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the Management Compensation Plan, thereby preserving the public health, peace, property, safety and welfare; Now, Therefore,

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

SECTION 1. That Ordinance No. 2944-99 as amended, be amended to enact Section 5(E)-P107 as follows:

Ord. Sec.	Class Code	Class Title	Grade
5(E)-P107	0847	Performance Management Coordinator	93

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

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED 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 - May 17, 2005 11:00 am

SA001624 - r&p-playground improvements

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, May 17, 2005 and publicly opened and read immediately thereafter for

2005 PLAYGROUND IMPROVEMENTS

The work for which proposals are invited consists of supply and installation of play equipment and safety surfacing; supply and installation of asphalt base; supply and installation of basketball poles, nets and backboards; earthwork; seeding; supply and installation of split rail fence; supply and installation of park benches, trash receptacles, bicycle racks; picnic tables and lumber and other such work as may be necessary to complete the contract in accordance with the plans and specifications for 30 parks.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645 - 0487 upon a non-refundable payment of \$25.00 per package.

Bid packages will be available for pick-up 4/22/05.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/ Specifications containing the Proposal must be submitted in a sealed envelope marked "2005 Playground Improvements".

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the 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. The amount of the Bid Bond must be filled in on the Bid Proposal Form.

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 will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

Thomas L. Kaplin, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Department of Recreation & Parks
ORIGINAL PUBLISHING DATE: April 20, 2005

SA001625 - r&p-floor and door improvements

THE CITY BULLETIN
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ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, May 17th, 2005, and publicly opened and read immediately thereafter for:

Floor and Door Improvements at Various Facilities

The work for which proposals are invited consists of Removal and replacement of various floor covering and associated floor base materials at various Recreation and Parks Department facilities as noted in the contract documents. Some of the floor work will require re-nailing of wood sub-flooring and installation of new wood sub-flooring over the existing wood sub-flooring. Removal and replacement of various doors, frames, glazing, louvers, and associated door hardware at various Recreation and Parks Department facilities as noted in the contract documents. Removal and replacement of an acoustical folding partition at one of the facilities. This Work may require proper and appropriate structural modifications to allow for proper and appropriate installation and loading requirements of the new folding partition. Miscellaneous masonry, carpentry, and gypsum board work and repairs necessary to accommodate the Work for this project. Miscellaneous HVAC and electrical work as necessary to accommodate the Work for this project.

and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 4/27/05 at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-5765 upon a non-refundable payment of \$25.00 per package payable to Columbus City Treasurer.

Proposals must be completely filled in and submitted on the proper forms, P-1 through p-35, contained in the project manual/specification. The proposal in its entirety must be submitted in a sealed envelope marked "Floor and Door Improvements"

PRE-BID CONFERENCE

A Pre-bid Conference will be held Tuesday , May 10th 2005, at 11:00 a.m. at 200 Greenlawn Ave. Conference room.

Bidders are strongly urged to attend. Failure to attend will not disqualify a bidder. However, bidders shall comply with and be responsible for the bid specifications and information discussed at the pre-bid conference

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

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CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

OSHA/EPA/ADA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Thomas L. Kaplin, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: April 20, 2005

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001629 - r&p-hard surface improvements

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, May 17, 2005, and publicly opened and read immediately thereafter for:

ASPHALT PAVEMENT RENOVATION 2005

The work for which proposals are invited consists of asphalt removal, asphalt patch, crackfill and overlay, asphalt paving, striping, landscaping, fine-grading and seeding and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders starting May 2 at Recreation and Parks Department Office at 200 Greenlawn Avenue, Columbus, Ohio 43223 (614) 645-3308 upon a non-refundable payment of \$25.00 per package made out to Columbus City Treasurer.

Proposals must be submitted on the proper forms contained in the Project Manual/Specifications and the ENTIRE Project Manual/ Specifications containing the Proposal must be submitted in a sealed envelope marked "Asphalt Pavement Renovations."

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

OSHA/EPA/ADA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Thomas L. Kaplin, President
Recreation and Parks Commission

Wayne A. Roberts, Executive Director
Recreation & Parks Department
ORIGINAL PUBLISHING DATE: April 27, 2005

BID OPENING DATE - May 18, 2005 3:00 pm

SA001626 - Water-Master Plan Needs Assessment-SOQ

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

REQUEST FOR STATEMENTS OF QUALIFICATIONS
FOR PROFESSIONAL SERVICES FOR
DIVISION OF WATER MASTER PLAN NEEDS ASSESSMENT
FOR THE CITY OF COLUMBUS

The City of Columbus, Ohio is soliciting Statements of Qualifications (SOQ's) from experienced professional consulting/engineering firms to provide full-service assistance to the City for development of a Master Plan Needs Assessment for the Department of Public Utilities, Division of Water. The selected professional service firm will provide all office and field services necessary to develop the Assessment.

The intent of the Master Plan Needs Assessment is to prepare a report on the needs, costs, and priorities for updating existing master plans and preparing other master plans. Additional master plan needs to be considered are Water Quality, Watershed, Water Main Repair and Replacement Analysis, Park System Pavement Repair and Replacement.

Required activities of the Assessment are: Coordinate with the Public Utilities Dept. and other departments, if needed, such as the City Development Dept.; Briefly summarize the following studies and documents: Public Utilities Information Technology Master Plan, Vulnerability Assessment, Strategic Plan, Water Beyond 2000, Groundwater Protection Plan, Water Treatment Plants Residuals Management Plan, DRWP Membrane Study, DRWP Information Collection Rule, HCWP Information Collection Rule, Parsons Avenue Wellfield Master Plan, Distribution Study Update, Electric Study; Review coordination between the various plans; Provide recommendations for updating the existing plans and preparing additional plans; Review phasing of project recommendations from the existing plans; Identify and quantify costs and City resource requirements and priorities to implement the recommendations. Anticipated duration of the project will be four (4) months.

The Columbus Division of Water generally consists of: Three surface water sources; four collector wells; one supplemental supply quarry; one raw water pumping station and pipeline; three water plants; a utilities complex with distribution control center; 25 pressure regulating valve sites; 23 booster stations; 37 finished water tanks; 16 pressure service districts; and approximately 3,500 miles of distribution piping. Existing master plans will be available for pre-submittal review in the Engineering Services offices of the Division of Water at 910 Dublin Road, Second Floor, between the hours of 7:30 am and 4:30 pm. Contact Connie Garish at 645-7020 to schedule a review.

Potential professional service engineering firms shall submit: A statement of understanding that demonstrates knowledge of project requirements; a brief description of the firm's most significant qualifications for this work including particular knowledge and experience with security enhancements for water utilities, wastewater utilities and other processing facilities. Firms shall also submit a brief summary of experience within the last ten years involving master plans; a statement describing the firm's familiarity with the Ohio and Federal regulatory environment; brief resumes of the firm's proposed team including any sub-contractors that will be assigned to perform key portions of this project; the location of all key project personnel and descriptions of their specific knowledge of master planning for water utilities or other processing facilities. The project is identified as Division of Water Master Plan Needs Assessment.

Selection of professional services shall be in accordance with Section 329.13 of Columbus City Codes, 1959, utilizing the Department of Public Utilities Request for Qualifications (RFQ), prequalification process. This process is generally as follows:

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1. RFQ prepared and advertised by the Department.
2. SOQ's submitted by offerors prior to the deadline.
3. "Short listing" by the Department Evaluation Committee based upon the evaluation criteria specified herein.
4. Written notification of the "short list" sent to all offerors.
5. The Committee shall request complete technical proposals from each of the offerors selected for further consideration.
6. Proposals submitted by the "short listed" offerors.
7. The Committee may also request that all offerors selected for further consideration make a presentation to the Committee to elaborate on their technical proposals, SOQ's, cost estimates, and/or any other pertinent information.
8. The Committee shall rank all remaining offerors based upon the quality and feasibility of their proposals and any revisions thereto.
9. The Department shall enter into contract negotiations with the offerors in the order of rank, and written notification of the selection sent to remaining offerors.

Any agreement or contract entered into will be in accordance with the provisions of Chapter 329, of Columbus City Codes, 1959, the standard agreements for professional services of the Division of Water, and all other applicable rules and regulations.

All offerors, and their proposed subcontractors, shall have valid City of Columbus Contract Compliance Numbers (CCCN). SOQ's shall include these numbers, or copies of completed, submitted applications for certification. Applications for certification may be obtained from the City of Columbus website (www.columbus.gov), or from:

City of Columbus
Equal Business Opportunity Commission Office
109 North Front Street, 4th Floor
Columbus, Ohio 43215-9020
(614-645-4764)

NOTICE OF EQUAL BUSINESS OPPORTUNITY REQUIREMENTS

- a. Minority and Female Business Enterprise (MBE and FBE) Participation: Title 39 of the Columbus City Code (C.C.C.) provides for certification of minority business enterprises and female business enterprises. Under the current legislation, a minority business enterprise is defined as a for-profit business performing a commercially useful function which is owned and controlled by a person or persons having an African American ancestry. C.C.C. ?3901.01 (G). A female business enterprise is defined as a for-profit business performing a commercially useful function which is owned and controlled by one or more females of non-African American descent. C.C.C. ?3901.01 (F).
- b. Specific Contract M/FBE goals: Specific Contract M/FBE goals shall not apply to this selection.
- c. In collaboration with the Equal Business Opportunity Commission Office, the Department of Public Utilities encourages the utilization of city-certified minority, female and small business enterprises and minority business registrants.
- d. In addition to the current requirements of Title 39, Columbus City Codes, 1959, it is expected that all or part of this contract may be undertaken with State and/or Federal funding assistance. The City may,

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therefore, be required to conform to certain utilization goals in order to conform fully to those programs. Documentation suggested: Include the name, description of the work, and the dollar value of all certified M/FBE's and MBR's included in the proposal.

For information related to minority, female and small business enterprises, please contact the Equal Business Opportunity Commission Office at (614) 645-4764.

All questions shall be submitted in writing to Charles M. Turner, P.E., Distribution Engineering Manager, Division of Water, 2nd floor, Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215, or by fax (614-645-6165), or by e-mail (cmturner@columbus.gov).

There is NO additional information package for this RFSOQ.

Eight (8) copies of the SOQ's shall be submitted in a sealed envelope (or envelopes) to Richard C. Westerfield, P.E., Ph.D., Administrator, Division of Water, 3rd floor, Utilities Complex, 910 Dublin Road, Columbus, Ohio 43215. The envelopes shall be clearly marked on the exterior to denote both the names of the submitting firm and the particular professional services contract for which the qualifications are offered.

Final date for submission of SOQ's will be no later than 3:00 p.m., May 18, 2005. Any submittals received after that time will not be considered.

The Statement of Qualifications submittal must include information to address each of the criteria as listed below.

Submissions will be evaluated by the Department Evaluation Committee based on the following criteria and rating values:

40 Points -Qualifications and Experience of Staff

- (10 points) Primary staff overall water experience
- (10 points) Primary staff experience on master plan projects
- (5 points) Proposed sub-consultants overall water experience
- (5 points) Proposed sub-consultants past experience on master plan projects
- (5 points) Prime Consultants experience in managing sub-consultants
- (5 points) Current workload of primary staff assigned to project

20 Points - Professional qualifications of the firm.

- (13 points) Primary consultant - Professional Engineer
- (7 points) Primary consultant - Other (i.e. AWWA Committee Memberships)

30 Points -Past Performance and Schedules/Budgets

- (10 points) Past performance of project team on water projects for DOW
- (10 points) Past performance of project team on master plans for other entities
- (5 points) Demonstrated ability to meet schedules
- (5 points) Demonstrated ability to meet budgets

10 Points - Location of the staff that will perform this work

- (5 points) Location of primary staff to perform work
- (5 points) Location of team members to perform work

100 TOTAL POINTS

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CHERYL ROBERTO, DIRECTOR
Department of Public Utilities

City Bulletin Publication Dates:
April 30, 2005
May 7, 2005
ORIGINAL PUBLISHING DATE: April 22, 2005

SA001628 - Water-North Columbus Hydrant Repair

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 of the City of Columbus, Ohio at his office located at 910 Dublin Road, 4th Floor, Columbus, Ohio until 3:00 pm local time, on May 18, 2005 and publicly opened and read at the hour and place for North Columbus Fire Hydrant Repairs. The work for which proposals are invited consists of repair of approximately 125 existing hydrants at various locations within the City of Columbus 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 Distribution Administration, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215.

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:

NORTH COLUMBUS FIRE HYDRANT REPAIRS
CONTRACT NO. 1082

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 that are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification

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Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 60 days after the bid opening, and/ or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

CITY BULLETIN DATES

- 1). April 30, 2005
- 2). May 7, 2005

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment up-grading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Administrator of the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Administrator by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Administrator or his deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification

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thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract or any other action prescribed in C.C. 3905.05.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractors employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor, a statement of Delinquent Personal Property Tax, such statement is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$10,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$10,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin official documents filed with Secretary of State, State of Ohio, or Franklin County Recorders Office; or (b) holds a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

CONTACT PERSON: Gregory J Moore, Operations Engineer, Division of Water, Engineer's Office, 910 Dublin Road, 2nd Floor, Columbus, Ohio 43215 (614) 645-7677.

ORIGINAL PUBLISHING DATE: April 26, 2005

BID OPENING DATE - May 19, 2005 11:00 am

SA001387 - HP SERVER MAINT AND SUPPORT - DoT

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE and CLASSIFICATION

1.1 SCOPE:

1.1.1 The Department of Technology (DoT) is seeking to solicit Referral For Proposal (FRP) bids from suppliers that can repair and maintain the City of Columbus's "Hewlett Packard's HP-9000", HP 3000, RP and N class servers and printer(s) and associated peripherals such as; DLT 7000, 8000, and LTO tape drives.

1.1.2 Only those suppliers showing the capability and capacity for repairing and/or replacing the equipment described in 1.1, including the operating systems related software and the peripheral software, firmware or parts to a safe, normal operational mode, and do so in a timely manner will be considered for a contract.

1.1.3 The City is looking for various support options from which to select. Support options may be 7x24x365, 8x5, etc.

1.1.3.1 The Offeror shall provide the City of Columbus, access to a 24 hr x7 support via online knowledge base and resource database in order for the City to keep up with system updates, general hardware and O/S information, alerts, etc. The Offeror shall list types of online and telephone services available and demonstrate their functionality prior to contract.

1.2 At the present time Dot has multiple contracts in place for the maintaining and repair of existing equipment. The goal is to combine those multiple support contracts into one (1).

1.3 Pre-Bid Opening Questions and Answers

1.3.1 There will be an opportunity to ask questions and receive answers, electronically. This will NOT be an interactive site.

1.3.1.1 Send questions: hardwaresupportrfp@columbus.gov Questions will be accepted from Monday April 18, 2005 at 8:00, Local Time to and including Thursday April 21, 2005 at 5:00PM Local time.

1.3.1.2 Answers will be posted at <http://home.columbus.gov/GenInfo/rfp.asp> no later than Wednesday April 27, 2005 at 12:00PM Local Time. The site shall remain open until the time of the bid submittal.

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 31, 2005

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001617 - PURCHASE OF WALLACE & TIERNAN PARTS

1.1 Scope: It is the intent of the City of Columbus, Division of Water to obtain formal bids to establish a universal term contract for the purchase of WALLACE & TIERNAN PARTS for use at various plants of the Divisions of Water and Sewerage & Drainage through May 31, 2007.

1.2 Classification: This bid proposal and the resulting universal term contract will provide for the purchase and delivery of Wallace& Tiernan Parts. The City of Columbus will provide all installation requirements.

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: April 30, 2005

SA001619 - VIEWSONIC MONITORS - APRIL 15, 2005

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 Scope and Classification

1.1 Scope

1.1.1 The City of Columbus, Ohio, Franklin County Municipal Court (FCMC) is requesting proposals from bidders who are resellers of VIEWSONIC Flat Panel Monitors. The current monitors are 7 years old and are in various stages of failure.

1.1.2 The FCMC will be purchasing 180 (one-hundred eighty) monitors.

1.1.3 Other City agencies will have the opportunity to purchase the monitor(s) over the next two years. Should both parties agree, there will an option to renew the contract for one additional year.

1.1.3.1 As the model identified in 1.2.1 becomes obsolete, the contractor may propose the replacement monitor by contacting the Purchasing Office staff member assigned to administer the contract, known as the Contract Administrator (CA).

1.1.3.2 Since the pricing schemes for technology related hardware are volatile, the pricing fluctuations shall be dictated by the Escalator-De-Escalator clause as described on page D of this bid document.

1.2 Classification

1.2.1 The FCMC is seeking to purchase the following flat panel monitor:

VIEWSONIC VX924, 19 INCH BLACK LCD FLAT PANEL MONITOR. (The aforementioned Model is the upgrade for the tested VP912B)

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: April 16, 2005

SA001642 - SEWERS-CONCRETE PRE-CAST

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Division of Sewerage and Drainage, Sewer Maintenance Operations Center, 1250 Fairwood Avenue, is seeking bids for Pre-Cast Concrete Products and Manholes to be used for various sewer repair and replacement projects. Concrete products will be ordered on an as needed basis. Total yearly purchases are expected to be approximately \$30,000.00. The proposed contract will be in effect for a period of two (2) years from the date of execution by the City to and including May 31, 2007.

1.2 Classification: Pipe standards will be in accordance with the latest edition A.S.T.M. specifications and with the latest edition of the City of Columbus Construction and Material Specifications. All pipe will be reinforced, Class IV. The resulting contract will be for the purchase of Pre-Cast Concrete Products and Manholes.

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: May 04, 2005

SA001643 - SEWERS-GOULD PUMP PTS

1.1 Scope: This bid proposal is to provide the City of Columbus, Division of Sewerage and Drainage with a "Catalog" offer to purchase various Gould Pump Parts for its Southerly Wastewater Treatment Plants. The bidder shall submit its standard published catalog(s) and price lists. The proposed contract will be in effect through June 30, 2007. The City estimates spending sixty thousand dollars (\$60,000.00) annually for this contract.

1.2 Classification: This bid proposal and the resulting universal term contract will provide for the purchase and delivery of various replacement parts for various models of Goulds Pumps utilized at the Southerly Wastewater Treatment Plant as specified herein. The City of Columbus will provide all installation requirements.

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: May 05, 2005

BID OPENING DATE - May 24, 2005 3:00 pm

SA001630 - FMD - RENOV. ROOF, 333 W. TOWN ST.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

RENOVATION OF THE ROOF FOR THE DIVISION OF POLICE,
333 WEST TOWN STREET COLUMBUS, OHIO 43215

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on Tuesday, May 24, 2005 for RENOVATION OF ROOF FOR THE DIVISION OF POLICE, 333 WEST TOWN STREET COLUMBUS, OHIO 43215. The work for which bids are invited consist of renovation and replacement of the roof.

Copies of the Contract Documents will be available at the pre-bid meeting. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00 for each set.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: RENOVATION OF ROOF FOR THE DIVISION OF POLICE, 333 WEST TOWN STREET COLUMBUS, OHIO 43215.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements of Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employee 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 and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

PRE-BID MEETING

A pre-bid meeting will be held Thursday, May 5, 2005 at 10:00 a.m., at 333 West Town Street, Columbus, Ohio 43215. A walk thru of the area will take place after the pre-bid meeting.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said 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 Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

ORIGINAL PUBLISHING DATE: April 28, 2005

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001631 - FMD - RENOV. ROOF 1393 E. BROAD ST.

ADVERTISEMENT FOR BIDS

RENOVATION OF THE ROOF, 1393 EAST BROAD STREET,
COLUMBUS, OHIO 43207

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on Tuesday, May 24, 2005 for RENOVATION OF THE ROOF, 1393 EAST BROAD STREET, COLUMBUS, OHIO 43207. The work for which bids are invited consist of renovation and replacement of the roof.

Copies of the Contract Documents will be available at the pre-bid meeting. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00 for each set.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: RENOVATION OF THE ROOF, 1393 EAST BROAD STREET, COLUMBUS, OHIO 43207.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements of Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employee 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 and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

PRE-BID MEETING

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

A pre-bid meeting will be held Thursday, May 5, 2005 at 11:30 a.m., at 1393 East Broad Street, Columbus, Ohio 43207, first floor conference room. A walk thru of the area will take place after the pre-bid meeting.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said 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 Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

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*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

ORIGINAL PUBLISHING DATE: April 28, 2005

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001632 - FMD - RENOV. ROOF F.S. 20, 2646 E. 5TH

ADVERTISEMENT FOR BIDS

RENOVATION OF THE ROOF FOR THE DIVISION OF FIRE,
FIRE STATION 20, 2646 EAST 5TH AVENUE, COLUMBUS, OHIO 43219

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on Tuesday, May 24, 2005 for RENOVATION OF ROOF FOR THE DIVISION OF FIRE, FIRE STATION 20, 2646 EAST 5TH AVENUE, COLUMBUS, OHIO 43219. The work for which bids are invited consist of renovation and replacement of the roof.

Copies of the Contract Documents will be available at the pre-bid meeting. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00 for each set.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: RENOVATION OF ROOF FOR THE DIVISION OF FIRE, FIRE STATION 20, 2646 EAST 5TH AVENUE, COLUMBUS, OHIO 43219.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements of Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employee 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 and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

PRE-BID MEETING

A pre-bid meeting will be held Wednesday, May 4, 2005 at 9:00 a.m., at Fire Station 20, 2646 East 5th Avenue, Columbus, Ohio 43219. A walk thru of the area will take place after the pre-bid meeting.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said 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 Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

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BID CANCELLATION AND REJECTIONS

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SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ORIGINAL PUBLISHING DATE: April 28, 2005

SA001633 - FMD - RENOV. ROOF GEORGESVILLE REFUSE

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

RENOVATION OF THE ROOF FOR THE DIVISION OF REFUSE,
1550 GEORGESVILLE ROAD, COLUMBUS, OHIO 43228

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on Tuesday, May 24, 2005 for RENOVATION OF ROOF FOR THE DIVISION OF REFUSE, 1550 GEORGESVILLE ROAD, COLUMBUS, OHIO 43228. The work for which bids are invited consist of renovation and replacement of the roof.

Copies of the Contract Documents will be available at the pre-bid meeting. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00 for each set.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: RENOVATION OF ROOF FOR THE DIVISION OF REFUSE, 1550 GEORGESVILLE ROAD, COLUMBUS, OHIO 43228.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements of Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employee 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 and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

PRE-BID MEETING

A pre-bid meeting will be held Wednesday, May 4, 2005 at 1:00 p.m., at 2100 Alum Creek Drive Columbus, Ohio 43207. A walk thru of the area will take place after the 2100 Alum Creek Drive and 1550 Georgesville Road pre-bid meeting.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said 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 Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

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BID CANCELLATION AND REJECTIONS

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SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

ORIGINAL PUBLISHING DATE: April 28, 2005

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001634 - FMD - RENOV. ROOF ALUM CREEK REFUSE

ADVERTISEMENT FOR BIDS

RENOVATION OF THE ROOF FOR THE DIVISION OF REFUSE,
2100 ALUM CREEK DRIVE, COLUMBUS, OHIO 43207

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on Tuesday, May 24, 2005 for RENOVATION OF ROOF FOR THE DIVISION OF REFUSE, 2100 ALUM CREEK DRIVE, COLUMBUS, OHIO 43207. The work for which bids are invited consist of renovation and replacement of the roof.

Copies of the Contract Documents will be available at the pre-bid meeting. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00 for each set.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: RENOVATION OF ROOF FOR THE DIVISION OF REFUSE, 2100 ALUM CREEK DRIVE, COLUMBUS, OHIO 43207.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

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THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

PRE-BID MEETING

A pre-bid meeting will be held Wednesday, May 4, 2005 at 1:00 p.m., at 2100 Alum Creek Drive Columbus, Ohio 43207. A walk thru of the area will take place after the pre-bid meeting.

OSHA/EPA REQUIREMENTS

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CONSTRUCTION AND MATERIALS SPECIFICATIONS

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CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

ORIGINAL PUBLISHING DATE: April 28, 2005

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001645 - HEALTH - PEST MANAGEMENT CONTROL SERVICE

REQUEST FOR PROPOSAL

Columbus Healthy Homes Program

I Project Description:

The Columbus Healthy Homes Program(HHP) of the Columbus Health Department, Division of Environmental Health has a need for up to three providers of Integrated Pest Management for Cockroach and Rodent control services using least toxic methods in up to 70 various residential sites throughout the city of Columbus.

The mission of the HHP is to prevent injury and disease resulting from unhealthy behaviors and conditions of the housing environment, through a holistic approach that incorporates assessment, consultation, education, and partnership building.

Preference will be given to businesses that are located in and/or hire workers from the City of Columbus Empowerment Zone. Other businesses may apply.

Contract valid through December 31, 2005.

All proposals should be based on single unit flat rate pricing. Formal contracts are not necessary at this time. All proposals can be in the form of a written price list and description of services provided, and addressed to:

Columbus Healthy Homes Program
Attn: Phillip Bouton
Columbus Health Department
240 Parsons Ave.
Columbus, OH 43215

Deadline for submitting proposal is 4:00 PM May 24, 2005.

II Columbus Healthy Homes Program Service Requirements:

- A.) Proof of insurance and liability coverage required.
- B.) Provide a copy of your company's State of Ohio Pesticide Applicators license.
- C.) Provide a valid copy of your Workers Compensation Certificate.
- D.) Provide a copy of your current licensure Bond.
- E.) A contract compliance number must be obtained from the City of Columbus Equal Business Opportunity Office. Provide a copy of the contract compliance letter of approval. You may download the application at: <http://eboco.ci.columbus.oh.us/contract.html> or they may be picked up at the address listed below;

City of Columbus

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Equal Business Opportunity Commission, 4th Fl
Columbus, Ohio 43215

- F.) Must follow all federal, state and local regulations.
- G.) Quantities called for in the included specifications are estimated and are included to assist the bidder in making a determination as to the nature and scope of the work required.
- H.) The contract will require the completion of the work according to the Contract Documents.
- I.) The contractor shall provide all management, tools equipment, materials, transportation and labor necessary to ensure that the pest control services are conducted according to specification.
- J.) The contractor shall provide certified pest control personnel only, with training and experience in IPM for rodents and roaches.
- K.) All pest control materials used must be registered by the USEPA for residential use and must applied according to the manufacturer's label instructions and in compliance with all applicable local, state and federal laws and regulations.
- L.) Apply borate dust formulated for roach control into inaccessible areas, e.g., gaps behind wall-mounted cabinets, behind counter back-splashes, under the false floors of cabinets, into the motor cabinet and space under refrigerators and other inaccessible sites.
- M.) Apply low-toxicity and low volatility paste or gel baits via syringe-type applicators or deploy bait stations as needed. Place baits so that they are inaccessible to occupants and out-of-sight. Place bait beads as close as possible to harborage and feeding areas, adjacent to edges and corners.
- N.) Prohibited Treatments- the contractor is prohibited from the use of: 1) pesticide sprays, foggers or bombs; 2) chemical flushing and 3) application of any organophosphate or chlorinated hydrocarbon pesticides must be approved by the Columbus Health Department before use.

III. EVALUATION CRITERIA:

The evaluation criteria for the awarding of this contract will include:

- A.) The competence of the bidder to perform the required services as indicated by the bidders personnel and equipment.
- B.) The quality and feasibility of the bidders proposal. Specify methods and products to be used. Be specific about services. List what is included in the services. Include number of visits and any additional cost.
- C.) Past performance of the bidder as reflected by evaluations of the Columbus Healthy Homes staff and/or other previous experience of the bidder with respect to such factors as quality of work and success in meeting deadlines.

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D.) The pricing structure of the bidders proposal.

IV CONTACTS:

Please direct any questions to Phillip Bouton at 645-6226.

ORIGINAL PUBLISHING DATE: May 05, 2005

BID OPENING DATE - May 25, 2005 3:00 pm

SA001636 - STREET LIGHTING - ALUM CREEK DRIVE

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, until 3:00 p.m. local time, on May 25, 2005 and publicly opened and read at the hour and place for Street Lighting Improvements for Alum Creek Drive. The work for which proposals are invited consists of furnishing all labor, material and equipment for Street Lighting Improvements for Alum Creek Drive and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans are on file and are available to prospective bidders through the office of the Division of Electricity, 3500 Indianola Ave., Columbus, Ohio 43214, upon payment of \$25.00 per set (non-refundable). Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Street Lighting Improvements for Alum Creek Drive

PROPOSAL GUARANTY

No Proposal will be considered unless accompanied by a bond or certified check drawn on a solvent bank made payable to the City of Columbus, Ohio in an amount not less than ten percent of the Bidder's Proposal, conditioned upon execution of the Contract and furnishing of a performance and payment bond in the event the Contract is awarded to the Bidder. The amount indicated in the Proposal Bond shall be expressed as dollars and cents and not as a percent of the bid or alternate bids and shall equal or exceed ten (10) percent of the bid or highest bid submitted.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements, which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, and at the offices of The Construction Inspection Section of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 120 days after the bid opening, and/ or to advertise for new proposals, when it is in the best interests of the City.

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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.

BID PACKAGES WILL BE AVAILABLE FOR PURCHASE, MONDAY MAY 9, 2005

CITY BULLETIN DATES

1) May 7, 2005

2) May 14, 2005

ORIGINAL PUBLISHING DATE: April 28, 2005

SA001648 - Cleveland Ave/Morse Rd Drainage Project

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, until 3:00 p.m., Local Time, on Wednesday, MAY 25, 2005, and publicly opened and read at that hour and place for the following project:

CIP 610945 - CLEVELAND AVENUE/MORSE ROAD DRAINAGE IMPROVEMENTS & CIP 619 - STRIMPLE, KILBOURNE AND MINERVA AVENUES ASSESSMENT SEWER PROJECT

The City of Columbus contact person for this contract is Mike Griffith, P.E., of the Division of Sewerage and Drainage, (614) 645-2416. The work for which proposals are invited consists of constructing storm sewer improvement shown on CC-13077 which includes approximately 6800 LF of 12-inch through 24-inch storm sewer with inlets and construction of sanitary sewer improvements as shown on CC-13141 which includes approximately 3700 LF of 8-inch sanitary sewer, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans (CC-13077 & CC 13141), in CD (Compact Disc) format, are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3051, 910 Dublin Road, Columbus, Ohio 43215-9053. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released. Full-size Construction Plan sets are available to prospective bidders upon request, at a cost of \$25.00 per set.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked:

CIP 610945 - CLEVELAND AVENUE/MORSE ROAD DRAINAGE IMPROVEMENTS & CIP 619 - STRIMPLE, KILBOURNE AND MINERVA AVENUES ASSESSMENT SEWER PROJECT

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. The bond must have an AMOUNT EXPRESSED IN DOLLARS AND CENTS in order to be responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

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CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

QUALIFICATION AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid, a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

SUBSURFACE DATA

Subsurface data was obtained for project design purposes for the sanitary improvements shown on CC-13141, and are available at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3051.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 180 calendar days after the effective date of the Notice to Proceed.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

Cheryl Roberto, Director of Public Utilities

ORIGINAL PUBLISHING DATE: May 10, 2005

BID OPENING DATE - May 26, 2005 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001596 - MASS STORAGE DEVICE - DoT

Enterprise Mass Storage Device and Services

1.0 SCOPE and CLASSIFICATION:

1.1 SCOPE: Department of Technology (DoT) is seeking Referral For Proposals (RFP) from suppliers that can offer a combination of mass storage equipment, software and migration services. The offeror shall plan, along with the City of Columbus designated point of contact, to not only implement but also to test all equipment and software to ensure that the City has a fully and optimally configured, working mass storage device and its associated software.

1.1.1 The storage device will have 14 terabytes of raw storage capacity and will initially need about two terabytes of the storage mirrored. The storage device must be highly available and must contain a systems management, security and accounting software to manage data and for user billing.

1.1.2 The services portion will include the installation and testing for full functionality of all software. (i.e. Storage Accountant, LUN configuration/security Manager, Storage Area Manager system management, security, command view raid manager and Business Copy)

1.1.3 The services will include data migration from two storage platforms, an XP256 and EMC Clariion model FC4500

1.1.4 The offeror will work with the city in the planning, implementation and functional testing of the enterprise storage device for verification and validation.

1.1.5 The storage system must be fully integrated and optimized into the City's SAN switch environment and functionality will be validated prior to sign off.

1.1.6 All offers must meet or exceed the Hewlett Packard 1024, enterprise storage solution.

1.2 CLASSIFICATION:

1.2.1 The RFP specifications describe equipment from Hewlett Packard.

1.2.2 The equipment mentioned by name is done so for descriptive purposes, only. Should equipment other than the HP XP1024 equipment described in these specifications be offered, vendor must provide written documentation proving the proposed equipment meets or exceeds the listed specifications.

1.2.3 There are no requirements to support FICON or iSCSI at this time, but the City would like to have the capability, in the event the need arises.

1.2.4 The City will initially attach up to twenty-five (25) hosts systems, both UNIX and Windows platform hosts, with the capability to expand the amount of hosts at a later date.

1.2.5 HP-UX 9000 series (K and N class servers), rp74XX family, rx46XX Itanium processor family, running HP-UX 11.00, HP-UX 11i, HP-UX 11iv2, Linux, and Intel based servers running Windows 2000, Windows 2003 and Exchange 2003 will be connected to the Storage Device via switches or director type switch.

1.2.6 The cost proposal submitted shall include a trade-in value on the present Mass Storage Device Systems.

1.2.7 Pre-Bid Questions and Answers

1.2.7.1 There will be an opportunity to ask questions and receive answers, electronically. This will NOT be an interactive site.

1.2.7.2 Send questions: storage_rfp@columbus.gov. Questions will be accepted from Monday April 25, 2005 at 8:00, Local Time to and including Thursday April 28, 2005 at 5:00PM Local time.

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.2.7.3 Answers will be posted at <http://home.columbus.gov/GenInfo/storage.asp> no later than Wednesday May 4, 2005 at 12:00PM Local Time. The site shall remain open until the time of the bid submittal.

1.2.8 The City of Columbus is committed to providing opportunities to Minority owned, Female owned and emerging businesses. If there sub-contracting opportunities, please contact the Equal Business Opportunity Specialist as defined in Page 2.0.

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: April 21, 2005

SA001649 - SLURRY SEAL 2005

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 May 26, 2005, for SLURRY SEAL - 2005, 1565 DR. A. The work for which proposals are invited consists of placing slurry seal on streets within the City of Columbus, 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 \$15.00. A prospective bidder must verify that their name is added to an electronic log sheet upon receiving a copy of contract documents and plans. Your addition to the log is verified when you receive a computer generated receipt. The City of Columbus will use this log sheet in order to advise prospective bidders of any addendums to the contract and/or plans. Failure to be entered onto the electronic log sheet will result in rejection of any proposal and failure to refer to any addendum in a proposal will be considered non-responsive.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for SLURRY SEAL - 2005.

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 not obtained for project design purposes.

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PRE-BID CONFERENCE

There will not be a pre-bid conference for this project.

CONTRACT COMPLETION

The contract completion time is 120 calendar days from Notice to Proceed.

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 AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interests of the City.

PLANS ARE AVAILABLE ON:

May 9, 2005

ORIGINAL PUBLISHING DATE: May 11, 2005

BID OPENING DATE - June 1, 2005 11:00 am

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA001637 - HEALTH/ILLUMIN.EXT.SIGN.240PARSONS AVE

ADVERTISEMENT FOR BIDS

EXTERIOR SIGNAGE

240 PARSONS AVENUE, COLUMBUS, OHIO

Sealed bids will be received by the Columbus Health Department, of the City of Columbus, Ohio at their office, located at 240 Parsons Avenue, 1st Floor Security Desk, Columbus, Ohio 43215 until 3:00 p.m. local time, and publicly opened and read at the hour and place on Wednesday, June 1, 2005 for EXTERIOR SIGNAGE AT 240 PARSONS AVENUE. The work for which bids are invited consist of EXTERIOR SIGNAGE AT 240 PARSONS AVENUE to complete the contract in accordance with the specifications.

Copies of the Contract Documents are available in the office of Cannell Reprographics, 5787 Linworth Road, Worthington, Ohio 43085 beginning Wednesday, May 4, 2005. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

PRE-BID MEETING

A pre-bid meeting will be held Wednesday, May 18, 2005 at 9:00 a.m., at the Health Department, 240 Parsons Avenue, Room 119B, Columbus, Ohio 43215.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: SA001637 EXTERIOR SIGNAGE AT 240 PARSONS AVENUE

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements of Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employee 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

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONTRACT COMPLETION

The contract completion time is SIXTY (60) CALENDAR DAYS after the date of the notice to proceed.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specification are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractor(s) who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.* This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Health Commissioner of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Health Commissioner to hold bids for a period of 120 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

corporations organized under laws of any other state.
ORIGINAL PUBLISHING DATE: May 03, 2005

SA001635 - Blacklick Creek Sanitary Interceptor

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed Bids will be received by the Director of Public Utilities of the City of Columbus, Ohio, at its office, 910 Dublin Road, Room 4105, until 3:00 p.m. Local Time on Wednesday, June 1, 2005 at which time they will be publicly opened and read for the construction of:

Blacklick Creek Sanitary Interceptor Sewer, 6B
CIP 034.6B

The City of Columbus' contact person for this project is Tatyana Arsh, P.E., of the Sewerage and Drainage Division's Sewer System Engineering Section, telephone number (614) 645-8073. All questions shall be submitted in writing to TA@columbus.gov.

The Work for which Proposals are invited consists, in general, of the following:

1. Installation of 3,364 +/- lineal feet of 66" sanitary sewer tunnel using RCP-PVC or HOBAS pipe.
2. Installation of 187 +/- lineal feet of 66" sanitary sewer by pipe-in-trench (open cut construction) using RCP-PVC or HOBAS pipe.
3. Installation of 13 +/-lineal feet of 15" sanitary sewer by pipe-in-trench (open cut construction) using PVC pipe.
4. Installation of 1 access shaft and 2 manhole structures which includes installation of interconnect structure.
5. 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 Building Documents (CC-13709) will be made available on May 2, 2005 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. R.D. Zande and Associates, Inc, 1500 Lake Shore Drive, Suite 100, Columbus, Ohio 43204, (614) 486-4383.
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. Minority Contractors Assistance Program, 1000 East Main Street, Columbus, Ohio 43205, (614)

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

252-8005.

PURCHASING BIDDING DOCUMENTS: Copies of the Bidding Documents may be purchased by prospective bidders through the office of R.D. Zande and Associates, Inc., (ATTN: Danella Pettenski), 1500 Lake Shore Drive, Suite 100, Columbus, Ohio 43204, upon receipt of \$100.00 per set. No refunds will be made. Checks are to be made payable to R.D. Zande and Associates, Inc.

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:

Blacklick Creek Sanitary Interceptor Sewer, 6B
C.I.P. No. 034.6B"

PRE-BID CONFERENCE: There will be no pre-bid conference for this project.

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 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 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

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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 (SBRA's).

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 regards 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 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

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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 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,

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 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).

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Cheryl Roberto
Director of Public Utilities

City Bulletin Publication Dates:

1) April 30, 2005

2) May 7, 2005

ORIGINAL PUBLISHING DATE: April 28, 2005

SA001644 - DRWP AUTOMATION UPGRADE

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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 the office of the Director of Public Utilities until 3:00 P.M. local time, on June 1, 2005, and publicly opened and read at the hour and place for construction of the Dublin Road Water Plant Automation Upgrade, Contract No. 1083 , Project No. 690440. The work for which proposals are invited consists primarily of all work, material and equipment needed for the installation of a new process control system operating under the latest version of the Oasys SCADA system software, a product of Telvent USA, Inc. of Calgary, Alberta Canada, 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 Water Supply and Treatment Coordinator, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100) and are available there on or after May 16, 2005. Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for:

DUBLIN ROAD WATER PLANT AUTOMATION UPGRADE
CONTRACT NO. 1083 , PROJECT NO. 690440

CONTACT PERSON

The City of Columbus Contact person for this project is Paul Washburn 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.

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CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Transportation 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.

CITY BULLETIN DATES

- 1). May 14, 2005
- 2). May 21, 2005

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

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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.

ORIGINAL PUBLISHING DATE: May 05, 2005

SA001647 - S&D JP SLUDGE CONTRL HVAC REPLACE AD

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City of Columbus, Ohio
ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time, June 1, 2005, and publicly opened and read at that hour and place for the following project:

Sludge Control Building HVAC Replacement PIP 252

Work to be performed at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike Columbus OH 43221. The work for which proposals are invited includes but not limited to:

Item 01. Removal of the 5 ton Liebert Split System Unit currently servicing the Sludge Control Building control room

Item 02. Packaging and turn over the 5 ton Liebert Split System Equipment to the Jackson Pike Wastewater Treatment Plant stores.

Item 03. Provision and installation of two (2) new roof mounted Combination HVAC Systems, one for the control room and one for the electrical equipment room of the Sludge Control Building. Each system shall have a gas furnace for heating and an air conditioning unit for cooling.

Item 04. Incorporation of the existing air filtration equipment into the new HVAC systems.

Item 05. Adaptation of the existing duct work for use with the new HVAC Systems including fire dampers, alarms and inclusion into the existing alarm and monitoring system.

Refer to the Detailed Specifications included in the Project Bid Documentation.

CONTACT INFORMATION

PROJECT MANAGER: Robert Smith, PE (614) 645-0309.

BID DOCUMENTS: Copies of the bid documents can be picked up at the Division of Sewerage and Drainage, Fiscal Office, 910 Dublin Road, Room 4164, Columbus, Ohio, 43215 between the hours of 7:00 AM to 4:00 PM Monday through Friday or by contacting their offices at (614) 645-6041 or (614) 645-6031. There is not cost for the documents.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held Monday May 23, 2005 9:00 am in Trailer 4 at the Jackson Pike Wastewater Treatment Plant, 2104 Jackson Pike, Columbus OH 43215.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked

Sludge Control Building HVAC Replacement PIP 252

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FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL/BID. THE CITY OF COLUMBUS WILL NOT BE RESPONSIBLE FOR LATE MAIL OR OTHER FORMS OF DELIVERY.

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. Compliance with the provisions of Article 1, Title 39 Columbus City Code, 1959 is a condition of the Contract. Applications for certification may be obtained by calling (614) 645-3666

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to the licensing of corporations licensed under the laws of any other state.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

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. The amount of 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

Attention of the bidder is called to the special requirements that are included in the Bid Submittal Documents regarding prevailing wage rates to be paid.

CREDITABLE FACTORS

In determining the lowest bid for purposes of awarding a contract, the creditable factors, noted in the TIER II section of the Proposal forms shall apply.

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.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E.

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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 PERFORMANCE AND PAYMENT BOND

A contract performance bond and payment bond of one hundred (100%) percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Material Specifications (CMSC), latest edition, will be required to assure the faithful performance of the work.

NOTICE OF EQUAL BUSINESS OPPORTUNITY REQUIREMENTS:

A. Minority and Female Business Enterprise (MBE and FBE) Participation: Title 39 of the Columbus City Code (C.C.C.) provides for certification of minority business enterprises and female business enterprises. Under the current legislation, a minority business enterprise is defined as a for-profit business performing a commercially useful function which is owned and controlled by a person or persons having an African American ancestry. C.C.C. ?3901.01 (G). A female business enterprise is defined as a for-profit business performing a commercially useful function which is owned and controlled by one or more females of non-African American descent. C.C.C. ?3901.01 (F).

B. Specific Contract M/FBE goals: Specific Contract M/FBE goals shall not apply to this selection.

C. In collaboration with the Equal Business Opportunity Commission Office, the Department of Public Utilities encourages the utilization of city-certified minority, female and small business enterprises and minority business registrants.

D. In addition to the current requirements of Title 39, Columbus City Codes, 1959, it is expected that all or part of this contract may be undertaken with State and/or Federal funding assistance. The City may, therefore, be required to conform to certain utilization goals in order to conform fully to those programs.

Documentation suggested: Include the name, description of the work, and the dollar value of all certified M/FBE's and MBR's included in the proposal.

For information related to minority, female and small business enterprises, please contact the Equal Business Opportunity Commission Office at (614) 645-4764.

Pursuant to the City of Columbus' Code Section 3907.05, all contractors, including subcontractors, who are a party to a contract as defined in C.C. ? 3901.01, must hold a valid Contract Compliance Certification Number. For information regarding contract compliance, please contact the Equal Business Opportunity Commission Office at (614) 645-4764.

Equal Opportunity Clause

(1) The contractor will not discriminate against any employee or applicant 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 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 employments, notices summarizing

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the provisions of this Equal Opportunity Clause.

(2) The contract 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 practical 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 of the sole purpose of verifying compliance with this article and with the regulations of the Equal Business Opportunity Commission 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/her deputies, staff and assistants in the fulfillment of their 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 subcontractor. 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 contract compliance number as provided for in Article 1, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in the cancellation of this contract,

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Pam Davis or Joe Lombardi at (614) 645-5424 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at City of Columbus, Division of Sewerage and Drainage, 910 Dublin Road Room 4164 Columbus OH 43215.

Cheryl Roberto
Director of Public Utilities

ORIGINAL PUBLISHING DATE: May 06, 2005

SA001651 - Janitorial Services

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Sealed Proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the Director's office, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time, on Wednesday, June 1, 2005, and publicly opened and read at that hour and place for the following contract work:

JANITORIAL SERVICES FOR
SEWERAGE AND DRAINAGE FACILITIES

The City of Columbus' contact person for this project is Monica Powell, Facilities Projects Manager of the Division of Sewerage and Drainage, (614) 645-7363. The work for which Proposals are invited, consists in general of providing janitorial services for a number of City facilities, as follows:

Complete cleaning services will be provided for five Division of Sewerage and Drainage Facilities, or parts thereof. These facilities consist of the Jackson Pike Wastewater Treatment Plant, the Southerly Wastewater Treatment Plant, the Sewer Maintenance Operations Center, the Trucked Waste Disposal Site and the Compost Facility.

PROPOSAL SUBMITTAL: Proposals shall be submitted on the Proposal forms contained in Volume I, Bid Submittal Document, of the Contract Documents and the said Volume shall be submitted IN ITS ENTIRETY in a sealed envelope marked:

"BID FOR: JANITORIAL SERVICES FOR SEWERAGE AND DRAINAGE FACILITIES"

BASIS OF BIDS: Bids shall be on a Unit Price basis as shown in the Proposal (Section 00 40 00 of the Contract Documents).

BID SUBMITTAL DOCUMENTS: Copies of the Contract Documents as defined in the Instructions to Bidders (Section 00 20 00) and the Special Provisions (Section 00 70 00) are or will be on file and may be examined at the following location:

Division of Sewerage and Drainage
Maintenance Management Program Section
1250 Fairwood Avenue, Room 1003
Columbus OH 43206-3372
(614/645-7363)

One copy of the Contract Documents is available at no charge to prospective Bidders upon application to the Maintenance Management Program Section.

PRE-BID CONFERENCE: There will be a Pre-bid Conference held at 1250 Fairwood Avenue, Room 1027, on May 25, 2005, beginning at 8:00 AM. Following the pre-bid meeting, a tour will be conducted by City Personnel to allow prospective Bidders to inspect typical project areas and existing facilities. Transportation on the tour, and safety during the tour, shall be the Bidders' responsibility. The tour will conclude at approximately 2:00 PM. Bidders are required to attend this conference and tour, in addition to any personal examinations of the work sites they may make separately.

BIDDER'S QUALIFICATIONS: Bidders shall provide proof of their qualifications to perform the Work as described in the Instructions to Bidders (Section 00 20 00).

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CONTRACT PERIOD: The duration of a contract for this work is expected to be two years with the option to renew for an additional two years upon mutual agreement between the parties and approval by the Columbus City Council. Funding of this contract will be on an incremental basis, as described in the Instructions to Bidders (Section 00 20 00).

PROPOSAL GUARANTY: Each Bidder is required to submit a Proposal Guaranty, consisting of either a Proposal Bond, in the form provided in the Bid Submittal Document with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten percent of the bid. All bonds signed by an agent of a surety must be accompanied by a certified copy of the agent's authority to act.

CONTRACT PERFORMANCE AND PAYMENT BOND: A Contract Performance and Payment Bond of 100 percent of the amount of the Contract, with a satisfactory surety or sureties, as described in Section 00 70 00, will be required to assure the faithful performance of the Work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS (CMSC): Certain numbered paragraphs to which reference may be made in the Contract Documents refer to the City of Columbus, Ohio Construction and Materials Specifications (CMSC), latest edition, and are part of the terms and conditions of any contract to be awarded pursuant to this bidding. Said Specifications are hereby made a part of the Contract Documents to the extent to which reference to specific parts of the CMSC is made in the Contract Documents. Section 100 of the CMSC is included in the Contract Documents only to the extent delineated in the Special Provisions (Section 00 70 00). Copies of the CMSC may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, OH 43215 (614/645-8290); at the office of the Division of Transportation, 1800 E. 17th Avenue, Columbus, OH 43219 (614/645-3182); or at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, OH 43215 (615/645-6141).

CONTRACT COMPLIANCE CERTIFICATION 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 this Advertisement for Bids, to reject any and/or all Bids, to waive technicalities, to hold Bids for a period of 180 days after the bid opening, and/or to advertise for new Proposals, when such action is deemed by the Director to be in the best interests of the City.

LICENSING OF CORPORATIONS: Particular attention by Bidders is called to the statutory requirements of the State of Ohio relative to licensing of entities incorporated under the laws of any other state.

"CITY BULLETIN" PUBLICATION DATES:

1. May 21, 2005
2. May 28, 2005

["Bids Wanted - Other Divisions" Header Provisions of the "City Bulletin" - also part of this Advertisement,

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

follow:]

Each Proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if the Bidder is a corporation, the name and address of the President and Secretary thereof.

EQUAL OPPORTUNITY CLAUSE:

- (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.
- (2) The contractor will, in all solicitations 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 of the Equal Business Opportunity Commission Office 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 the Executive Director's deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.
- (6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.
- (7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.
- (8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, such 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 the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

the Ohio Revised Code. Said affidavit, when filed with the City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purposes 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 the Secretary of State, State of Ohio; or (b) holds a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

Cheryl Roberto, Director of Public Utilities
ORIGINAL PUBLISHING DATE: May 11, 2005

BID OPENING DATE - June 2, 2005 11:00 am

SA001641 - Hazardous and Petroleum Waste Disposal

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope of Services. It is the intent of this Request for Proposals to solicit proposals that will result in a "firm" offer for sale blanket type contract that will allow city agencies to purchase services for the analysis and removal of hazardous and petroleum waste products created or used by City employees while performing work. The term of the agreement will be through October 31, 2008. The city estimates it will spend \$250,000 annually on this contract.

1.2. Classification. The services required will be for the clean-up, removal, and disposal of hazardous waste, used petroleum products, and petroleum contaminated material from city owned facilities. During 2004 and under the previous contract, over 60 percent of services were for the clean-up of hydraulic oil spills that occurred on public roadways, caused by city employees while performing their jobs. Services requested under this contract may include:

1.2.1. Soil Remediation

1.2.2. Clean-up of spills

1.2.3. Removal of contaminated material, lab packing waste, and/or barrels containing waste liquids,

1.2.4. Or any combination of the above

1.2.5. Soil boring, sampling and analysis, and reporting

1.2.6. Analysis and reporting for Phase II environmental assessments

1.2.7. Asbestos Surveys, including field sampling and laboratory analysis to determine the need for abatement and to estimate amounts of asbestos to be abated.

1.2.8. ASBESTOS REMOVAL IS NOT PART OF THIS CONTRACT.

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: May 04, 2005

SA001646 - SEWERS-ALFA LAVAL CENTRIFUGE PTS/SERVICE

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Division of Sewerage and Drainage is obtaining bids to establish an option contract(s) for Alpha Laval Centrifuge Repair Parts & Service for Alpha Laval Model PM 95000. The City estimates it will spend approximately Two-Hundred Thousand Dollars (\$200,000.00) annually under the term of any resulting contract. The proposed contract will be for a two (2) year period from the date of execution by the City to and including June 30, 2007.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option to purchase and/or delivery of Centrifuge Repair Parts and Service, as specified herein. The City will provide all installation requirements, however bidders are asked to bid service pricing. The division has determined standard replacement parts that represent the largest percentage of the purchases from this contract historically. Bidders are also asked to submit a published price list, including any discounts for those items not mentioned within the proposal. The award of the contract will be based on the cumulative lowest, responsive and responsible bidder for the standard replacement parts that represent the largest percentage of the purchases from this contract

*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: May 10, 2005

BID OPENING DATE - June 9, 2005 11:00 am

SA001650 - PS KCB/RECYCLING SERVICES

SCOPE AND CLASSIFICATION The City intends to have City departments/agencies work in concert to reduce the amount of waste generated and to recycle as much remaining waste as possible. The City of Columbus is seeking a qualified supplier to provide comprehensive recycling services to City of Columbus office buildings and facilities. The supplier will collect, haul and market salvageable materials from multiple site locations. This program will serve to standardize and expand all of the existing independent office paper recycling efforts currently being employed within City departments.

A prebid conference will take place on Tuesday, May 24, 2005 at 10:00 am local time, at the Alum Creek Refuse Transfer Station, 2100 Alum Creek Drive, Columbus, OH, 43207. Any interested bidder is strongly urged to attend. Failure to attend the prebid conference will not disqualify a bidder, however, bidders shall comply with and be responsible for the bid specifications and information discussed at the prebid conference regardless of whether or not they attend

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: May 10, 2005

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - July 15, 2005 4:00 pm

SA001639 - CHD - HIV PREVENTION SERVICES

NOTICE OF REQUEST FOR PROPOSALS

HIV PREVENTION SERVICES

The Health Department of the City of Columbus, Ohio has a need to contract with Community-Based Organizations (CBOs) to provide HIV prevention services to the community for the period of January 1, 2006 through December 31, 2006. The Columbus Health Department will distribute funding for HIV prevention programs to local public or non-profit agencies with a stake in the community.

To receive a Request for Proposals for "HIV Prevention Services" please contact:

Linda Laroche, Program Manager
Columbus Health Department
240 Parsons Ave.
Columbus, OH 43215
Phone: 614-645-6445
Fax: 614-645-8873
lindal@columbus.gov

Proposals will be accepted at the Columbus Health Department, 240 Parsons Ave., Columbus, OH 43215, attention Linda Laroche, until 4:00 p.m., July 15, 2005.

EQUAL OPPORTUNITY: Providers interested in submitting a proposal are reminded that professional service contracts shall conform to the requirements of the Columbus City Codes, Title 39, the City's Affirmative Action Code.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries, and commissions paid to the contractors' employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor 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 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.

ORIGINAL PUBLISHING DATE: April 30, 2005

Public Notices

The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus
City Bulletin Report**

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

Legislation Number: PN0010-2005

Drafting Date: 12/29/2004

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Columbus Charitable Solicitations Board 2005 Meeting Schedule

Body

January 20, 2005

February 17, 2005

March 17, 2005

April 21, 2005

May 19, 2005

June 16, 2005 (*TENTATIVE*)

July 21, 2005

August - NO MEETING

September 15, 2005

October 20, 2005

November 10, 2005 (*TENTATIVE*)

December 8, 2005 (*TENTATIVE*)

January 19, 2006

February 16, 2006

NOTICE:

APPLICATIONS RECEIVED LESS THAN TEN DAYS PRIOR TO THE SCHEDULED MEETING WILL APPEAR ON THE AGENDA FOR THE FOLLOWING MONTH, UNLESS OTHERWISE NOTIFIED. SHOULD YOU HAVE ANY QUESTIONS, PLEASE CONTACT:

LINDA YOUNG, RECORDING SECRETARY
TELEPHONE (614) 645-7471
FAX (614) 645-8912
E-MAIL: lkyoung@columbus.gov

Or

LICENSE OFFICER CRAIG S. COLOPY
TELEPHONE (614) 645-7971
E-MAIL: CSCOLOPY@COLUMBUS.GOV

MEETINGS ARE SCHEDULED FOR 10:00 A.M. And MAY BE RESCHEDULED IF THERE IS NOT A QUORUM AVAILABLE ON THE REGULAR MEETING DATE.

For copies of Meeting Minutes, please feel free to visit our website at:

www.publicsafety.ci.columbus.oh.us/license.htm

Legislation Number: PN0012-2005

Drafting Date: 12/29/2004

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

**VEHICLE FOR HIRE BOARD
2005 MEETING SCHEDULE**

Body

January 27, 2005

February 24, 2005

March 31, 2005

April 28, 2005

May 26, 2005

June 30, 2005 (TENTATIVE)

July 28, 2005

August 25, 2005

September 29, 2005

October 27, 2005

November 17, 2005 (TENTATIVE)

December 29, 2005 (TENTATIVE)

January 26, 2006

February 23, 2006

SHOULD YOU HAVE ANY QUESTIONS, PLEASE CONTACT:

LICENSE OFFICER ERIC BRANDON
TELEPHONE (614) 645-4297
FAX (614) 645-8912
E-MAIL EBRANDON@COLUMBUS.GOV

Or

LICENSE OFFICER TONI HOLDEN
TELEPHONE (614) 645-3820
E-MAIL TAHOLDEN@COLUMBUS.GOV

MEETINGS ARE SCHEDULED FOR 10:00 A.M. And MAY BE RESCHEDULED IF THERE IS NOT A QUORUM AVAILABLE ON THE REGULAR MEETING DATE.

For copies of Meeting Minutes, please feel free to visit our website at:

www.publicsafety.ci.columbus.oh.us/license.htm

Legislation Number: PN0034-2005

Drafting Date: 01/26/2005

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Recreation and Parks Commission Meeting Notice

Contact Name: Dianne Barlow-Weber

Contact Telephone Number: 645-8431

Contact Email Address: dibarlow@columbus.gov

Body

NOTICE OF REGULAR MEETINGS

COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 12, 2005 - Operations Complex, 420 W. Whittier Street, 43215

Wednesday, February 9, 2005 - Operations Complex, 420 W. Whittier Street, 43215

Wednesday, March 9, 2005 -- Operations Complex, 420 W. Whittier Street, 43215

Wednesday, April 13, 2005 -- Operations Complex, 420 W. Whittier Street, 43215

Wednesday, May 11, 2005- Franklin Park. Adventure Center, 1747 E. Broad Street, 43203

Wednesday, June 8, 2005 - North Bank Park, 311 W. Long Street, 43215

Wednesday, July 13, 2005 - Cultural Arts Center, 139 W. Main Street, 43215

August Recess - No meeting

Wednesday, September 14, 2005 -Turnberry Retreat, 11680 Refugee Road, Pickerington, 43147

Wednesday, October 12, 2005 - Columbus Performing Arts Center, 549 Franklin Ave., 43215

Wednesday, November 9, 2005 - Operations Complex, 420 W. Whittier Street, 43215

Wednesday, December 14, 2005 - 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).

Wayne A. Roberts, Executive Director

Legislation Number: PN0060-2005

Drafting Date: 02/23/2005

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Published Columbus City Health Code

Contact Name: Richard Hicks

Contact Telephone Number: 654-6189

Contact Email Address: rickh@columbus.gov

Body"The Columbus City Health Code is updated and maintained by the Columbus Health Department.

To view the most current City Health Code, please visit:

<http://www.publichealth.columbus.gov/>

Legislation Number: PN0076-2005

Drafting Date: 03/30/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: German Village Commission Guidelines Working Group Meeting Announcement

Contact Name: Brenda Moore

Contact Telephone Number: 614-645-8620

Contact Email Address: bgmoore@columbus.gov

Body

The German Village Commission Guidelines Working Group will meet on the second Wednesday of every month from 5:30 - 7:30 p.m., 588 S. 3rd Street, Columbus, OH 43215, unless otherwise notified. The meeting is open to the public.

For more information contact Brenda Moore in the City of Columbus Historic Preservation Office, at 645-8620 or bgmoore@columbus.gov.

Legislation Number: PN0099-2005

Drafting Date: 05/03/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 5/16/2005

Contact Name: Adam Knowlden

Contact Telephone Number: (614) 645-4605

Contact Email Address: apknowlden@columbus.gov

Body

REGULAR MEETING NO. 30 OF CITY COUNCIL (ZONING)

MAY 16, 2005

6:30 P.M.

COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

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

1947-2004

To rezone 3275 SULLIVANT AVENUE (43204), being 0.5± acres located on the south side of Sullivant Avenue, 260± feet east of Athens Avenue, From: I, Institutional District and AR-1, Apartment Residential Districts, To: CPD, Commercial Planned Development District (Z03-050).

0727-2005

To rezone 1328 DUBLIN ROAD (43215), being 2.77± acres located on the northeast side of Dublin Road, 1000± feet south of Stella Court, From: M-1, Manufacturing District To: L-M, Limited Manufacturing District (Rezoning # Z05-007).

0798-2005

To rezone 5353 SULLIVANT AVENUE (43119), being 11.0± acres located on the south side of Sullivant Avenue, 560± feet west of Norton Road, From: C-2, and C-4, Commercial, and ARLD, Apartment Residential Districts, To: L-AR-12, Limited Apartment Residential District. (Rezoning # Z04-075)

Legislation Number: PN0101-2005

Drafting Date: 05/04/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Graphics Commission May Agenda

Contact Name: Toni Boehm

Contact Telephone Number: 614-645-5884

Contact Email Address: tgboehm@columbus.gov

Body

GRAPHICS COMMISSION AGENDA

CITY OF COLUMBUS, OHIO

MAY 17, 2005

The City Graphics Commission will hold a public hearing on TUESDAY, MAY 17, 2005 at 4:15 p.m. in the First Floor Hearing Room, Building and Development Services Section, 757 Carolyn Avenue.

The City Graphics Commission hears requests for Variances, Special Permits, Appeals, Graphics Plans and certain Miscellaneous Graphics, as provided by the Columbus Graphics Code, Title 33, Article 15 of the City Codes.

SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING. It is the rule of the Commission to withdraw an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building and Development Services Section is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please call 614-645-6373 or TDD 614-645-3293.

1. ODS No.: 05320-00008

Location: 7525 SANCUS BOULEVARD, 43085, located at the southwest corner of Worthington Woods & Sancus Boulevards

Area Comm./Civic: Far North Columbus Communities Coalition

Existing Zoning: C.P.D., Commercial Planned Development

Request: Variance

3311.12, Approved commercial planned development district register. To modify a commercial planned district register.

Ordinance #1521-01; Section XV.B.3. To approve changes to the faces of approved graphics as required in a Commercial Planned Development District.

Proposed Use: To install face replacements to existing graphics.

Applicant:

Ryan Shrimplin
c/o W.D. Partners
1201 Dublin Rd.
Columbus, Ohio 43215

Property Owner:

B.P. Products, North America, Inc.
1323 Bond St., #179
Naperville, Illinois 60563

Attorney/Agent: Same as applicant

2. ODS No.: 05320-00007

Location: 5294 HAMILTON ROAD, 43230, located at the northeast corner of Hamilton Road and Thompson Roads.

Area Comm./Civic: Northland Community Council

Existing Zoning: C.P.D.- Commercial Planned Development

Request: Special Permit

3375.12, Graphics requiring graphics commission approval. To permit the installation of one 4' by 6' single face off-premise sign.

Proposed Use: To install an off premise graphic advertising new condominiums.

Applicant:

Signcom Inc.
c/o Bruce Sommerfelt
527 W. Rich Street
Columbus, Ohio 43215

Property Owner:

Key Bank
88 E. Broad Street
Columbus, Ohio 43215

3. ODS No.: 05320-00013

Location: 4656 HEATON ROAD, 43229, located at the southeast corner of Waymont & Heaton Rds.

Area Comm./Civic: Northland Community Council

Existing Zoning: C-2, Commercial

Request: Miscellaneous Graphic Permit

3375.12, Graphics requiring graphics commission approval. To permit the installation of a promotional banner.

Proposed Use: To attach an 80 sq. ft. promotional banner to the front of a commercial building for a private school.

Applicant:

Bouma Construction
c/o Greg L. Petersen
4101 Roger B. Chaffee, S.E.
Grand Rapids, Michigan 49548

Property Owner:

School House Finance
c/o Kerry Varkonda
1005 N. Glebe Rd.
Arlington, Virginia 22201

Attorney/Agent: None

The names and addresses of the adjacent property owners hereby notified were furnished by the applicant. You are not obligated to attend this meeting; however, you must be notified in accordance with law so that you can express your approval or disapproval of the variance or special permit, if you care to do so.

Legislation Number: PN0102-2005

Drafting Date: 05/04/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Building Commission Agenda

Contact Name: Barbara Eastman

Contact Telephone Number: 614-645-6416

Contact Email Address: baeastman@columbus.gov

Body

COLUMBUS BUILDING COMMISSION AGENDA

MAY 17, 2005 - 1:00 p.m.

757 CAROLYN AVENUE

HEARING ROOM - LOWER LEVEL

1. APPROVAL OF APRIL 19, 2005 MEETING MINUTES
2. APPEAL: Revocation of City Sewer Contractor License
Applicant: Tony Fed - Fed Brothers Construction
3. ITEMS FROM THE FLOOR (as approved by the Board)

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

Legislation Number: PN0103-2005

Drafting Date: 05/11/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 5/23/2005

Contact Name: Adam Knowlden

Contact Telephone Number: (614) 645-4605

Contact Email Address: apknowlden@columbus.gov

Body

REGULAR MEETING NO. 32 OF CITY COUNCIL (ZONING)

MAY 23, 2005

6:30 P.M.

COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MENTEL, CHR. BOYCE HABASH HUDSON O'SHAUGHNESSY TAVARES THOMAS

2235-2004

To grant a Variance from the provisions of Sections 3333.02, AR-1, Apartment Residential District; 3342.15, Maneuvering; and 3342.28, Minimum number of parking spaces required of the Columbus City Codes for property located at 1641 SULLIVANT AVENUE (43223), to permit office and commercial uses in the AR-1, Apartment Residential District with reduced parking and maneuvering. (Council Variance # CV04-028)

0144-2005

To rezone 3000 MORSE ROAD (43231), being 2.07± acres located on the north side of Morse Road, 180± feet west of Westerville Road, From: R, Rural District, To: CPD, Commercial Planned Development District (Z04-076).

0677-2005

To grant a Variance from the provisions of Section 3332.03, R-1, Residential District of the Columbus City codes for the property located at 1157 EAST COOKE ROAD (43224), to permit a two-family dwelling in the R-1, Residential District (Council Variance # CV05-002).

0822-2005

To rezone 5009 HAYDEN RUN ROAD (43221), being 16.30± acres located on the south side of Hayden Run Road, opposite the terminus of Camden Place Drive, From: R, Rural District, To: PUD-4, Planned Unit Development District (Rezoning # Z04-088).

0875-2005

To rezone 999 HARD ROAD (43235), being 8.99± acres located at the southwest corner of Linworth and Hard Roads, From: R-1, Residential District, To: PUD-4, Planned Unit Development District (Rezoning # Z04-074).

Legislation Number: PN0104-2005

Drafting Date: 05/11/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Development Commission Policy Meeting May Agenda

Contact Name: Beth Clark

Contact Telephone Number: 614-645-6096

Contact Email Address: eaclark@columbus.gov

Body

PUBLIC HEARING - COLUMBUS DEVELOPMENT COMMISSION

The Columbus Development Commission will hold its monthly policy meeting on May 26, 2005 at 6:15 p.m. in the Ground Floor Conference Room at 109 N. Front St., Columbus, OH 43215.

For presentation, discussion, and action

West Broad Street Economic Development Strategy

For information, contact Suzanne Vais, AICP at 645-0664 or sevais@columbus.gov

Code Update: Temporary Use - PODS

For information, contact Paul Freedman at 645-0704 or pmfreedman@columbus.gov

Contact Elizabeth A. Clark, AICP at 645-6096 on the day of the meeting to confirm that this item will be heard or go on-line to www.columbusinfobase.org.

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-6096 to make the arrangements.

Legislation Number: PN0106-2005

Drafting Date: 05/12/2005

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Board of Zoning Appeals May Agenda

Contact Name: Toni Gillum-Boehm

Contact Telephone Number: 614-645-5884

Contact Email Address: tgboehm@columbus.gov

Body

BOARD OF ZONING ADJUSTMENT AGENDA
CITY OF COLUMBUS, OHIO
MAY 24, 2005

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on TUESDAY, MAY 24, 2005 at 6:00 P.M. in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing.

It is the rule of the Board to dismiss an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter to "Sign" this meeting will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours prior to the scheduled meeting time. To schedule an interpreter, please contact the City of Columbus, Human Resources Department at 645-6373 or TDD 645-3293.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M., AFTER ANY APPEAL(S):

1. ODS No.: 05310-00019

Location: 265 CERAMIC DRIVE (43214), located on the south side of Ceramic Drive, 250± feet east of Olentangy Boulevard.

Area Comm./Civic: Clintonville Area Commission

Existing Zoning: R-3, Residential District

Request: Variance(s) to Section(s):

3332.21, Building lines. To reduce the building line from 35 feet to 30 feet along Ceramic Drive.

3332.26, Minimum side yard permitted To reduce the minimum side yard from 5 feet to 2 feet along the west side of the dwelling.

Proposal: To construct a two-car attached garage.

Applicant(s):

Ted M. Heldenbrand

265 Ceramic Dr.

Columbus, OH 43214

Property Owner(s):

Ted M. & Karen J. Heldenbrand

265 Ceramic Dr.

Columbus, OH 43214

Case Planner:

Denise Powers

645-1788

2. ODS No.: 05310-00020

Location: 36-40 WILSON AVENUE (43205), located on the east side of Wilson Avenue, 85± feet north of Madison Avenue.

Area Comm./Civic: Near East Area Commission

Existing Zoning: R-3, Residential District

Request: Special Permit(s) to Section(s):

3307.06, Special Permit. To expand a non-conforming use.

Proposal: To construct a four-car detached garage.

Applicant(s):
Jeffrey A. Cooper
37 Woodland Ave.
Columbus, Ohio 43203

Property Owner(s): Applicant

Case Planner:
Dave Reiss
645-7973

3. ODS No.: 05310-00021

Location: 496-498 EAST KOSSUTH STREET (43206), located on the north side of East Kossuth Street, 80± feet east of Washington Avenue.

Area Comm./Civic: Schumacher Place Civic Association

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

- 3332.05, Area District lot width requirements. To reduce the minimum width of a lot from 50 feet to 40 feet.
- 3332.14, R-2F Area District requirements. To reduce the minimum lot area from 6,000 square feet to 5,600 square feet.
- 3332.18, Basis of computing area. To allow more than three times the lot width to be used in calculating area for density purposes.
- 3332.25, Maximum side yards required. To reduce the sum of the widths of each side yard from 20% of the width of the lot to 17.5%, or from 8 feet to 7 feet.
- 3332.26, Minimum side yard permitted. To reduce the minimum side yards from 5 feet to 3.5 feet along the east and west sides of the dwelling.

Proposal: To construct a two-story two-family dwelling.

Applicant(s):
The Citation Group
Attn. Herb Lamb
722 S. Pearl St.
Columbus, OH 43206

Property Owner(s): Applicant

Case Planner:
Denise Powers
645-1788

4. ODS No.: 05310-00022

Location: 5161 N. HAMILTON ROAD (43230), located on the west side of Hamilton Road at the "T" intersection of Thompson Road and Hamilton Road

Area Comm./Civic: Northland Area Commission

Existing Zoning: LC-4, Limited Commercial District

Request: Variance(s) to Section(s):

3342.19, Parking space. To reduce the size of 11 parking spaces from the allowable 9' x 18'.
3342.15 Maneuvering. To maneuver over property lines.
3342.07 Drive-in stacking area. To reduce the number of required stacking spaces from 8 to 4.
3342.28 Minimum number of parking spaces required. To provide the required parking on two separate parcels.

Proposal: The applicant is proposing the construction of a new restaurant and retail stores.

Applicant(s):
Northstar Development Group
c/o Jack Reynolds
Smith and Hale
37 West Broad Street
Columbus, Ohio 43215

Property Owner(s):
Lurie Family LP
c/o Thomas Lurie & Associates
20 South 3rd Street
Columbus, Ohio 43215

Case Planner:
Jamie Freise
645-6350

5. ODS No.: 05310-00023

Location: 1009 GEMINI PLACE (A.K.A. FASHION MALL PLACE) (43240), located on the south side of Gemini Pl., approximately 270 ft. east of Polaris Pkwy.

Area Comm./Civic: Far North Columbus Communities Coalition

Existing Zoning: L-C-4, Commercial District

Request: Variance(s) to Section(s):
3342.07, Drive-in stacking area. To reduce the required number of stacking spaces from 8 to 4 and to not provide an exclusive by-pass lane for the stacked spaces.

Proposal: To construct a free-standing automatic teller machine (ATM) as a part of a restaurant parking lot.

Applicant(s):
N.P. Partnership
c/o Donald Plank
Plank & Brahm
145 E. Rich St.
Columbus, Ohio 43215

Property Owner(s): Same as applicant.

Case Planner:
Dave Reiss
645-7973

6. ODS No.: 05310-00024

Location: 1670 HARRISBURG PIKE (43223), located on the east side of Harrisburg Pike opposite the terminus of Chambers Avenue.

Area Comm./Civic: Southwest Area Commission

Existing Zoning: L-AR-O, Limited-Apartment Office District

Request: Variance(s) to Section(s):

3342.28, Minimum number of parking spaces required. To reduce the minimum number of off-street parking spaces required from 70 to 41.

Proposal: To construct a 35-unit apartment building.

Applicant(s):

Community Housing Network, Inc.
c/o Samantha A. Shuler, Atty.
957 E. Broad St.
Columbus, OH 43205

Property Owner(s):

Briggsdale Apartments, LLC
c/o Samantha A. Shuler, Atty.
957 E. Broad St.
Columbus, OH 43205

Case Planner:

Dave Reiss
645-7973

7. ODS No.: 05310-00025

Location: 815 WEST BROAD STREET (43222), located at the southeast corner of Souder Ave. & W. Broad St.

Area Comm./Civic: Franklinton Area Commission

Existing Zoning: L-C-4, Limited Commercial District

Request: Variance(s) to Section(s):

3309.142, Height district exceptions. To increase the allowable height of a building from 35 ft. to 52 ft. (17 ft.).

3342.15, Maneuvering. To allow maneuvering across property lines in the parking lot.

3342.19, Parking space. To reduce the parking space width dimension from 9 ft. to 3 ft. 6 in. at parcel #010-008369 for three parking spaces and to 5 ft. 6 in. at parcel #010-049509 for three parking spaces.

3342.28, Minimum number of parking spaces required. To reduce the minimum number of parking spaces from 137 to 60 (77-spaces).

3372.609 (B), Setback requirements. To reduce the minimum setback for a parking lot from 5 ft. to 1 ft. 8 in. Also, to allow parking to occur at other than the rear of a building. Also, to allow a free-standing parking lot at parcel #010-49509.

3372.611 (C), Design standards. To not provide clear/non-tinted window glass from between 2 ft. and 10 ft. above the nearest sidewalk on a street frontage.

3372.611 (D)(1), Design standards. To permit the installation of tinted glass in upper-story windows of the building.

3372.615 (A), Parking and circulation. To allow parking to occur between a public street right-of-way line and a principal building.

Proposal: To construct a medical office building.

Applicant(s):
Jennifer Carney
c/o Carney-Ranker Architects, Ltd.
5980-J Wilcox Pl.
Dublin, Ohio 43016

Property Owner(s):
M.K.S. Co., L.L.C.
815 W. Broad St.
Columbus, Ohio 43222

Case Planner:
Dave Reiss
645-7973

8. ODS No.: 05310-00026A

Location: 634 SOUTH GRANT AVENUE (43206), located on the east side of South Grant Avenue, 112± feet south of Beck Street.

Area Comm./Civic: German Village Commission

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

3332.14, R-2F Area district requirements. To reduce the required lot area of 6,000 sq. ft. to 1,776 sq. ft. (a 4,224 sq. ft. reduction) for a two-story, single-family dwelling.

3332.05, Area district lot width requirements. To reduce the minimum lot width of 50 ft. to 22.14 ft. (a reduction of 27.86 ft.).

3332.21, Building lines. To reduce the minimum building line from 10 ft. to .33 ft. (a 9.37 ft. reduction).

3332.25, Maximum side yards required. To reduce the maximum sum of the widths of the side yards from 20% to 10% (a maximum of 16 ft. to 2.14 ft.).

3332.26, Minimum side yard permitted. To reduce the minimum side yard of 3 ft. to .33 ft. on the north side (a 2.67 ft. reduction) and to 1.81 ft. on the south side (a 1.19 ft. reduction) for the house. To reduce the required minimum side yard from 3 ft. to .33 ft. on the north side of the garage (a 2.67 ft. reduction) and from 3 ft. to .63 ft. (a 2.37 ft. reduction) on the south side of the garage.

3342.15, Maneuvering. To not provide sufficient maneuvering to parking spaces. (20 ft. needed).

3342.28, Minimum number of parking spaces required. To reduce the required number of parking spaces from 2 to 1.

Proposal: To demolish a two-story single-family dwelling and construct a two-story single-family dwelling and one-car detached garage.

Applicant(s):
634 Grant Avenue Partners
c/o Michael T. Shannon, Esq.
Crabbe, Brown & James LLP
500 S. Front St.
Ste. 1200
Columbus, OH 43215

Property Owner(s): Applicant

Case Planner:
Dave Reiss

645-7973

9. ODS No.: 05310-00026B

Location: 636 SOUTH GRANT AVENUE (43206), located on the east side of South Grant Avenue, 132± feet south of Beck Street.

Area Comm./Civic: German Village Commission

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

3332.14, R-2F Area district requirements. To reduce the required lot area of 6,000 sq. ft. to 2,344 sq. ft. (a 3,656 sq. ft. reduction) for a two-story, single-family dwelling.

3332.05, Area District lot width requirements. To reduce the minimum lot width of 50 ft. to 29.21 ft. (a reduction of 20.79 ft.).

3332.25, Maximum side yards required. To reduce the maximum sum of the widths of the side yards from 20% to 15% (a maximum of 16 ft. to 4.5 ft.).

3332.26, Minimum side yard permitted. To reduce the minimum side yard of 3 ft. to 1.5 ft. on the north side of the house.

Proposal: To allow a lot split, to deduct 3.22 feet from this lot to be combined with the abutting property to the north to widen that parcel in order to facilitate the proposed new residence.

Applicant(s):

634 Grant Avenue Partners
c/o Michael T. Shannon, Esq.
Crabbe, Brown & James LLP
500 S. Front St.
Ste. 1200
Columbus, OH 43215

Property Owner(s): Applicant

Case Planner:

Dave Reiss
645-7973

10. ODS No.: 05310-00028

Location: 544 ANN STREET (43207), located at the southeast corner of Ann Street and Markison Avenue.

Area Comm./Civic: Council of Southside Organizations

Existing Zoning: R, Rural District and R-4, Residential District

Request: Variance(s) to Section(s):

3342.17, Parking lot screening. To not provide parking lot screening along the eastly property line for approximately 126 ft. abutting a residential zoning district.

3342.18, Parking setback line. To reduce the parking setback line from 25 feet to 19 feet along the northerly property line.

3342.28, Minimum number of parking spaces required. To reduce the minimum number of off-street parking spaces required from 122 to 62 (a reduction of 60 spaces).

Proposal: To raze and rebuild an elementary school.

Applicant(s):

Board of Education of the Columbus Public Schools
c/o J. Jeffrey McNealey, Esq.
Porter, Wright, Morris & Arthur LLP
41 S. High St.
Columbus, OH 43215

Property Owner(s):

City of Columbus, Ohio
Department of Recreation and Parks
Attn. Alan McKnight
200 Greenlawn Ave.
Columbus, OH 43223

Case Planner:

Dave Reiss
645-7973

11. ODS No.: 05310-00029

Location: 865 JAEGER STREET (43206), located on the west side of Jaeger Street, 120± feet north of East Whittier Street.

Area Comm./Civic: German Village Commission

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

3332.18, Basis of computing area. To increase the maximum lot area allowed to be covered by building from 50% to 69%.
3332.21, Building lines. To reduce the building line from 10 feet to 7± inches along Jaeger Street.
3332.25, Maximum side yards required. To reduce the sum of the widths of each side yard from 20% of the width of the lot to 9±%, or from 10± feet to 5± feet.
3332.26, Minimum side yard permitted. To reduce the minimum side yard from 5 feet to 2 feet 11 inches on the south side and 2± feet on the north side of a proposed dwelling.
3332.27, Rear yard. To reduce the minimum rear yard from 25% of the total lot area to 11±%.
3332.30, Vision clearance. To reduce clear vision at a vehicular access point from 12 feet to 7± inches.
3342.28, Minimum number of parking spaces required. To reduce the minimum number of off-street parking spaces required from 2 to 1.

Proposal: To raze an existing structure and replace it with a single-family dwelling.

Applicant(s):

BB Investment Partners LLC
c/o Brian S. Artz, Atty.
560 E. Town St.
Columbus, OH 43215

Property Owner(s): Applicants

Case Planner:

Denise Powers
645-1788

12. ODS No.: 05310-00030

Location: 5050 N. HAMILTON ROAD (43230), located on the east side of Hamilton Road approximately 150 feet south of the intersection of Thompson Road and Hamilton Road.

Area Comm./Civic: Northland Area Commission

Existing Zoning: District

Request: Variance(s) to Section(s):

3342.07, Drive-in stacking area. To reduce the number of drive-in stacking spaces from 8 to 4.

Proposal: The applicant is proposing to add a new drive up window for a pharmacy to an existing retail store.

Applicant(s):

Meijer Stores Limited Partnership

c/o Roger DeHoek

2929 Walker Avenue

Grand Rapids, MI 79544

Property Owner(s): Applicant

Case Planner:

Jamie Freise

645-6350

13. ODS No.: 05310-00011

Location: 1661 HILLIARD-ROME ROAD (43026), located northwest corner of Hilliard-Rome Road and Renner Road.

Area Comm./Civic: None

Existing Zoning: CPD, Commercial Planned Development. District

Request: Variance(s) to Section(s):

3342.07, Drive-in stacking area. To reduce the number of drive-in stacking spaces from 8 to 4.

Proposal: The applicant is proposing to add a new drive up window for a pharmacy to an existing retail store.

Applicant(s):

Meijer Stores Limited Partnership

c/o Roger DeHoek

2929 Walker Avenue

Grand Rapids, MI 79544

Property Owner(s): Applicant

Case Planner:

Jamie Freise

645-6350

14. ODS No.: 05310-00016

Location: 246 NORTH 20th STREET (43203), located on the north east corner of Mt. Vernon Avenue and North 20th Street on the near east side of Columbus.

Area Comm./Civic: Near East Area Commission.

Existing Zoning: R-2F, Residential. District

Request: Variance(s) to Section(s):

3342.18, Parking setback line. To reduce the parking setback from 25' to 10'.

3342.28, Minimum number of parking spaces required. To reduce the number of required parking spaces from 69 to 9.

3342.17, Parking lot screening. To not screen a parking lot located within 80 feet of residential property.

3342.24, Surface. To allow parking on an unimproved surface.

3332.25(B), Maximum side yards required. To reduce the required side yard from 16' to 14'.

3332.27, Rear yard. To reduce the required rear yard from 3604 square feet to 3022 square feet (20% of the total 14415 lot size).

Proposal: The applicant proposes to expand and upgrade an existing church and install 9 on site parking spaces.

Applicant(s):

James A. Monsul.

642 Brooksedge Blvd.

Westerville, Ohio 43081

Property Owner(s):

Faith Mission United Holy Church Trustees

926 East Broad Street

Columbus, Ohio 43205

Case Planner:

Jamie Freise

645-6350

15. ODS No.: 05310-00001

Location: 2126, 2130, 2136 & 2260-2296 MORSE ROAD (43229), located at the northwest and the northeast corners of Northtowne Blvd. & Morse Rd.

Area Comm./Civic: Northland Community Council

Existing Zoning: C-4, Commercial District

Request: Variance(s) to Section(s):

3356.11, C-4 district setback lines. 2126: To reduce the required building setback from 25 ft. to 9 ft. from the service road on the north side of the property for a dumpster; 2130: To reduce the required building setback from the service road on the north side of the property from 25 ft. to 9 ft. for a dumpster enclosure; 2136: To reduce the required building setback from a service road from 25 ft. to 9 ft. for a dumpster enclosure.

3342.18, Parking setback line. 2126: To reduce the required parking setback from Morse Rd. from 10 ft. to 8 ft.; to reduce the required parking setback from the service road on the west side of this property from 10 ft. to 8 ft.; to reduce the parking setback from the service road on the north side of this property from 10 ft. to 9.5 ft. 2130: To reduce the required parking setback from Morse Rd. from 10 ft. to 9 ft.; to reduce the required parking setback from the service road on the north side of the property from 10 ft. to 9 ft.; 2136: To reduce the parking setback from Northtowne Blvd. from 10 ft. to 1 ft.; to reduce the required parking setback from Morse Rd. from 10 ft. to 8.5 ft.; 2260-2296: To reduce the required parking setback from the service road from 10 ft. to 4.5 ft.; to reduce the parking setback from Northtowne Blvd. from 10 ft. to 0 ft.

3372.909, Setback requirements. 2126: To reduce the parking setback from Morse Rd. from 10 ft. to 8 ft.; to permit the

parking and circulation in front of the building substantially in accordance with the site plan; 2130: To reduce the parking setback from Morse Rd. from 10 ft. to 9 ft.; to permit the parking and circulation in front of the building substantially in accordance with the site plan; 2136: To reduce the parking setback from Morse Rd. from 10 ft. to 8.5 ft.; to permit the parking and circulation in front of the building substantially in accordance with the site plan; 2260-2296: To reduce the parking setback from Morse Rd. service road from 10 ft. to 4.5 ft.; to permit parking and circulation in front of buildings substantially as shown on the site plan.

3342.28, Minimum number of parking spaces required. 2126: To reduce the required number of off-street parking spaces from 34 to 24; 2130: To reduce the required number of off-street parking spaces from 40 to 28; 2260-2296: To reduce the total required number of off-street parking spaces from 982 to 635 (347 spaces).

3342.11, Landscaping. All addresses: To eliminate the required parking lot landscaping.

3372.912, Landscape and screening. All addresses: To eliminate the required parking lot landscaping.

3372.910, Accessibility. All addresses: To allow all existing curb cuts to remain substantially as shown on the site plan; to eliminate required pedestrian walkways; however, if the building on the property is damaged to the extent of more than 50 percent of its value or is destroyed, then to permit required pedestrian walkways to consist of striped portions of parking lot pavement.

3372.914, Lighting. All addresses: To permit existing parking lot lighting to remain.

3372.970, Morse Regional Commercial Overlay. All addresses: To permit the development of the property substantially in accordance with the site plan without adherence to the standards and requirements of the Morse Road Design Study.

3342.17, Parking lot screening. 2260-2296: To eliminate the parking lot screening requirements along the north and east boundaries of this property.

3342.09, Dumpster area. 2260-2296: To eliminate the requirement that dumpsters located on the north side of the large building on this property be screened; however, if that building is damaged to the extent of more than 50 percent of its value, then this variance shall terminate as to all dumpsters serving the damaged portion of that building and if that building is destroyed, then the variance shall expire as to all dumpsters on this property.

Proposal: To qualify existing shopping centers and free-standing commercial buildings, to be re-constructed as-is as non-conforming uses if damaged by over 50%.

Applicant(s):

MC-NC, L.L.C.
11457 Olde Cabin Rd., 2nd Floor
St. Louis, Missouri 63141

Property Owner(s):

MC-NC, L.L.C.
11457 Olde Cabin Rd., 2nd Floor
St. Louis, Missouri 63141

Case Planner:

Dave Reiss
645-7973

Legislation Number: PN0183-2004

Drafting Date: 10/28/2004

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Meeting Schudule - City of Columbus Records Commission

Contact Name: Thamie Freeze

Contact Telephone Number: 614-645-7293

Contact Email Address: tjfreeze@columbus.gov

Body

CITY BULLETIN NOTICE

MEETING SCHEDULE

CITY OF COLUMBUS RECORDS COMMISSION

The regular meetings of the City of Columbus Records Commission for the calendar year 2005 are scheduled as follows:

Monday, February 7, 2005

Monday, May 9, 2005

Monday, September 26, 2005

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the 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: 10/2004 to 10/2005

Legislation Number: PN0214-2004

Drafting Date: 12/08/2004

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: OFFICIAL NOTICE - CIVIL SERVICE COMMISSION

Contact Name: Lois Washnock

Contact Telephone Number: 614.645.7531

Contact Email Address: civil.service@columbus.gov

Body

COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. to 4:00 P.M. MONDAY, WEDNESDAY or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our web site at www.csc.columbus.gov <<http://www.csc.columbus.gov>> and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our web site or visit the Commission offices.

