

# **Columbus City Bulletin**



**Bulletin #31  
August 5, 2006**

# Proceedings of City Council

Saturday, August 5, 2006



## SIGNING OF LEGISLATION

(Unless otherwise noted all legislation listed in this bulletin was signed by Council President Matthew Habash, on the night of the Council meeting, Monday, *July 31, 2006*; Mayor, Michael B. Coleman on Wednesday, *August 2, 2006* 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, July 31, 2006

5:00 PM

Columbus City Council

Columbus City Council

Journal

July 31, 2006

**REGULAR MEETING NO. 40 OF COLUMBUS CITY COUNCIL, JULY 31, 2006 at 5:00 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

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

**READING AND DISPOSAL OF THE JOURNAL**

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

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

**C0020-2006**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, JULY 26, 2006:

New Type: D3  
To: Cazuela Grill Authentic Mexican Cuisine  
2247 North High St  
Columbus, Ohio 43201  
permit # 1347601

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #160  
2800 Bethel Rd  
Columbus, Ohio 43220  
From: Convenience Management Services Inc  
DBA CMSI 3084  
2800 Bethel Rd  
Columbus, Ohio 43220  
permit # 90739950660

Transfer Type: C1, C2, D6  
To: True North Energy LLC  
DBA True North #611

5340 Tuttle Crossing  
Columbus, Ohio 43016  
From: Convenience Management Services Inc  
DBA CMSI 3086  
5340 Tuttle Crossing  
Columbus, Ohio 43016  
permit # 90739950665

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #609  
6790 Sawmill Rd  
Columbus, Ohio 43235  
From: Convenience Management Services  
DBA CMSI 3083  
6790 Sawmill Rd  
Columbus, Ohio 43235  
permit # 90739950655

Transfer Type: C1, C2, D6  
To: True North Energy LLC  
DBA True North #676  
3975 Ridge Mill Dr  
Columbus, Ohio 43026  
From: Convenience Management Services Inc  
DBA CMSI 3085  
3975 Ridge Mill Dr  
Columbus, Ohio 43026  
permit # 90739950685

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #608  
1500 Hilliard Rome Rd  
Columbus, Ohio 43228  
From: Convenience Management Services Inc  
DBA CMSI 3082  
1500 Hilliard Rome Rd  
Columbus, Ohio 43228  
permit # 90739950650

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #606  
1195 Morse Rd  
Columbus, Ohio 43229  
From: Convenience Management Services Inc  
DBA CMSI 3095  
1195 Morse Rd  
Columbus, Ohio 43229  
permit # 90739950645

Transfer Type: C1, C2, D6  
To: True North Energy LLC  
DBA True North #612  
631 S High St  
Columbus, Ohio 43215  
From: Convenience Management Services Inc  
DBA CMSI 3093  
631 S High St  
Columbus, Ohio 43215  
permit # 90739950670

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #677  
Excluding Food Prep Area  
2441 Lockbourne Rd  
Columbus, Ohio 43207  
From: Convenience Management Services Inc  
DBA CMSI 3088  
Excluding Food Prep Area  
2441 Lockbourne Rd  
Columbus, Ohio 43207  
permit # 90739950690

Transfer Type: C1, C2  
To: True North Energy LLC  
DBA True North  
1937 E Livingston Av  
Columbus, Ohio 43209  
From: Convenience Management Services Inc  
DBA CMSI 3096  
1937 E Livingston Av  
Columbus, Ohio 43209  
permit # 90739950675

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #675  
1955 Polaris Pkwy  
Columbus, Ohio 43240  
From: Convenience Management Services Inc  
DBA CMSI 3089  
1955 Polaris Pkwy  
Columbus, Ohio 43240  
permit # 90739950680

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #605  
5989 E Main St  
Columbus, Ohio 43213  
From: Convenience Management Services Inc

DBA CMSI 3094  
5989 E Main St  
Columbus, Ohio 43213  
permit # 90739950640

Transfer Type: C1, C2, D6  
To: JR & CC LLC  
DBA Metro Beer & Wine Drive Thru  
2157 Hilliard Rome Rd  
Columbus, Ohio 43026  
From: Central City Beverage Inc  
DBA Metro Beer & Wine Drive Thru  
2157 Hilliard Rome Rd  
Columbus, Ohio 43026  
permit # 4403799

Stock Type: D5, D6  
To: Bravo Development Inc  
DBA Bravo Cucina Italiana  
3000 Hayden Rd & Patio  
Columbus, Ohio 43235  
permit # 09273140025

Stock Type: D5J, D6  
To: Bravo Development Inc  
DBA Bon Vie  
4089 The Strand E & Patios  
Columbus, Ohio 43219  
permit # 09273140005

Stock Type: D5, D6  
To: Bravo Development Inc  
DBA Lindeys Restaurant & Bar  
Polaris Fashion Center  
1500 Polaris Pkwy Suite 200 & Patio  
Columbus, Ohio 43240  
permit # 09273140001

Stock Type: D5J, D6  
To: Bravo Development Inc  
DBA Brio Tuscan Grille  
3993 Easton Station & Patios  
Columbus, Ohio 43219  
permit # 09273140010

Stock Type: D5, D6  
To: Bravo Development Inc  
DBA Bravo Cucina Italiana  
7470 Vantage Dr & Patios  
Columbus, Ohio 43235  
permit # 09273140020

Advertise 8/05/06

Return 8/21/06

**Read and Filed**

### **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

HEALTH, HOUSING & HUMAN SERVICES: 1413-2006, 1414-2006

### **FIRST READING OF 30-DAY LEGISLATION**

A MOTION WAS MADE BY COUNCILMEMBER BOYCE, SECONDED BY COUNCILMEMBER TAVARES TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE:

AFFIRMATIVE: 7 NEGATIVE: 0

### **ADMINISTRATION: BOYCE, CHR. MENTEL HUDSON HABASH**

**1376-2006** FR To authorize the Director of the Department Finance and Management to execute those documents, as prepared by the Department of Law, Real Estate Division, necessary to release all restrictions that may be in effect by virtue of the Dennison Avenue Conservation Area Project, Ohio R-10, Urban Renewal Project, for the property located at 964 and 970 Neil Avenue.

**Read for the First Time**

### **DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**

**1365-2006** FR To repeal the current Building Services Division Fee Schedule, adopted by Ordinance 2176-01, effective January 1, 2002, and all amendments thereto, and to adopt a new Building Services Fee Schedule based on the consolidated "One-Stop Shop" initiative and as a result of the yearly review of fees related to the development process.

**Read for the First Time**

### **UTILITIES: THOMAS, CHR. MENTEL O'SHAUGHNESSY HABASH**

**1245-2006** FR To authorize the Director of Finance and Management to establish a purchase order with Byers Chevrolet for the purchase of one (1) Tandem Axle Dump Truck for the Division of Sewerage and Drainage, and to authorize the expenditure of \$99,674.00 from the Sewerage System Operating Fund. (\$99,674.00)

**Read for the First Time**

**1277-2006** FR To authorize the Director of Finance and Management to establish a purchase order with Southeastern Equipment Company for the purchase of a Flusher Truck for the Division of Sewerage and Drainage, and to authorize the expenditure of \$100,860.00 from the Sewerage System Operating Fund. (\$100,860.00)

**Read for the First Time**

### **RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON TAVARES**

**1436-2006** FR To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to on-demand, portable storage.

Sponsors: Maryellen O'Shaughnessy

**Read for the First Time**

**CONSENT ACTIONS**

**RESOLUTIONS OF EXPRESSION**

**TAVARES**

- 0137X-2006 CA To recognize and congratulate Mrs. Bernice Amanda Jeffers on her 100th Birthday on August 9, 2006.

Sponsors: Charleta B. Tavares

**This Matter was Adopted on the Consent Agenda.**

**ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH**

- 1331-2006 CA To authorize and direct the Finance and Management Director to modify and extend the UTC for the option to purchase Integrated Pest Management with Orkin Commercial and to declare an emergency.

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

- 1359-2006 CA To authorize the Finance and Management Director to contract for the Facilities Management Division with K&M Kleening Service, Inc. for custodial services at the Health Department at 240 Parsons Avenue; to authorize the expenditure of \$297,743.00 from the General Fund. (\$297,743.00)

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

- 1366-2006 CA To authorize the Director of Finance and Management to establish a contract with Roscor Corporation for the purchase of Video Recording Equipment for the Department of Technology, Information Services Division, and to authorize the expenditure of \$22,243.00 from the Technology Department Information Services Fund; and to declare an emergency. (\$22,243.00)

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

- 1397-2006 CA To authorize and direct the Finance and Management Director to modify and extend the UTC for the option to purchase Liquefied Petroleum Gas (Propane) with Ferrellgas and to declare an emergency.

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

- 1421-2006 CA To authorize the Director of Development to execute the amendment of the City's Project Acquisition Agreement dated February 1, 2004 with National Church Residences; and to declare an emergency.

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

Abstained: 1 - Ms. Hudson

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

- 1422-2006 CA To authorize the City Auditor and the Director of the Department of Finance and Management to issue statements of official intent to issue reimbursement obligations and to declare an emergency.

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

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

- 1233-2006 CA To authorize and direct the Director of the Columbus Department of Development to apply to the Ohio Department of Development Roadwork Development Account for grant assistance in an amount up to \$270,000 for the installation of a new traffic signal at New Albany Road and Walton Parkway.

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

**SAFETY & JUDICIARY: MENTEL, CHR. BOYCE THOMAS HABASH**

- 1309-2006 CA To authorize the Finance and Management Director on behalf of the Division of Support Services, to purchase Five (5), Dual Core laptop computers from Resource One, to be used as part of essential test equipment for servicing emergency communication radios and computers used by the divisions of Police and Fire; to authorize the expenditure of \$7,792.55 from the Public Safety Capital Improvement Fund and to declare an emergency. (\$7,792.55)

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

- 1310-2006 CA To authorize and direct the Director of Finance and Management to establish a purchase order with Sound Communications Inc., to purchase an upgraded Audio Digital Communications Recording System for the Police and Fire Communications System, to authorize the appropriation and expenditure of \$204,733.60 from the Public Safety's Capital Improvement Fund, and to declare an emergency. (\$204,733.60).

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

- 1337-2006 CA To authorize the Columbus Fire Chief to accept a grant award from the State of Ohio Division of EMS for the purchase of training and patient care equipment for the Division of Fire, to appropriate \$3,500.00 from the unappropriated balance of the General Government Grant Fund, and to declare an emergency. (\$3,500.00)

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

- 1370-2006 CA To authorize and direct the Director of Finance and Management to enter into a contract with Vance Outdoors, Inc. for the purchase of firearms parts for the Division of Police, to authorize the expenditure of \$26,441.35 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$26,441.35)

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

- 1371-2006 CA To authorize and direct the Finance and Management Director to contract for Centrex phone services with AT&T for the Division of Police, to authorize the expenditure of \$196,000.00 from the General Fund; and to declare an emergency. (\$196,000.00)

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

- 1384-2006 CA To authorize the City Attorney to modify an existing contract with McNees Wallace & Nurick LLC to act as special counsel to represent the City regarding certain Seams Elimination Cost Allocation (SECA) purchase power issues, and other necessary specialized legal services, and to authorize the expenditure of \$35,000.00 from the Division of Electricity Operating Fund and to declare an emergency. (\$35,000.00)

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

- 1388-2006 CA To authorize and direct the Director of the Department of Finance and Management on behalf of the Franklin County Municipal Court Clerk to enter into contract with Maximus, Inc. for the CourtView 2000 software support; to authorize the expenditure of \$62,587.00 from the Clerk's computer fund; to declare an emergency. (\$62,587.00)

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

- 1389-2006 CA To authorize a supplemental appropriation of \$195,000.00 from the unappropriated balance of the Clerk's collection fund; to authorize and direct the Franklin County Municipal Court Clerk to enter into the first year of a three year contract with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A, for the provision of the Clerk's accounts receivables collection services; to authorize an expenditure up to \$355,000.00 from the Clerk's collection fund appropriations; and to declare an emergency. (\$355,000.00)

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

- 1396-2006 CA To authorize and direct the Public Safety Director to execute those documents necessary for the acquisition of protective window film utilizing the Homeland Security Grant; to enter into contract with Pentagon Protection United States for protective window film; and to declare an emergency.

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

- 1402-2006 CA To authorize and direct the Finance & Management Director to modify past, present and future purchase orders with ARCH WIRELESS and to declare an emergency.

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

- 1404-2006 CA To authorize a supplemental appropriation of \$80,000.00 from the unappropriated balance of the Clerk's collection fund; authorize and direct the Franklin County Municipal Court Clerk to amend and increase the Court's receivables contract with Capital Recovery Systems, Inc.; to authorize an additional expenditure up to \$80,000.00 from the Clerk's collection fund appropriations; and to declare an emergency. (\$80,000.00)

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

- 0134X-2006 CA To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the McKinley Avenue 36" Water Main, and to declare an emergency.

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

- 1271-2006 CA To authorize the Director of Development to enter into a second contract modification to the Whittier Site Assessment Contract with Burgess and Niple, Incorporated, by extending the term of the existing contract, expanding the scope, and increasing the total contract amount; to authorize the City Auditor to transfer \$200,000 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; and to authorize the expenditure

of \$200,000. (\$200,000)

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

- 1276-2006 CA To authorize the appropriation and expenditure of \$4,200 from the Miranova TIF Fund - City Riverfront Vision Account in order to pay the filing fee to submit a Conditional Letter of Map Revision for the Whittier Peninsula development area with the Federal Emergency Management Agency. (\$4,200)

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

- 1392-2006 CA To authorize and direct the transfer of \$150,000 within the Development Department, General Fund between object levels to provide additional funds for the demolition of unsafe structures; and to declare an emergency. (\$150,000)

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

- 1418-2006 CA To authorize the Director of Development to modify the Empowerment Zone Community Values & Cultural Life, Economic Opportunity and Neighborhood Life contracts with the Columbus Compact Corporation by extending the term of the contracts; and to declare an emergency.

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

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

- 1312-2006 CA To authorize the director of Public Service to enter into a contract for the Transportation Division with Gaddis & Son, Inc. for construction of the Gay Street Phase 1 Project; to authorize the expenditure of \$309,312.00 from the 1995, 1999, 2004 Voted Street and Highway Funds for the Transportation Division; and to declare an emergency. (\$309,312.00).

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

- 1333-2006 CA To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate Agler Road and Cassidy Avenue Intersection Improvement Project, to authorize the expenditure of \$2,620.00 from the General Permanent Improvement Fund and to declare an emergency.

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

- 1349-2006 CA To authorize the Director of Public Service to modify and increase the contract with ms consultants, inc. for the Gay Street Traffic Calming General Engineering project for the Transportation Division; to authorize the expenditure of \$20,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund; and the transfer and expenditure of \$197,429.73 from within the Voted Sanitary Bond Fund; and to declare an emergency (\$217,429.73).

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

- 1355-2006 CA To authorize the City Auditor to transfer \$163,000.00 within and from the 1995, 1999, 2004 Voted Streets and Highways Fund to the Federal State Highway Engineering Fund; to appropriate \$163,000.00 within the Federal State Highway Engineering Fund; to authorize the Public Service Director to modify and increase the existing design contract with URS Corporation for the Hard Road Phase C project by \$163,000.00; to authorize the

expenditure of \$163,000.00 or so much thereof as may be needed from the Federal State Highway Engineering Fund; and to declare an emergency. (\$163,000.00)

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

- 1357-2006** CA To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Riverview Drive Improvement Project, to authorize the expenditure of \$19,633.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund Fund, and to declare an emergency. (\$19,633.00).  
**This Matter was Approved on the Consent Agenda.**
- 1374-2006** CA To accept the plat titled LYRA DRIVE, PART 4, from NP Limited Partnership, an Ohio limited partnership, owner, by KEW Investment Company, an Ohio General Partnership, its general partner, by Robert J. Weiler, General Partner of Star-Weiler Limited Partnership, an Ohio Limited partnership, Partner of KEW Investment Company; and to declare an emergency.  
**A motion was made by Ms. Tavares, seconded by Ms. O'Shaughnessy, that this matter be Approved. The motion carried by the following vote:**  
Abstained: 1 - Ms. Hudson  
Affirmative: 6 - Mr. Boyce, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- 1403-2006** CA To authorize the Public Service Director to modify and increase the existing design contract with R. D. Zande and Associates, Incorporated, for the Alum Creek Drive Improvement project for the Transportation Division; to authorize the expenditure of \$202,855.00 from the 1995, 1999, 2004 Streets and Highways Fund and to declare an emergency. (\$202,855.00)  
**A motion was made by Ms. Tavares, seconded by Ms. O'Shaughnessy, that this matter be Approved. The motion carried by the following vote:**  
Abstained: 1 - President Pro-Tem Mentel  
Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Habash
- 1405-2006** CA To authorize and direct the Finance and Management Director to modify and extend the citywide contract for the option to purchase Vehicle Washing Services with Custom Detailing Inc. and to declare an emergency.  
**This Matter was Approved on the Consent Agenda.**
- 1411-2006** CA To authorize the Public Service Director to levy a special assessment upon the lots and lands benefited by the construction of streetscape enhancements on North High Street from Arcadia Avenue to Torrence Road for the Transportation Division and to declare an emergency. (\$-0-)  
**This Matter was Approved on the Consent Agenda.**

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

- 1190-2006** CA To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$201,808.00; to

authorize the appropriation of \$201,808.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$201,808.00)

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

- 1300-2006** CA To authorize and direct the Finance and Management Director on behalf of the Board of Health to enter into lease contracts with four property owners for the lease of clinic space for the WIC program, for the period of October 1, 2006 through September 30, 2007; to authorize a total expenditure of \$139,089 from the Health Department Grants Fund; and to declare an emergency. (\$139,089)

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

- 1302-2006** CA To authorize the Board of Health to modify a contract with the Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program; to authorize the expenditure of \$13,988.00 from the Health Department Grant Funds to pay the cost thereof, and to declare an emergency, (13,988.00)

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

- 1382-2006** CA To authorize the cancellation of an existing contract with the Salvation Army; to execute a grant agreement with the Salvation Army of Greater Columbus; to appropriate and expend \$23,150.60 from the Emergency Human Services Fund; and to declare an emergency (\$23,150.60).

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

Abstained: 1 - Ms. Thomas

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

- 1386-2006** CA To authorize the Director of the Department of Development to enter into a contract with the Clintonville Resources Center for the Chores Program; to authorize the expenditure of \$30,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$30,000.00)

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

- 1387-2006** CA To authorize the Director of the Department of Development to enter into a contract with the Economic Community Development Institute for the Chores Program; to authorize the expenditure of \$32,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$32,000.00)

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

- 1395-2006** CA To authorize the Director of the Department of Development to modify the truancy intervention program contract with the YMCA of Central Ohio to extend the contract for an additional year; and to declare an emergency.

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

**UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**

- 1189-2006** CA To authorize the Public Utilities Director to enter into a planned modification of the contract with the State of Ohio for water supply from Alum Creek Reservoir.

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

- 1295-2006 CA To grant the Director of Public Utilities authority to execute, on behalf of the City of Columbus, all new or renewal utility easement agreements that the Director has determined must be obtained from the State of Ohio and/or The Ohio State University, as necessary for the construction, operation or maintenance of such utilities.

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

Abstained: 1 - Ms. Thomas

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

- 1320-2006 CA To authorize the Director of Public Utilities to enter into contract with PDT Communications Ltd for installation, upgrade and support of the Customer Interaction Center for the Division of Operational Support , to authorize the expenditure of \$115,234.00 from the Water Operating Fund, and to declare an emergency. (\$115,234.00)

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

- 1324-2006 CA To authorize the Director of Finance and Management to establish a purchase order with Smart Solutions Inc for the purchase of Computer Hardware for the Division of Operational Support, to authorize the expenditure of \$15,120.00 from the Sewerage System Operating Fund, \$3,240.00 from the Storm Water Operating Fund, \$6,480.00 from the Electricity Operating Fund, \$11,160.00 from the Water Operating Fund and to declare an emergency. (\$36,000.00)

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

- 1347-2006 CA To authorize the Director of Public Utilities to enter into a service agreement with Perkin Elmer Instruments LLC for software maintenance and support of equipment located at the Surveillance Laboratory within the Division of Sewerage and Drainage in accordance with the provisions of sole source procurement of the Columbus City Code, to authorize the expenditure of \$25,356.00 from the Sewerage System Operating Fund and to declare an emergency. (\$25,356.00)

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

- 1352-2006 CA To authorize the City Auditor to create and maintain a Storm Sewer System Permanent Improvement Fund.

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

**Passed The Consent Agenda**

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

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

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

**ADMINISTRATION: BOYCE, CHR. MENDEL HUDSON HABASH**

**1383-2006** To authorize and direct the City Auditor to transfer \$300,000.00 from the Special Income Tax Fund to the Health Voted Bond Fund; to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Design Group, Inc. for professional services related to the construction of a new West Side Family Health Center, to authorize the expenditure of \$800,000.00 from the Health Voted Bond Fund, to authorize the expenditure of \$271,100.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$1,071,100.00).

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

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

**1406-2006** To authorize and direct the City Auditor to transfer \$1,800,000.00 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund; to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Mull & Weithman Architects, Inc. for professional services related to the construction of a new impound lot, to authorize the expenditure of \$1,800,000.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$1,800,000.00).

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

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

**RULES & REFERENCE: HABASH CHR. BOYCE MENDEL TAVARES**

**1269-2006** To enact new Section 223.09 and to amend Section 223.03 of the Columbus City Codes, 1959, to create a new office of construction management within the department of finance and management which will be responsible for supervision and management of contracts for the design, construction, renovation, or repair of buildings or structures used in city operations.

Sponsors: Kevin L. Boyce

**A motion was made by Mr. Boyce, seconded by President Pro-Tem Mendel, that this matter be Approved. The motion carried by the following vote:**

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

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

**1342-2006** To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Exesite LLC as provide in Columbus City Council Resolution 075X-2004 adopted March 29, 2004.

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

- Abstained: 1 - Ms. Thomas  
Affirmative: 6 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, President Pro-Tem Mentel and President Habash
- 1343-2006** To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Hexion Specialty Chemical, Inc. as provide in Columbus City Council Resolution 075X-2004 adopted March 29, 2004.
- A motion was made by Ms. Hudson, seconded by Ms. Thomas, that this matter be Approved. The motion carried by the following vote:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- 1358-2006** To authorize and request that Capitol South Community Urban Redevelopment Corporation make a grant of \$1,150,000 to Campus-Seneca Management, Inc. from accumulated ground rents that are payable to the City for the abatement and remediation of asbestos containing materials for the Seneca Hotel Housing Project.
- 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:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- 1372-2006** To authorize the Director of Development to enter into an agreement with Action Group, Inc. for a Jobs Creation Tax Credit of 60% for a period of six years in consideration of a proposed \$1,385,000 investment, the retention of 69 new full-time jobs and the creation of 25 new full-time jobs.
- 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:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- 1367-2006** To authorize the Director of Development to amend the Enterprise Zone Agreement with Shonac Corporation to reflect the company's new name of DSW, Inc. and to transfer 195 retained jobs to the new proposed corporate facility; and to repeal Ordinance 2445-2003, passed December 8, 2003.
- A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:**
- Abstained: 2 - Ms. Hudson and President Pro-Tem Mentel  
Affirmative: 5 - Mr. Boyce, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Habash
- 1369-2006** To authorize the Director of Development to enter into an Enterprise Zone Agreement with ADS Alliance Data Systems, Inc. and Duke Realty Corporation for a tax abatement of 100% for a period of ten years and to also enter into a Jobs Creation Tax Credit Agreement with ADS Alliance Data Systems, Inc. for 65% for a period of 15 years; and to declare an emergency.

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

Abstained: 1 - Ms. Hudson

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

1410-2006

To increase an existing Auditor's Certificate by \$850,000.00 for the Greater Parsons Avenue Area Vision Plan; to authorize the City Auditor to transfer \$850,000 from the Special Income Tax Fund to the Northland and Other Acquisition Bond Fund; to authorize the expenditure; and to declare an emergency. (\$850,000.00)

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

Abstained: 1 - Ms. Hudson

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

1425-2006

To amend the 2006 Capital Improvement Budget; to authorize the City Auditor to transfer \$1,750,000 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund 735; to authorize the Director of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement with MORSO Holding Co. for up to \$1,750,000 to design and construct a portion of a new roadway called Easton Square Place, and related utilities; to waive the provisions of Chapter 329 of Columbus City Code; to authorize the expenditure of \$1,750,000 from Fund 735; and to declare an emergency. (\$1,750,000)

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

Abstained: 1 - Ms. Hudson

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

#### **SAFETY & JUDICIARY: MENDEL, CHR. BOYCE THOMAS HABASH**

0138X-2006

To withdraw the objection to renewal of the 2006-2007 renewal application filed by JGWT, LLC for its D5, D6 liquor permit, and to declare an emergency.

Sponsors: Michael C. Mentel

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:**

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

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

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

**1304-2006** To authorize the City Attorney to enter into a special counsel agreement for legal services with a committee of attorneys and law firms (collectively known as the City of Columbus Litigation Group) which includes: Motley Rice, LLC; Crabbe Brown & James LLP; Jon L. Gelman, Esq.; O'Shea & Associates Co., LPA; Lipton Law LLC; and Gerken Law Office to advise and represent the City in matters relating to claims which the City has, or may have, against others relating to the presence of and effects from lead paint in the City of Columbus; and to declare an emergency.

**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@vote: 1 - Ms. Thomas

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

**1409-2006** To adopt a 457 deferred compensation plan for the Fraternal Order of Police of the City of Columbus; and to declare an emergency.

**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:**

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

**1435-2006** To authorize and direct the Public Safety Director to enter into a contract with Air Flite for the sale of a helicopter; and to waive the relevant provisions of Chapter 329 of the Columbus City Codes, 1959, pertaining to the sale of city-owned personal property; and to declare an emergency.

**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:**

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

**1437-2006** To authorize the City Attorney to enter into a special counsel agreement with Rendigs, Fry, Kiely & Dennis, LLP for the purpose of advising the City Attorney on matters relating to taxation and litigation as it pertains to the City's hotel/motel tax ordinance; and to declare an emergency.

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

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

#### **RULES & REFERENCE: HABASH, C;HR. MENTEL HUDSON TAVARES**

**1056-2006** To amend Section 2321.51 of the Columbus City Codes, 1959, to create the offense of impersonating a federal law enforcement officer.

Sponsors: Michael C. Mentel

**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:**

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

**DEVELOPMENT: O'SHAUGHNESSY, CHR. HUDSON TAVARES HABASH**

**0773-2006**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of ten parcels of real property (Monroe Avenue cluster) held in the Land Bank pursuant to the Land Reutilization Program; 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:**

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

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

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

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

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

**0865-2006**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of nineteen parcels of real property held in the Land Bank, commonly known as the Whitney Young site, pursuant to the Land Reutilization Program; 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:**

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

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

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

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

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

**1266-2006**

To agree to the adjustment of the boundaries between the City of Columbus and the City of Upper Arlington by consenting to the transfer from the City of Columbus to the City of Upper Arlington of one parcel of land consisting of approximately 0.292 acre currently located within the northeasterly boundary

line of Columbus.

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

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

1330-2006

To adopt the Big Darby Accord Watershed Master Plan.

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

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

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

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

1385-2006

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (50 N. 17th St.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

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

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

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

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

1391-2006

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (2800 Bulen Avenue) held in the Land Bank pursuant to the Land Reutilization Program; to authorize the acceptance of a deed for one parcel of land (882 Ellsworth Avenue) into the Land Bank; and to declare an emergency.

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

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

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

- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- 0135X-2006** To express support for the Big Darby Accord Memorandum of Understanding by the Mayor and City Council; and to declare an emergency.
- A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Adopted. The motion carried by the following vote:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- 1365-2006** To repeal the current Building Services Division Fee Schedule, adopted by Ordinance 2176-01, effective January 1, 2002, and all amendments thereto, and to adopt a new Building Services Fee Schedule based on the consolidated "One-Stop Shop" initiative and as a result of the yearly review of fees related to the development process.
- A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Amended to Emergency. The motion carried by the following vote:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Approved as Amended. The motion carried by the following vote:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash

#### **RULES & REFERENCE: HABASH, CHR. MENTEL HUDSON TAVARES**

- 1501-2005** To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to temporary uses and on-demand, portable storage.
- Sponsors:** Maryellen O'Shaughnessy
- 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:**
- Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- A motion was made by Ms. O'Shaughnessy that this matter be Approved. The motion failed by the following vote:**
- Affirmative: 0  
Negative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, President Pro-Tem Mentel and President Habash
- 1436-2006** To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and

enforcement of code standards relating to on-demand, portable storage.

Sponsors: Maryellen O'Shaughnessy

**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:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, 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:**

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

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

**0754-2006**

To authorize the Public Service Director to write off as uncollectible unpaid amounts totaling \$64,125.31 that were invoiced by and owed to the Public Service Department, Transportation Division, for traffic calming services rendered in connection with the 2001, 2002 and 2003 Heritage Festivals.

**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:**

Affirmative: 7 - Mr. Boyce, Ms. Hudson, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas, 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:**

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

**1188-2006**

To authorize the Public Service Director to modify and increase two existing contracts with Ralph and Curl Engineers (\$115,000.00 65,000.00) and Righter Company, Incorporated, (\$1,111,532.06 1,197,947.41) for design and construction, respectively, of the Short North Arch project for the Transportation Division; to authorize the expenditure of \$15,145.60 to the city Water and Power Division for installation of power transformers; to authorize the expenditure of \$1,278,093.01 from the General Permanent Improvement Fund (\$1,208,126.70) and from the 1995, 1999, 2004 Voted Streets and Highways Fund (\$33,550.96 69,966.31) and to declare an emergency. (\$1,241,677.66 1,278,093.01)

**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:**

Abstained: 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 Amended as submitted to the Clerk. The motion carried by the following vote:**

Abstained: 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 as Amended. The motion carried by the following vote:**

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

1319-2006

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this Civic Center Drive Project from 355 feet north of Broad Street to Town Street for the Transportation Division. (\$0)

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

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

1344-2006

To authorize the Public Service Director to enter into a contract with Evans, Mechwart, Hambleton and Tilton, Incorporated (EMH&T) for professional services associated with the development of the Franklinton Community Mobility Plan for the Transportation Division; to authorize the expenditure of \$300,000.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$300,000.00)

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

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

1400-2006

To appropriate \$253,000.00 within the State Issue Two Street Projects Fund; to authorize the City Attorney to expend an additional \$253,000.00 for acquisition activities for the Lane Avenue Improvement project from the Issue Two Street Projects Fund for the Transportation Division and to declare an emergency. (\$253,000.00)

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

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

1408-2006

To amend the 2006 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$7,000,000.00 from the Special Income Tax Fund to the Fleet Management Services Fund; to authorize the transfer of \$925,000.00 within the Public Safety Voted Bond Fund, to authorize the Public Service Director to enter into contract with Messer Construction Company for construction of the new fleet maintenance facility for the Fleet Management Division, to authorize the Public Service Director

to enter into a professional services contract for construction management services based upon formal proposals on file with the Public Service Department, to authorize the expenditure of \$25,815,000.00 from the Fleet Management Services Fund and \$925,000.00 from the Public Safety Voted Bond Fund; and to declare an emergency. (\$26,740,000.00)

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

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

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

**1261-2006**

To authorize the Board of Health to modify a contract with JABR Software to enhance the current appointment system for the Healthy Start grant program; to authorize the expenditure of \$3,525 from the Health Department Grant Funds to pay the cost thereof, to waive the provisions of competitive bidding (See attachment ORD1261-2006bidwaiver.doc)and to declare an emergency, (\$3,525)

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

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

**1394-2006**

To authorize the appropriation of \$18,581.00 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to approve a grant application to EnterpriseWorks which is seeking financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959; to authorize the Director of the Department of Development to provide grant assistance to EnterpriseWorks; to authorize the expenditure of \$18,581.00 from the Emergency Human Services Fund; and to declare an emergency. (\$18,581.00)

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

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

**1415-2006**

To authorize the appropriation of \$15,000 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to approve the grant application of the Community Shelter Board seeking financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959; to authorize the Director of the Department of Development to provide grant assistance to the Community Shelter Board and authorize the expenditure of \$15,000 from the Emergency Human Services Fund; and to declare an emergency. (\$15,000)

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

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

**1413-2006** To authorize the Director of the Department of Development to release the recorded interest of the City of Columbus in the property located at 905 Heyl Avenue that secures an outstanding balance on a loan made by the City's Department of Development to borrower Merle F. Tomlinson; and to declare an emergency.

*TABLED UNTIL 09/11/06*

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

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

**1414-2006** To authorize the Director of the Department of Development to release 65% of the recorded interest of the City of Columbus in the property located at 363 Clarendon Avenue that secures an outstanding balance on a loan made by the Department of Development to borrower Herbert L. and Burnice S. Newman; and to declare an emergency.

*TABLED UNTIL 09/11/06*

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

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

**UTILITIES: THOMAS, CHR. MENDEL O'SHAUGHNESSY HABASH**

**1201-2006** To authorize the Director of Public Utilities to execute a construction contract with Complete General Construction Co. in the amount of \$2,485,987.80; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$374,000.00; for the Refugee Rd. Underpass Pump Station Replacement; to authorize the transfer of \$1,459,987.80 within the Storm Sewer Bond Fund; to authorize an amendment to the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$2,859,987.80 within the Storm Sewer Bond Fund. (\$2,859,987.80)

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

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

**1279-2006** To Authorize the Director of Public Utilities to enter into contract with the Complete General Construction Company, for the construction of the Sanitary System Rehabilitation-Downtown Small Diameter Sanitary Sewer Improvements Project, to authorize the appropriation, transfer and expenditure of \$1,314,375.90 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund for the Division of Sewerage and Drainage. (\$1,314,375.90)

**A motion was made by Ms. Thomas, seconded by President Pro-Tem Mentel, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:**

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

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

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

1440-2006

To authorize and direct the Finance and Management Director to enter into a UTC contract for the option to purchase Carbon Dioxide with BOC Gases to authorize the expenditure of one dollar to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$1.00).

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

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

#### **RECREATION & PARKS: HABASH, CHR. BOYCE MENTEL THOMAS**

1334-2006

To authorize the Director of the Recreation and Parks Department of Recreation and Parks, to enter into a purchase agreement with Blausler Capital, LLC., for 30.1 acres + of certain real property located in the vicinity of West Broad Street and Darby Creek Road to be purchased for park development and for a future recreation center, to expend \$1,910,000.00 from the Recreation and Parks Bond Fund; to authorize the transfer of \$490,305.68 within the Voted 1999/2004 parks and Recreation Bond Fund, and to declare an emergency.

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

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

1363-2006

To authorize the Director of Recreation and Parks to enter into an agreement providing for the conveyance to Columbus Firefighters Union Local #67 of a portion of, and certain interests in the property situated generally at the southwest corner of Broad and Starling Streets and for the establishment of a small, adjacent public park honoring fire fighting and firefighters in Columbus, to execute a quit claim deed conveying such property and interests, to execute other pertinent documents and, to the extent applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959).

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

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

**(THE NEXT SCHEDULED COUNCIL MEETING WILL BE HELD MONDAY, SEPTEMBER 11, 2006)**

**ADJOURNMENT**

*ADJOURNED: 9:30 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:**

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

# 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:** 0134X-2006

**Drafting Date:** 07/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Explanation**

**Background:**

The following is a resolution to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the **McKinley Avenue 36" Water Main**.

**Fiscal Impact:**

N/A

**Emergency Justification:** Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay in order to meet the Division of Water's construction schedule.

**Title**

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the **McKinley Avenue 36" Water Main**, and to declare an emergency.

**Body**

WHEREAS, the City of Columbus is engaged in the McKinley Avenue 36" Water Main; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water, in that it is immediately necessary to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent and construction easements in, over, under and through the following described real estate necessary for the McKinley Avenue 36" Water Main, Project #690448, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

**DESCRIPTION OF A 0.012 ACRE WATERLINE EASEMENT  
LOCATED EAST OF DUBLIN ROAD AND  
NORTH OF TRABUE ROAD  
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey No. 544 and being a 0.012 acre Waterline Easement that lies over and across a 2.409 acre tract (Parcel E) conveyed to Specialty Restaurants Corporation, by deed of record in Official Record 6749 A12, all records herein of the Recorder's Office, Franklin County, Ohio, said 0.012 acre Waterline Easement being more particularly described as follows:

**BEGIN FOR REFERENCE**, at a point in the line common to said 2.409 acre tract and a 137 acre

tract (Parcel C) conveyed to Specialty Restaurants Corporation, by deed of record in Official Record 6749 A12, said point also being in the easterly right-of-way line of Dublin Road;

Thence the following two (2) courses and distances along the easterly right-of-way lines of said Dublin Road:

1. South 15°09'58" East, a distance of 68.46 feet, to a point;
2. South 48°06'14" East, a distance of 155.26 feet, to the **POINT OF TRUE BEGINNING**;

Thence North 86°53'36" East, a distance of 44.83 feet, over and across said 2.409 acre tract, to a point in the easterly right-of-way line of said Dublin Road;

Thence the following two (2) courses and distances along the easterly right-of-way lines of said Dublin Road:

1. South 41°53'46" West, a distance of 31.70 feet, to a point;
2. North 48°06'14" West, a distance of 31.70 feet, to the **POINT OF TRUE BEGINNING**, containing 0.012 acres, more or less.

The bearings in the above description are based on the bearing of North 66°35'35" East, for the centerline of Trabue Road, as determined by Franklin County Engineer's Monument #4434 and #4433, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

**R.D. ZANDE & ASSOCIATES, INC.**

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

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

---

**Legislation Number:** 0135X-2006

**Drafting Date:** 07/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

### **Explanation**

**BACKGROUND:** The Big Darby Watershed is one of the most biologically diverse aquatic systems in the Midwest and is among the top warm freshwater habitats in the nation. The elected officials from jurisdictions that comprise the Big Darby Watershed in Franklin County collectively retained a team of consultants to develop a multi-jurisdictional plan that will protect the watershed and provide a common vision for future development.

The final Big Darby Watershed Master Plan was completed and presented to the partner jurisdictions in June 2006. The plan's general land use map and other provisions work to balance development and conservation objectives and underscore the primary goal of safeguarding the Big Darby for future generations.

The participating jurisdictions have developed a Memorandum of Understanding to guide the implementation of the Big Darby Watershed Master Plan. The Memorandum of Understanding addresses issues such as implementation of the general land use map, the provision of utility services, revenue generation and next steps.

**FISCAL IMPACT:** There is no fiscal impact of this legislation.

### **Title**

To express support for the Big Darby Accord Memorandum of Understanding by the Mayor and City Council; and to declare an emergency.

**Body**

**WHEREAS**, the Big Darby Accord Watershed Master Plan was developed collaboratively by the jurisdictions within the Big Darby Watershed in Franklin County; and

**WHEREAS**, the Big Darby Accord Watershed Master Plan's general land use map and other provisions work to balance development and conservation objectives and underscore the primary goal of safeguarding the Big Darby for future generations; and

**WHEREAS**, a memorandum of understanding was identified by the partner jurisdictions as an important complement the Big Darby Accord Watershed Master Plan; and

**WHEREAS**, the City of Columbus has worked with the other Big Darby Accord jurisdictions to develop a Memorandum of Understanding to guide the implementation of the Plan; and

**WHEREAS**, the city also encourages the other nine jurisdictions participating in the Accord process to support this Memorandum of Understanding as a guide for implementation of the Plan in their communities; and

**WHEREAS**, the Memorandum of Understanding includes the following provisions:

- Implementation of the Master Plan, including the formation of a Big Darby Accord Advisory Panel, which will provide zoning recommendations to the jurisdictions;
- Recommendations for the provision of water and sewer service in the territory;
- A commitment to preserving open space;
- Tools to generate and share revenue, including the establishment of a community authority and developer contributions;
- Recognition that the Master Plan should be reviewed and revised over time;
- A commitment to interim implementation steps;
- Planning for the Town Center and rural conservation developments; and
- A schedule for the steps necessary to fully implement the Master Plan.

**WHEREAS**, it is appropriate and important that the City of Columbus demonstrate continued commitment to the implementation of the Plan and the success of the collaborative effort; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to support this Memorandum of Understanding in order to ensure that development in the area is consistent with the Big Darby Master Plan; **NOW, THEREFORE**

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

**Section 1.** The Mayor and City Council of Columbus express support for the Big Darby Accord Memorandum of Understanding.

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

**Section 3.** That staff is directed to forward a copy of this resolution to each of the Accord partner jurisdictions.

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**Legislation Number:** 0137X-2006

**Drafting Date:** 07/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

### Explanation

#### Title

**To recognize and congratulate Mrs. Bernice Amanda Jeffers on her 100th Birthday on August 9, 2006.**

#### Body

**WHEREAS**, Mrs. Jeffers has been a resident of Ohio her entire life and a citizen of exemplary character; and

**WHEREAS**, Mrs. Jeffers has been an active and enthusiastic member of Second Community Church; and

**WHEREAS**, Mrs. Jeffers Christian family wishes to celebrate her life as a gift to all of us and a testimony of God's grace and mercy; and

**WHEREAS**, Mrs. Jeffers has served a critically important role in helping Second Community Church become a guiding light in our community as they minister to the needs of all people by spreading Christ's liberating gospel through word and deed; now, therefore

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

That this Council does hereby join with the members of Second Community Church in wishing you a very *Happy 100th Birthday*.

---

**Legislation Number:** 0138X-2006

**Drafting Date:** 07/28/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Resolution

**Title**To withdraw the objection to renewal of the 2006-2007 renewal application filed by ~~JGWT~~ **IGWT**, LLC for its D5, D6 liquor permit, and to declare an emergency.

**Body****WHEREAS**, IGWT is a liquor establishment located at 4428 Walford St, Columbus, Ohio who holds a D5, D6 liquor permit, and

**WHEREAS**, Columbus City Council has objected of the 2006-2007 renewal of said liquor permit, and

**WHEREAS**, by an agreement made this 31<sup>st</sup> day of July, 2006 by and between IGWT, LLC, and 4428 Walford St, Columbus, Ohio (hereinafter referred to as "permit holder") and **Columbus City Council** (hereinafter referred to as

"objector") Columbus City Council is willing to withdraw its objection to the 2006-2007 renewal of the D5, D6 liquor permit and IGWT, LLC, dba Rhythm and Blues Café is willing to close its business forever at 4428 Walford St, Columbus, Ohio, based on the conditions of the agreement set forth herein, and

**WHEREAS**, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to withdraw Council's objection to the renewal of this liquor permit to preserve the public peace, property, health or safety, now therefore;

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

- Section 1.** Columbus City Council agrees to withdraw its objection to the 2006-2007 renewal application filed by ~~IGWT~~ IGWT, LLC for its D5, D6 liquor permit.
- Section 2.** In consideration of Columbus city council's cooperation and agreement to withdraw its objection, IGWT, LLC agree to file an application to place its liquor permit with safekeeping with Ohio Division of Liquor control on or before July 1st, 2006.
- Section 3.** IGWT, LLC further agree not to use this liquor permit at 4428 Walford St, Columbus Ohio at any time in the future.
- Section 4.** Columbus City Council further agrees that should IGWT, LLC and/or its successors, administrators, executors and assigns abide by and perform the terms of this Agreement on their part to be kept and performed that Columbus City Council will not object to the annual renewal of the subject liquor licenses provided IGWT, LLC and/or its successors, administrators, executors and/or assigns have performed its duties herein required. If, however, IGWT, LLC has at any time, not performed its duties herein provide for, then Columbus City Council shall be to object to any transfer and/or renewal of the subject of liquor permit and shall also be free to any pursue any and all other legal and/or equitable remedies available to them for any breach of this Agreement by IGWT, LLC and/or its successors, administrators, executors and assigns.
- Section 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is hereby declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0754-2006

**Drafting Date:** 04/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe Heritage Festival is an annual event that takes place on The Ohio State University campus. The OSU Office of Student Affairs sponsors this event. A "cruise-in" associated with the event in its early years resulted in mass traffic congestion. Subsequently the University stopped sponsoring the cruise-in. An unofficial cruise-in continued and a police presence along with traffic control was deemed necessary. The Columbus Police and Transportation Divisions developed a traffic pattern that was implemented whenever congestion developed. Since OSU was not sponsoring the cruise-in they objected to being billed for the traffic control and officers, and will not pay the invoice.

This ordinance seeks to authorize the write off of invoices totaling \$64,125.31 that were generated by the Public Service

Department, Transportation Division, for services rendered in connection with the 2001, 2002 and 2003 Heritage Festivals.

**Fiscal Impact:** Formally writing off this debt as uncollectible officially recognizes that the City will forgo this revenue. This step is prudent to maintaining accurate, timely and realistic accounting records.

TitleTo authorize the Public Service Director to write off as uncollectible unpaid amounts totaling \$64,125.31 that were invoiced by and owed to the Public Service Department, Transportation Division, for traffic calming services rendered in connection with the 2001, 2002 and 2003 Heritage Festivals.

Body**WHEREAS**, the Transportation Division provided traffic calming services to The Ohio State University during the Heritage Festival in 2001, 2002 and 2003; and

**WHEREAS**, The Ohio State University had no contractual obligation to pay for said services; and

**WHEREAS**, the City Attorney advised the Transportation Division that these invoiced amounts constitute uncollectible debt; and

**WHEREAS**, it is necessary to authorize the Public Service Director to write off this debt as uncollectible; now therefore,

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

**SECTION 1.** That the Public Service Director be and hereby is authorized to write off as uncollectible invoices AR570159-001 (\$17,621.96), AR570159-002 (\$4,836.54), AR570213-001 (\$20,742.33) and AR570111-001 (\$20,924.48) (total \$64,125.31) initiated by the Transportation Division for traffic calming services it rendered in connection with the 2001, 2002 and 2003 Heritage Festivals.

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

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**Legislation Number:** 0773-2006

**Drafting Date:** 04/11/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** Ten properties currently held in the Land Bank have been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real properties. Ten parcels will be purchased by Glavan Blackwell Resources, LLC. Nine of the ten parcels will be used for new construction of residential townhomes. One parcel (133 N. Monroe Avenue) will be utilized for new construction of a commercial building with residential units above.

**EMERGENCY JUSTIFICATION:** Emergency legislation is requested to expedite the sale of the parcels to the developer.

**FISCAL IMPACT:** No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance, and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

**Title**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of ten parcels of real property **known as the Monroe Avenue cluster currently (~~Monroe Avenue cluster~~)** held in the Land Bank; **to authorize the sale of said parcels for Thirty-Eight Thousand Dollars (\$38,000); to waive the provisions of Section 329.29 of the Columbus City Codes, 1959, pursuant to the Land Reutilization Program;** and to declare an emergency.

**Body**

**WHEREAS, the Monroe Cluster is comprised of ten parcels of real estate which are owned by the City of**

~~Columbus; by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and~~

WHEREAS, in an effort to implement the specific objectives of the King Lincoln District Plan, the Department of Development established a steering committee for the purpose of selecting a developer to redevelop these parcels; a proposal for the sale of ten parcels which have been acquired for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and have been approved; and

WHEREAS, the Department of Development issued a Request for Statement of Qualifications on August 30, 2005 in order to obtain a list of qualified developers; such these ten parcels of real estate being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07; and

WHEREAS, the Department of Development issued a Notice and Request for Proposal on October 21, 2005 to developers who met the initial qualifications identified in the RFQ; in order to complete the transfer of such properties to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

WHEREAS, Glavan Blackwell Resources, LLC submitted its response to the Department's RFP on December 16, 2005; and

WHEREAS, based upon the written specifications identified in the Department of Development's RFQ and RFP, the steering committee recommended the selection of Glavan Blackwell Resources, LLC as the master developer of these parcels of real estate; and

WHEREAS, the Department of Development has determined that thirty-eight thousand dollars (\$38,000) is an appropriate and fair sale price for these parcels in consideration for realizing the redevelopment objectives; and

WHEREAS, the sale of these parcels for such value is in furtherance of the objectives of the King Lincoln District Plan and is pursuant to the provisions of Article VIII, Sec. 16 of the Ohio Constitution which authorizes political subdivisions to provide for affordable housing through direct or indirect public financial support; and

WHEREAS, the Department of Development submits that it is in the best interest of the City to transfer the aforementioned parcels to Glavan Blackwell Resources, LLC for the purpose identified above; and

WHEREAS, an emergency exists in the usual daily operation of the ~~City of Columbus Department of Development, Office of Land Management~~ in that it is immediately necessary to **approve the sale convey title** of said parcels to **Glavan Blackwell Resources, LLC so that the objectives of the King Lincoln Development Plan can be implemented without delay, thereby preserving** of real estate, all for the immediate preservation of the public health, peace, property, safety and welfare; NOW, THEREFORE,

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

Section 1. That the Director of the Department of Development is hereby authorized and directed to execute any and all necessary agreements and deeds to convey title of the following parcels of real estate **to Glavan Blackwell Resources, LLC**:

010-010855 - 133 N. Monroe Avenue

Beginning at the southeast corner of Lot Number One (1) of WATSON'S SUBDIVISION OF WAST GROVE

ADDITION; thence in a westerly direction 106.60 feet to a point in the south line of said Lot No. 1; thence in a northerly direction parallel to the west line of said Lot No. 1, 62.07 feet to a point in the north line of Said Lot No. 1; thence in a easterly direction 104.30 feet to the northeast corner of said Lot No. 1; thence south on the east line of said Lot No. 1, 40 feet to the place of beginning.

010-013752 - 143 N. Monroe Avenue

Being 30 feet off the South Side of Lot Number 44 of MITCHELL AND WATSON'S EAST GROVE ADDITION. As the same is numbered and delineated upon the recorded plat thereof, of recorded in Plat Book 2, Page 172, Recorders Office, Franklin County, Ohio.

010-041581 - 165 N. Monroe Avenue

Being 100 feet in depth off of EAST GROVE ADDITION. As the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book Page 172, Recorder's Office, Franklin County, Ohio.

010-010852 - 137 N. Monroe Avenue

Being 135 Feet off the east end of Lot Number 41 of EAST GROVE ADDITION. As the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio.

010-084452 - 151 N. Monroe Avenue

Situated in the City of Columbus, Franklin County, Ohio. Being 20 feet off the north side of Lot Number 45, and 10 feet of the south side of Lot Number 48, both In EAST GROVE ADDITION to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio.

010-001694 - 164-166 Talmadge Street

Being 63.30 Feet off the north side of Lot Number 45, and 10 feet of the south side of Lot Number 48, both In EAST GROVE ADDITION to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio.

010-035965 - 155 N. Monroe Avenue

Being 30 feet off the north side of Lot Number 48 of EAST GROVE ADDITION as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio.

010-033464 - 159 N. Monroe Avenue

Being 112.7 feet off the entire east end of Lot 49 of amended plat of EAST GROVE ADDITION as numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio.

010-035966 - 147 N. Monroe Avenue

Being 10 feet off the north side of Lot Number 44 off EAST GROVE ADDITION and 20 feet off the south side of Lot Number 45 or said addition as numbered and delineated on the recorded plat thereof, of record in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio.

010-043638 - Talmadge Street, Lot 41

Being 40 feet off the west end of Lot Number 41 of EAST GROVE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 172, Recorder's Office, Franklin County, Ohio.

~~These ten parcels will be sold to Glavan Blackwell Resources, LLC for \$38,262.~~

Section 2. **That in consideration for the conveyance of said parcels to Glavan Blackwell Resources, LLC and Glavan Blackwell's and/or its assignee agreeing to undertake the redevelopment set forth in its proposal submitted to and accepted by the City, the Director of the Department of Development is authorized to accept thirty-eight thousand dollars (\$38,000) as the purchase price.** ~~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.~~

**Section 3.** That the City's acceptance of a sale price that is fair value for said parcels is in furtherance of the objectives of the King Lincoln Development Plan and is consistent with Article VIII, Sec. 16 of the Ohio Constitution which authorizes political subdivisions to provide affordable housing through direct or indirect means.

**Section 4.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**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.

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**Legislation Number:** 0865-2006

**Drafting Date:** 04/28/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: Nineteen parcels currently held in the Land Bank have been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real properties. This property consists of nineteen parcels located on the northwest corner of Mt. Vernon and Hamilton Avenues making up 1.83 plus or minus acres commonly known as the Whitney Young site. Whitney Young Collaborative, LLC will purchase these parcels for \$15,000 for new residential construction.

EMERGENCY JUSTIFICATION: Emergency legislation is requested to expedite the sale of the parcels to the developer.

FISCAL IMPACT: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance, and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

**Title**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of nineteen parcels of real property **known as the Whitney Young site currently held in the Land Bank; commonly known as the Whitney Young site, to authorize the sale of said parcels for fifteen thousand dollars (\$15,000); to waive the provisions of Section 329.29 of the Columbus City Codes, 1959; pursuant to the Land Reutilization Program;** and to declare an emergency.

**Body**

WHEREAS, ~~the Whitney Young site is comprised of nineteen parcels of real estate, ownership of which has been transferred from the United States Department of Housing and Urban Development to the City of Columbus; by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and~~

WHEREAS, in an effort to implement the specific development objectives of the King Lincoln District Plan, the Department of Development established a steering committee for the purpose of selecting a developer to redevelop the Whitney Young site; ~~a proposal for the sale of nineteen parcels which have been acquired for this program, meet the Land Reutilization Program's Disposition Policies and Guiding Principles and have been approved;~~ and

WHEREAS, the Department of Development issued a request for statement of qualifications on July 15, 2005 in order to obtain a list of qualified developers; ~~such these nineteen parcels of real estate are being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07;~~ and

WHEREAS, the Department of Development issued a Notice and Request for Proposal on September 12, 2005 to developers who met the initial qualifications identified in the RFQ; ~~in order to complete the transfer of such properties to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property;~~ and

WHEREAS, Whitney Young Collaborative, LLC submitted its response to the Department's RFP on November 11, 2005; and

WHEREAS, based upon the written specifications identified in the Department of Development RFSQ and RFP, the steering committee recommended the selection of Whitney Young Collaborative, LLC as the master developer of these parcels of real estate; and

WHEREAS, the Department of Development has determined that fifteen thousand dollars (\$15,000) is an appropriate and fair sale price for these parcels in consideration for realizing the redevelopment objectives; and

WHEREAS, the sale of these parcels for such value is in furtherance of the objectives of the King Lincoln District Plan and is consistent with the provisions of Article VIII, Sec. 16 of the Ohio Constitution which authorizes political subdivisions to provide for housing through direct or indirect public financial support; and

WHEREAS, the Department of Development submits that it is in the best interest of the City to transfer the aforementioned parcels to Whitney Young Collaborative, LLC for the purpose identified above; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus ~~Department of Development, Office of Land Management~~ in that it is immediately necessary to approve the sale of said parcels to Whitney Young Collaborative, LLC so that the objectives of the King Lincoln Development Plan can be implemented without delay, thereby preserving convey title of said parcels of real estate, all for the immediate preservation of the public health, peace, property, safety and welfare; NOW, THEREFORE,

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

Section 1. That the Director of the Department of Development is hereby authorized and directed to execute any and all necessary agreements and deeds to convey title of the following parcels of real estate to **Whitney Young Collaborative, LLC**:

010-045873, 274 Hamilton Avenue; 010-006187, 733 Mt. Vernon Avenue; 010-006235, 735 Mt. Vernon Avenue; 010-028258, 736 Mt. Vernon Avenue; 010-019999, 751 Mt. Vernon Avenue; 010-019993, 751 Mt. Vernon Avenue; 010-067099, 756 Mt. Vernon Avenue; 010-039930, 232 Hamilton Avenue; 010-238623, 258 Hamilton Avenue; 010-002700, 258 Hamilton Avenue; 010-004480, O.E. Park Place; 010-004481, 238 Hamilton Avenue; 010-004482, 242 Hamilton Avenue; 010-004483, 248 Hamilton Avenue; 010-029600, 264 Hamilton Avenue.

~~The total cost for the nineteen parcels is \$15,000.00.~~

The following legal description is for all the above-mentioned parcels and addresses.

Being part of Lot Number Two Hundred Thirty Six (236) EAST PARK PLACE ADDITION, as the same is numbered and

delineated upon the recorded plat thereof, of record in Plat Book 2, pages 61-62, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being Seventy Six (76) feet off the west end of said lot Number 236 EAST PARK PLACE ADDITION and more particularly described as follows:

Beginning at a point in the east line of Hamilton Avenue at the southwest corner of said Lot No. 236 northerly to the northwest corner of said Lot No. 247 of said subdivision: thence along the north line of said Lot No. 236 easterly seventy-six (76) feet to a point; thence southerly across said Lot No. 236 along a line parallel to the west line of said Lot No. 236 to a point in the south line of said Lot No. 236; thence along the south line of said Lot No. 236 easterly seventy-six (76) feet to the point of beginning.

Being Lot Number Two Hundred Forty Seven (247) of EAST PARK PLACE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, Page 61, Recorder's Office, Franklin County, Ohio: EXCEPTING THEREFROM: that part of said Lot No. 247 included in the description of premises conveyed by Herman B. Henry and Nell E. Henry, his wife, to Othello Showers, by deed dated December 22, 1952, recorded December 24, 1952, in Deed Book 1719, Page 463, Recorder's Office, Franklin County, Ohio, and part of Lot No. 247 conveyed to Othello Showers being bounded and described as follows:

Beginning at a point in the south line of Lot No. 247, said point being 76 feet Easterly measured along the south line of said lot from its southwest corner; thence Northerly, parallel to the west line of said lot, a distance of 3.12 feet to a point, thence Easterly, parallel with the south line of said Lot No. 247, a distance of 12.6 feet to a point, thence Northerly, parallel with the west line of said Lot No. 247, a distance of 9.4 feet to a point, thence Easterly parallel with the south line of said Lot No. 247, a distance of 22.27 feet to a point in the east line of said lot; thence Southerly with the east line of said Lot No. 247, along the west line of a 20 feet alley, to a point at the southeast corner of said Lot No. 247; thence Westerly with the south line of Lot no. 247, to the place of beginning.

Being Lots Numbers 250, 261, 264, 274, 275, 303, 304, 305, 306, 307, 308m and 309, of EAST PARK PLACE ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, pages 61, Recorder's Office, Franklin County Ohio.

010-020267, 777 Mt. Vernon Avenue; 010-016279, 281 St. Clair Avenue; 010-057394, 277 St. Clair Avenue; 010-039206, 269 St. Clair Avenue.

~~The following legal description is for all the above mentioned parcels and addresses.~~

Lots no. 4 and 5 of Elizabeth and Catherine Armstrong's Subdivision of Lot No. 310 of East Park Place Addition to the City of Columbus as the same are numbered and delineated upon the recorded plat of record is Plat Book 2, Page 363, Recorder's Office, Franklin County, Ohio.

Lots No. 3 of Elizabeth and Catherine Armstrong's Subdivision, as said Subdivision is shown of record in Plat Book 2, page 363, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin in the westerly line of St. Clair Avenue, at the southeasterly corner of Lot No. 3 of said Elizabeth and Catherine Armstrong's Subdivision; thence S. 80° 38' W., along the the southerly line of said Lot No. 3, a distance of 63.63 ft. to an iron pin at the southwesterly corner of said Lot No. 3; thence N. 9° 01' W., along the westerly line of said Lot No. 3, a distance of 32.45 ft. to a point; thence W. 80° 19' E., along the Northerly line of said Lot No. 3, a distance of 70.64 ft. to a point in the westerly line of St. Clair Avenue, at the northeasterly corner of said Lot No. 3 thence S. 3° 00' W., along the westerly line of St. Clair Avenue and along the easterly line of said Lot. No. 3, a distance of 33.63 ft. to the place of beginning, subject to all easements and restrictions shown of record, as per survey by The Jennings-Lawrence Company on March 23, 1939.

Lots Nos. 1 and 2 of E. and C. Armstrong's Subdivision of Lot No. 310 of East Park Place Addition, said Armstrong's Subdivision of record in Plat Book 2, page 363, Recorder's Office, Franklin County, Ohio, and being more particularly

described as follows:

Beginning at an iron pin at the southeast corner of the above-mentioned Lot. No. 2 of Armstrong's Subdivision, said point also being in the westerly line of St. Clair Avenue and the northerly line of an alley; thence South 80°, 59' west along the northerly line of said alley and the southerly line of said lot No. 1 a distance of 47.85 feet to a point at the southwest corner of said Lot No. 1; said point also being the southeasterly corner of lot No. 305 of East Park Place Addition, of record in Plat Book 2, page 61, Recorder's Office, Franklin County, Ohio; thence North 9° 01' West with an interior angle of 90° 00' along the westerly line of said Lots Nos. 1 and 2 and the easterly line of said Lot No. 309, a distance of 73.75 feet to an iron pin at the northwesterly corner of said Lot No. 2 and the southwest corner of Lot No. 3 of said Armstrong Subdivision; thence 30° 38' East with an interior angle of 90° 21' along the common line between said Lot Nos. 2 and 3 a distance of 63.63 feet to an iron pin at the northeasterly corner of said Lot No. 2 and the westerly line of St. Clair Avenue; thence South 3° 00' West with an interior angle of 77° 38' along the easterly line of said Lots Nos. 2 and 1 and the westerly line of St. Clair Avenue 75.80 feet to the place of beginning, the interior angle of said closing point being 102° 01'; subject to all legal highways, easements and restrictions shown of record.

**Section 2. That in consideration for the conveyance of said parcels to Whitney Young Collaborative, LLC and Whitney Young's and/or its assignee agreeing to undertake the redevelopment set forth in its proposal submitted to and accepted by the City, the Director of the Department of Development is authorized to accept fifteen thousand dollars (\$15,000) as the purchase price.**

**Section 3. That the City's acceptance of a sale price that is fair value for said parcels is in furtherance of the objectives of the King Lincoln Development Plan and is pursuant to Article VIII, Sec. 16 of the Ohio Constitution which authorizes political subdivisions to provide housing through direct or indirect means.**

**Section 4. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.**

**Section 5. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.**

~~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.

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**Legislation Number:** 1056-2006

**Drafting Date:** 06/01/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The Division of Police has encountered a number of individuals impersonating federal law enforcement officers. These individuals prey on the elderly, immigrants, and others in order to commit fraud and similar crimes.

### **Title**

To amend Section 2321.51 of the Columbus City Codes, 1959, to create the offense of impersonating a federal law enforcement officer.

WHEREAS, recent criminal cases highlight the need to add federal law enforcement officers to the class of individuals defined under Columbus City Code 2321.51; and,

WHEREAS, individuals posing as federal law enforcement officers compromise the public trust in law enforcement officials creating apprehension and fear; now, therefore,

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

**Section 1.** That Section 2321.51 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**2321.51 Impersonation of certain officers.**

(A) As used in this section:

(1) "Peace officer" means a sheriff, deputy sheriff, marshal, deputy marshal, member of the organized police department of a municipal corporation, or township constable, who is employed by a political subdivision of this state, a member of a police force employed by a metropolitan housing authority under division (D) of Section 3735.31 of the Revised Code, a state university law enforcement officer appointed under Section 3345.04 of the Revised Code, an Ohio veterans' home policeman appointed under Section 5907.02 of the Revised Code, or a state highway patrol trooper and whose primary duties are to preserve the peace, to protect life and property, and to enforce the laws, ordinances, or rules of the state or any of its political subdivisions.

(2) "Private policeman" means any security guard, special policeman, private detective, or other person who is privately employed in a police capacity.

(3) "Federal law enforcement officer" means an employee of the United States, the duties of whose position are primarily the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States.

~~(4)~~ (4) "Impersonate" means to act the part of, assume the identity of, wear the uniform or any part of the uniform of, or display the identification of a particular person or of a member of a class of persons with purpose to make another person believe that the actor is that particular person or is a member of that class of persons.

(B) No person shall impersonate a peace officer, private policeman, or federal law enforcement officer.

(C) No person, by impersonating a peace officer, a private policeman, or federal law enforcement officer shall arrest or detain any person, search any person, or search the property of any person.

(D) No person, with purpose to commit or facilitate the commission of an offense, shall impersonate a peace officer, a private policeman, federal law enforcement officer, or an officer, agent, or employee of the state.

(E) It is an affirmative defense to a charge under division (B) of this section that the impersonation of the peace officer was for a lawful purpose.

(F) Whoever violates division (B) of this section is guilty of a misdemeanor of the fourth degree. Whoever violates division (C) or (D) of this section is guilty of a misdemeanor of the first degree.

(G) This section shall not apply if:

(1) The purpose of a violation of division (D) of this section is to commit or facilitate the commission of a felony, or,

(2) If any person commits a felony while impersonating a peace officer, a private policeman, federal law enforcement officer, or an officer, agent, or employee of the state. (ORC 2921.51; Ord. 2535-94.)

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

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**Legislation Number:** 1188-2006

**Drafting Date:** 06/21/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

ExplanationThe Public Service Department, Transportation Division, is pursuing construction of a replacement lighting system for the Short North Arches. Subsequent to its original installation, the lighting system failed. Litigation against the design consultant ensued and was successfully resolved in the City's favor. The original contractor, Righter Company, Incorporated, was absolved of any wrongdoing. After settlement with the consultant's insurance company and a complete

redesign of a new lighting system, the City is ready to commence with its installation.

This legislation modifies and increases the construction contract with Righter Company, Incorporated, for construction for the Short North Arches project in an amount up to ~~\$1,111,532.06~~ 1,197,947.41. The project limits are on North High Street from Pearl Street (south limit) to Smith Place (north limit). This plan details the installation of a new light-emitting diode (LED) lighting system. This contract is being modified to remove the existing fiber optic system, install the new LED lighting system and install an electric system to power the arches. Prices were obtained by negotiations with Righter Company using past project prices for new items. The original contract amount was for \$1,547,354.76. The total of all prior modifications is \$682,641.94. The amount of this modification is ~~\$1,111,532.06~~ 1,197,947.41. The total contract amount including all modifications is ~~\$3,341,528.76~~ 3,427,944.11. Righter Company, Incorporated's, contract compliance number is 31-0889208; this expires May 30, 2007.

This legislation also authorizes a modification to the design contract with Ralph and Curl Engineers. This firm redesigned the project. This modification is necessary to allow for their inspection of the project during new lighting system construction. This modification is an addition to the original scope of services but is a continuation of the existing work being performed and it would not be practical to contract with a different consultant given Ralph and Curl's familiarity with the new design. The hourly rate, overhead rate and percentage of profit that were negotiated at the beginning of this consultant's involvement with this project were used to determine the amount of this modification. Ralph and Curl was selected in January 2004 in accordance with Chapter 329 for professional service contracts. Their contract compliance number is 31-1067613; this expires January 22, 2007. The original contract amount was \$87,260.00. The total of all prior modifications is \$123,375.16. The amount of this modification is ~~\$115,000.00~~ 65,000.00. The total contract amount including all modifications is ~~\$325,635.16~~ 275,635.16.

Finally, this legislation provides for payment to the Water and Power Division for the installation of two power transformers in the amount of \$15,145.60.

**Fiscal Impact:** This ordinance provides for a total expenditure authorization of ~~\$1,241,677.66~~ 1,278,093.01. There is \$1,208,126.70 available within the General Permanent Improvement Fund from the litigation settlement authorized by Ordinance 2168-2005 passed by City Council December 12, 2005 (\$1,180,000.00 on Auditor's Certificate AC025316 and \$28,126.70 unencumbered on AC026008). ~~The balance needed, \$33,550.96, is available within the 1995, 1999, 2004 Voted Streets and Highways Fund from monies cancelled from a document established for construction inspection for the project (EA031703/002) that is no longer needed.~~ The sum of \$69,966.31 is available for expenditure from the 1995, 1999, 2004 Voted Streets and Highways Fund; all is money previously authorized for Short North Arch design, construction and inspection. Of this, some \$32,060.91 is available for cancellation from two documents: DL001870, Short North Special Improvement District (\$22,086.91); and EA031703, City Treasurer-Construction Inspection (\$9,974.00) that are no longer needed. The sum of \$37,905.40 was recently cancelled from this same construction inspection encumbrance and is also available for expenditure.

All funding for this ordinance is available from the legal settlement and money previously authorized for Short North Arch design, construction and inspection. Funding this ordinance does not divert money from any other capital improvement project.

Emergency action is requested to effect the reconstruction of the Short North Arches as soon as possible to keep commitments to affected neighborhood residents and organizations.

TitleTo authorize the Public Service Director to modify and increase two existing contracts with Ralph and Curl Engineers (~~\$115,000.00~~ 65,000.00) and Righter Company, Incorporated, (~~\$1,111,532.06~~ 1,197,947.41) for design and construction, respectively, of the Short North Arch project for the Transportation Division; to authorize the expenditure of \$15,145.60 to the city Water and Power Division for installation of power transformers; to authorize the expenditure of \$1,278,093.01 from the General Permanent Improvement Fund (\$1,208,126.70) and from the 1995, 1999, 2004 Voted Streets and Highways Fund (~~\$33,550.96~~ 69,966.31) and to declare an emergency. (~~\$1,241,677.66~~ 1,278,093.01)

Body**WHEREAS**, the Public Service Department, Transportation Division, is pursuing construction of a replacement lighting system for the Short North Arches; and

**WHEREAS**, after settlement with the original design consultant's insurance company and a complete redesign of a new lighting system, the City is ready to commence its installation; and

**WHEREAS**, this legislation authorizes a modification to the design contract with Ralph and Curl Engineers for inspection of the project during construction of the new lighting system; and

**WHEREAS**, this legislation modifies and increases the construction contract with Righter Company to construct the replacement lighting system; and

**WHEREAS**, this legislation authorizes an expenditure to the Water and Power Division for the installation of two power transformers for the project; and

**WHEREAS**, funding for this ordinance is available from the settlement with the original design consultant's insurance company and money previously authorized for Short North Arch design, construction and inspection; and

**WHEREAS**, funding this ordinance does not divert money from any other capital improvement project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to proceed with this effort to effect the reconstruction of the Short North Arches as soon as possible to keep commitments to affected neighborhood residents and organizations, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the Public Service Director be and hereby is authorized to modify and increase the existing design contract with Ralph and Curl Engineers, 3720 East Fifth Avenue, Columbus, Ohio 43219-1807 to provide for inspection of the new Short North Arch lighting system in an amount not to exceed ~~\$115,000.00~~ 65,000.00.

**SECTION 2.** That the Public Service Director be and hereby is authorized to modify and increase the existing construction contract with Righter Company, Incorporated, 2424 Harrison Road, Columbus, Ohio 43204 to provide for reconstruction of the Short North Arch lighting system in an amount not to exceed ~~\$1,111,532.06~~ 1,197,947.41.

**SECTION 3.** That the Public Service Director be and hereby is authorized to pay the Water and Power Division \$15,145.60 or so much thereof as may be needed for the installation of two power transformers for the project.

**SECTION 4.** That the expenditure of \$1,208,126.70 or so much thereof as may be needed be and hereby is authorized to be expended from the General Permanent Improvement Fund, Fund 748, Department No. 59-09, OCA Code 748716, Project 748716, Object Level One Code 06, Object Level Three Code 6682 (~~\$115,000.00~~ 65,000.00) and Object Level Three Code 6625 (~~\$1,093,126.70~~ 1,143,126.70) to pay the cost of the above-noted contract modifications and expenditure to the Water and Power Division.

**SECTION 5.** That the expenditure of ~~\$33,550.96~~ 69,966.31 or so much thereof as may be needed be and hereby is authorized to be expended from the 1995, 1999, 2004 Voted Streets and Highways Fund, Fund 704, Department No. 59-09, Object Level One Code 06, Object Level Three Code 6625, OCA Code 644385, Project 530053 (\$47,879.40) and Project 530058 (\$22,086.91) to pay the cost of the above-noted contract modifications.

**SECTION 6.** That for the reasons stated in the preamble hereto which is are 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.

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**Legislation Number:** 1189-2006

**Drafting Date:** 06/21/2006

**Current Status:** Passed

**Explanation**

**BACKGROUND:** The City of Columbus has an agreement with the State of Ohio, Department of Natural Resources allowing the Division of Power and Water to withdraw raw water from Alum Creek Reservoir storage spaces #1 and #2 and to pay the State a prorated share of the operation and maintenance costs. This agreement was entered into by the authority of Ordinance 1663-71, passed on November 15, 1971, and executed December 30, 1971. Modification No. 1 to the original contract between the State and the City was authorized by the City in Ordinance No. 1145-93, passed May 24, 1993, and did authorize the Director of Public Utilities to modify the original contract for water supply from Alum Creek Reservoir, Ohio and was effective July 7, 1993. It is necessary to modify this contract to comply as ordered, adjudged, and decreed in the settlement agreement of the United States District Court, Case No. C2-90-0855 between the City of Columbus and Del-Co Water Company, Inc. signed November 12, 1992. This modification assigns an additional two million gallons of water per day, and associated obligations, from the City's original thirty-five million gallon per day allocation, to Del-Co Water Company, Inc. for a savings of more than \$1.7M over the remaining 32 year term of the original contract. This modification does not result in the procurement of additional goods or services.

**FISCAL IMPACT:** A savings of more than \$1.7M over the remaining 32 year term of the contract will be realized.

**Title**

To authorize the Public Utilities Director to enter into a planned modification of the contract with the State of Ohio for water supply from Alum Creek Reservoir.

**Body**

WHEREAS, the original contract between the State of Ohio and the City of Columbus, Ohio was authorized by the City in Ordinance No. 1663-71, passed November 15, 1971, and did authorize the Director of Public Utilities to enter into a contract for water supply from Alum Creek Reservoir, Ohio, and

WHEREAS, the said contract was executed December 30, 1971, and

WHEREAS, Modification No. 1 to the original contract between the State and the City was authorized by the City in Ordinance No. 1145-93, passed May 24, 1993, and did authorize the Director of Public Utilities to modify the original contract for water supply from Alum Creek Reservoir, Ohio, and

WHEREAS, the said modification was effective July 7, 1993, and

WHEREAS, it is necessary to modify this contract to comply as ordered, adjudged, and decreed in the settlement agreement of the United States District Court, Case No. C2-90-0855 between the City of Columbus and Del-Co Water Company, Inc. signed November 12, 1992, and

WHEREAS, this modification assigns an additional two million gallons of water per day, and associated obligations, from the City's original thirty-five million gallon per day allocation, to Del-Co Water Company, Inc. for a savings of more than \$1.7 M over the remaining 32 year term of the original contract, and

WHEREAS, it is necessary to authorize the Director of Public Utilities to modify said contract for water supply from Alum Creek Reservoir 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. The Director of Public Utilities be and is hereby authorized to enter into a planned modification of the contract with the State of Ohio in the amount of an additional two million gallons of water per day, and associated obligations, for water supply from Alum Creek Reservoir, terms and conditions of which are on file at the Division of Power and Water.

Section 2. A savings of more than \$1.7M over the remaining 32 year term of the contract will be realized.

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

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**Legislation Number:** 1190-2006

**Drafting Date:** 06/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department has been awarded a grant from the Ohio Department of Health. This ordinance is needed to accept and appropriate \$201,808.00 in grant money to fund the Breast and Cervical Cancer (BCCP) grant program.

The BCCP program enables the Columbus Health Department to provide breast and cervical cancer screening; provide referrals and follow-up; and provide public education. These services are provided to women in Franklin County and its seven contiguous counties who are 50 years and older, uninsured and/or underinsured. Special efforts are made to reach racial and ethnic minorities and Native Americans.

This grant is for the period June 30, 2006 through June 29, 2007.

Emergency action is requested to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

**FISCAL IMPACT:** This program is entirely funded by the Ohio Department of Health and does not generate revenue or require a City match.

**Title**

To authorize and direct the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$201,808.00; to authorize the appropriation of \$201,808.00 from the unappropriated balance of the Health Department Grants Fund, and to declare an emergency. (\$201,808.00)

**Body**

**WHEREAS,** \$201,808 in grant funds have been made available through the Ohio Department of Health; and,

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

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

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

**SECTION 1.** That the Columbus Health Department is hereby authorized and directed to accept a grant award of \$201,808.00 from the Ohio Department of Health for the Breast and Cervical Cancer grant program for the period June

30, 2006, through June 29, 2007.

**SECTION 2.** That from the monies in the Fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources during the twelve months ending June 29, 2007, the sum of \$201,808 is hereby appropriated to the Health Department, Division No. 50-01, as follows:

		Object		
<u>OCA</u>	<u>Grant No.</u>	<u>Level One</u>	<u>Purpose</u>	<u>Amount</u>
506023	506023	01	Personnel Services	\$193,677
506023	506023	02	Materials-Operation & Maint.	\$ 2,000
506023	506023	03	Services-Operation & Maint.	<u>\$ 6,131</u>
Total for Grant No. 506023				\$ 201,808

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

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

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**Legislation Number:** 1201-2006

**Drafting Date:** 06/22/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with Complete General Construction Co., in the amount of \$2,485,987.80; to encumber funds with the Transportation Division for inspection, testing and prevailing wage coordination services in the amount of \$374,000.00; to authorize the City Auditor to transfer a total of \$1,459,987.80 within the Storm Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; all in connection with the Refugee Rd. Underpass Pump Station Replacement.

2. **CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened three bids on June 14, 2006. Bids were received from: Complete General Construction Co. - \$2,485,987.80; Nickolas M. Savko & Sons - \$2,667,807.12; and George J. Igel & Co., Inc. - \$2,841,242.40.

The lowest and best bid was from Complete General Construction Co. in the amount of \$2,485,987.80. Their Contract Compliance Number is 31-4366382. Additional information regarding each bidder, description of work, contract timeframe and detailed amounts can be found on the attached Legislation Information Form.

3. **FISCAL IMPACT:** The Division is requesting an amendment to the 2006 Capital Improvements Budget for purposes of establishing sufficient budget authority for this expenditure. Additionally, this legislation includes a transfer of funds within the Storm Sewer Bonds Fund.

**Title**

To authorize the Director of Public Utilities to execute a construction contract with Complete General Construction Co. in the amount of \$2,485,987.80; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$374,000.00; for the Refugee Rd. Underpass Pump Station Replacement; to authorize the transfer of \$1,459,987.80 within the Storm Sewer Bond Fund; to authorize an amendment to the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to authorize the expenditure of \$2,859,987.80 within the Storm Sewer Bond Fund. (\$2,859,987.80)

**Body**

WHEREAS, three bids were received and publicly opened in the offices of the Director of Public Utilities on June 14, 2006, for the construction of the Refugee Rd. Underpass Pump Station Replacement; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Refugee Rd. Underpass Pump Station Replacement; and

WHEREAS, significant flooding and other stormwater problems have been identified through customer complaints for the area covered by this project; and

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

WHEREAS, it is necessary to authorize an amendment to the 2006 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditures; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a contract for construction services for the Refugee Rd. Underpass Pump Station Replacement, 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 \$1,459,987.80 within the Storm Sewer Bonds Fund, Fund 685, Division of Sewerage and Drainage, Division 60-15, Object Level One 06, Object Level Three 6621, as follows:

**TRANSFER FROM:**

<u>Project #</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>Amount</u>
610542	6th, 7th, Rarig Ave. Proj.	685001	\$ 4,000.00
610704	Linden Areawide SSI's	685704	\$ 207,723.14
610734	Midland/Eakin SSI's	685734	\$ 20,000.00
610747	Southgate/Landers Area SSI's	685747	\$ 47,432.52
610758	Eastside Neighborhood SSI's	685001	\$ 165,000.00
610759	Northeast Neighborhood SSI's	685001	\$ 105,000.00
610760	Northwest Neighborhood SSI's	685001	\$ 110,000.00
610765	Elmore Ave. SSI's	685001	\$ 16,251.00
610773	Bulen Rd. SSI's	685001	\$ 57,000.00
610774	Fairwood Ave. SSI's	685001	\$ 61,000.00
610776	Champion Ave. SSI's	685001	\$ 86,000.00
610778	Oakwood Ave./Misc. SSI's	685001	\$ 36,000.00
610782	Linworth/Meeklyn Dr. SSI's	685001	\$ 50,189.78
610840	Oaklawn/Piedmont Drainage Imp's	685840	\$ 114,866.30
610939	Third Ave. Underpass Drainage Imp's	685939	\$ 200,000.00
610969	Bliss Run Localized Drainage Imp's	685969	\$ 28,370.00
610976	Maryland Ave. Drainage Imp's	685001	\$ 130,000.00
610977	Ashburton/Mayfair SSI's	685001	<u>\$ 21,155.06</u>
			\$1,459,987.80

**TRANSFER TO:**

<u>Project #</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>Amount</u>
610712	Refugee Rd. Pump Stat. Repl.	685712	\$1,459,987.80

**SECTION 2.** That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Refugee Rd. Underpass Pump Station Replacement; with the lowest and best bidder, Complete General Construction Co.; 1221 E. Fifth Ave.; Columbus, Ohio 43219; in the amount of \$2,485,987.80; in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage; to obtain the necessary inspection, testing and prevailing wage coordination services from the Transportation Division to pay up to a maximum amount of \$374,000.00; for a grand legislative total of \$2,859,987.80.

**SECTION 3.** That for the purpose of paying the cost of the construction contract, the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm Sewer Bond Fund No. 685, Project 610712, Object Level One 06, Object Level Three 6621, OCA Code 685712, Amount \$2,859,987.80.

**SECTION 4.** That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, to provide sufficient budget authority for the execution of the construction contract stated in Section 2 herein.

**CURRENT:**

610712 - Refugee Rd. Pump Sta. Repl.	\$ 1,400,000
610542 - 6th, 7th, Rarig Ave. Proj.	\$ 4,000
610704 - Linden Areawide SSI's	\$ 1,109,916
610734 - Midland/Eakin SSI's	\$ 50,000
610744 - Parkside Rd. SSI's	\$ 639,187
610747 - Southgate/Landers Area SSI's	\$ 580,000
610758 - Eastside Neighborhood SSI's	\$ 165,000
610759 - Northeast Neighborhood SSI's	\$ 105,000
610760 - Northwest Neighborhood SSI's	\$ 110,000
610765 - Elmore Ave. SSI's	\$ 132,502
610850 - Maize Rd. Area SSI's	\$ 112,121
610969 - Bliss Run Localized Drainage Imp's	\$ 28,370
610974 - Woodland/Fifth Ave. SSI's	\$ 128,423

**AMENDED TO:**

610712 - Refugee Rd. Pump Sta. Repl.	\$ 2,859,988	(+\$1,459,988)
610542 - 6th, 7th, Rarig Ave. Proj.	\$ 0	(-\$4,000)
610704 - Linden Areawide SSI's	\$ 902,193	(-\$207,723)
610734 - Midland/Eakin SSI's	\$ 30,000	(-\$20,000)
610744 - Parkside Rd. SSI's	\$ 0	(-\$639,187)
610747 - Southgate/Landers Area SSI's	\$ 532,567	(-\$47,433)
610758 - Eastside Neighborhood SSI's	\$ 0	(-\$165,000)
610759 - Northeast Neighborhood SSI's	\$ 0	(-\$105,000)
610760 - Northwest Neighborhood SSI's	\$ 0	(-\$110,000)
610765 - Elmore Ave. SSI's	\$ 16,251	(-\$116,251)
610850 - Maize Rd. Area SSI's	\$ 105,760	(-\$6,361)
610969 - Bliss Run Localized Drainage Imp's	\$ 0	(-\$ 28,370)
610974 - Woodland/Fifth Ave. SSI's	\$ 117,760	(-\$10,663)

**SECTION 5.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

**Legislation Number:** 1233-2006

**Drafting Date:** 06/27/2006

**Current Status:** Passed

**Explanation**

**Background:**

EMH&T recently constructed a new office facility costing over \$12 million on New Albany Road. This development and other nearby developments have caused a significant increase in traffic. Rush hour congestion could be partially controlled by the installation of a new traffic signal at Walton Parkway. The total infrastructure investment for this improvement will be \$270,000. The Ohio Roadwork Development Account (629) Funds can pay for these types of improvements. This legislation authorizes the Director of the Department of Development to make application to this State of Ohio grant fund.

**Fiscal Impact:**

There are no costs to the City of Columbus associated with applying for Roadwork Development Account grants. If the application is approved by the State, the City of Columbus will receive up to \$270,000 for the installation of a new traffic signal on New Albany Road.

**Title**

To authorize and direct the Director of the Columbus Department of Development to apply to the Ohio Department of Development Roadwork Development Account for grant assistance in an amount up to \$270,000 for the installation of a new traffic signal at New Albany Road and Walton Parkway.

**Body**

**WHEREAS**, the State of Ohio Department of Development offers a Roadwork Development (629) Account to fund roadway improvements that will create new or retain existing jobs; and

**WHEREAS**, EMH&T has consolidated its offices and moved from Gahanna to one location in Columbus; and

**WHEREAS**, with EMH&T's 414 new and existing jobs and over 1,200 existing jobs in this corridor a new traffic signal will be necessary; and

**WHEREAS**; the Director of the Columbus Development Department must be authorized to apply for grant funds, **now, therefore,**

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

**Section 1.** That the Director of the Department of Development be and is hereby authorized and directed to apply to the Ohio Department of Development for a Roadwork Development (629) Account grant in the amount of up to \$270,000 for the installation of a new traffic signal near EMH&T's new offices on New Albany Road at Walton Parkway.

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

**Explanation**

**BACKGROUND:** The Board of Health has a need to make funds available to increase a contract with JABR Software. The Columbus Health Department has been awarded an additional \$125,000 for a two month extension of the Healthy Start grant, ending July 31, 2006. The grant funds will provide for an increased contract with JABR Software to enhance the current appointment system to make it a web based platform. JABR Software will also work with Evaluation Team on screen designs, and ongoing technical support. The contract increase will be in an amount not to exceed \$3,525 for a total contract not to exceed \$36,640. This ordinance waives competitive bidding provisions of the City Code.

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

**FISCAL IMPACT:** This contract is entirely funded by a grant from the U.S. Department of Health and Human Services. The program does not generate revenue or require a City match. The monies are budgeted in the 2006 Health Department Grants Fund.

**Title**

To authorize the Board of Health to modify a contract with JABR Software to enhance the current appointment system for the Healthy Start grant program; to authorize the expenditure of \$3,525 from the Health Department Grant Funds to pay the cost thereof, to waive the provisions of competitive bidding (See attachment ORD1261-2006bidwaiver.doc)and to declare an emergency, (\$3,525)

**Body**

**WHEREAS**, additional funding is available from the U.S. Department of Health and Human Services to modify and increase a contract with JABR Software to provide appointment system enhancements and ongoing technical support for the Healthy Start grant program; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to modify and increase a contract with JABR Software 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 modify and increase a contract with JABR Software to enhance the current appointment system for the Healthy Start grant program through July 31, 2006.

**SECTION 2.** That to pay the costs of said contracts, the expenditure of \$3,525 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Health Department, Division 50-01, Grant No. 505017, OCA Code 505017, Object Level One 03, Object Level Three 3337.

**SECTION 3.** That the provisions of Sections 329.13 and 329.14 of the Columbus City Code are hereby waived.

**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.

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**Legislation Number:** 1266-2006

**Drafting Date:** 06/30/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**AN06-008BT**

**BACKGROUND:** A 3.429 acre site located on the southwest corner of Reed Rd. and Henderson is located in both the City of Columbus and the City of Upper Arlington. Most of the site, 3.237 acres, is in Upper Arlington. A very small corner of the site, 0.292 acres is in the City of Columbus. A developer, Do-An Investments, Ltd., an Ohio limited liability company, wants to develop the site. It is in the best interest of all parties if the site is totally in one jurisdiction. It is the desire, therefore, of both the cities of Columbus and Upper Arlington to transfer the subject parcel of land from the City of Columbus to the City of Upper Arlington to facilitate the improvement

**FISCAL IMPACT:** The tax impact of this very small tract would be minimal.

**Title**

To agree to the adjustment of the boundaries between the City of Columbus and the City of Upper Arlington by consenting to the transfer from the City of Columbus to the City of Upper Arlington of one parcel of land consisting of approximately 0.292 acre currently located within the northeasterly boundary line of Columbus.

**Body**

**WHEREAS**, the north boundary line of the City of Upper Arlington is a boundary line with the City of Columbus and the said cities therefore have a common boundary and adjoin; and

**WHEREAS**, One parcel of land presently located within the City of Columbus, consisting of approximately 0.292 acres, borders the southeast boundary line of the City of Columbus; and

**WHEREAS**, It is the desire of the cities of Columbus and Upper Arlington to transfer the subject parcel of land from the City of Columbus to the City of Upper Arlington to facilitate an improvement to be constructed upon the premises now owned by Do-An Investments, Ltd., an Ohio limited liability company, the successor in title to Domenico Ciotola and Italia Ciotola, husband and wife; and

**WHEREAS**, The proposed transfer does not involve the transfer of territory inhabited by more than five voters;

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

**Section 1.** That in accordance with Section 709.37 of the Ohio Revised Code, the City of Columbus hereby agrees to the transfer from the City of Columbus to the City of Upper Arlington the land described as follows:

**DESCRIPTION OF PROPOSED BOUNDARY ADJUSTMENT OF APPROXIMATELY 0.292 ACRES OF LAND IN THE CITY OF COLUMBUS**

Situated in the State of Ohio, County of Franklin, City of Columbus, in Quarter Township 1, Township 1 North, Range 19 West, United States Military Lands, and being all or portions of the following four (4) tracts of land:

1. 0.186 acre out of a 2.926 acre tract of land conveyed to Domenico and Italic Ciotola by deed of record in Official Record 1626, Page C 11, Recorder's Office, Franklin County, Ohio, said 0.186 acre being all of the road right-of-way (30

feet wide) south of the centerline of Old West Henderson Road within the limits of said 2.926 acre tract;

2. All of a 0.028acre tract of land conveyed as Parcel No.15-WD to City of Columbus, Ohio, by deed of record in Deed Book 3363, Page 404, Recorder's Office, Franklin County, Ohio;

3. 0.039 acre at the south end of Moreland Drive West (50 feet wide), and

4. 0.039 acre Out of a 0.427 acre tract of land conveyed as Parcel No. 15A-WD to City of Columbus, Ohio, by deed of record in Deed Book 3363, Page 404, Recorder's Office, Franklin County, Ohio.

all bounded and described as follows:

Beginning at a railroad spike found in the centerline of Old West Henderson Road, in the south line of said Parcel No. 15A-WD, at the northeast corner of said 2.926 acre tract and at the northwest corner of Northwest Professional Plaza, as shown of record in Plat Book 42, Page 55, Recorder's Office, Franklin County, Ohio;

thence S 0° 30' 15" E along a portion of the east line of said 2.926 acre tract, along a portion of the west line of said Northwest Professional Plaza and crossing a portion of Old West Henderson Road a distance of 33.89 feet to a point in the south right-of-way line (to the west) of Old West Henderson Road and in the corporation line between the City of Columbus, Ohio, and the City of Upper Arlington, Ohio;

thence N 62° 46' 45" W along the south right-of-way line of Old West Henderson Road, parallel with and 30.00 feet southerly by perpendicular measurement from the centerline of Old West Henderson Road and from a north line of said 2.926 acre tract and along said corporation line a distance of 341.93 feet to a point in the south limited access right-of-way line of Relocated West Henderson Road and in a south line of a 0.176 acre tract of land conveyed as Parcel No. 14-WL to City of Columbus, Ohio, by deed of record in Deed Book 3380, Page 548, Recorder's Office, Franklin County, Ohio, as said south limited access right-of-way line is shown upon Sheet 5 of 11 of City of Columbus right-of-way plans for "Franklin County-Henderson Road";

thence S 75° 58' 37" E along the south limited access right-of-way line of Relocated West Henderson Road, along a portion of a south line of said Parcel No. 14-WL. and crossing a portion of Old West Henderson Road a distance of 131.40 feet to a 3/4-inch I.D. iron pipe set at an angle point in the south limited access right-of-way line of Relocated West Henderson Road, in the centerline of Old West Henderson Road, at the westernmost corner of said Parcel No. 15-WD and at the easternmost corner of said Parcel No. 14-WL, said iron pipe also being located 55.00 feet right of and radial to curved centerline station 103+14.23 of Relocated West Henderson Road;

thence S 77° 45' 05" E along the south limited access right-of-way line of Relocated West Henderson Road, along the north line of said Parcel No. 15-WD, crossing Moreland Drive West and along a portion of a north line of said Parcel No. 15A-WD a distance of 179.~1 feet to a 3/4-inch I.D. iron pipe set in the east line extended northerly of said 2.926 acre tract (passing a point in the west line of Moreland Drive West and at the northeast corner of said Parcel No.15-WD at 92.85 feet and passing a point in the east line of Moreland Drive West and at the northwest corner of said Parcel No. 15A-WD at 143.72 feet);

thence S 0° 30' 15" E along the east line extended northerly of said 2.926 acre tract and crossing said Parcel No. 15A-WD a distance of 52.51 feet to the place of beginning;

containing 0.292 acre of land, more or less, and being subject to all easements and restrictions of record.

**Section 2.** That this ordinance be certified to the County Commissioners of Franklin County, Ohio, for further proceedings in accordance with the law.

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

Drafting Date: 06/30/2006

Current Status: Passed

Version: 1

Matter Type: Ordinance

## Explanation

### Background

This ordinance amends the City Code to establish a new Office of Construction Management within the director's office in the Department of Finance and Management. With the exception of a new Construction Manager position, it will be staffed entirely by those persons now involved in project management within the Facilities Management Division. Establishment of this office is an important step in improving asset management within the City by consolidating the management of our building construction contracts under a trained professional, who will be required to be either an engineer, architect, or certified construction manager. This should improve budgeting for capital improvements and the effort to complete projects on time and within funding parameters set for a project. Facilities Management will be free to focus on building services such as maintenance, security, and in-house repairs.

### Fiscal Impact

This legislation has no fiscal impact for 2006. The office will be staffed by persons currently budgeted within the Facilities Management Division with the exception of the new Construction Manager, the funding for which in 2006 can be absorbed from the existing budget. Funding for this position in 2007 will be included in the 2007 budget.

### Title

To enact new Section 223.09 and to amend Section 223.03 of the Columbus City Codes, 1959, to create a new office of construction management within the department of finance and management which will be responsible for supervision and management of contracts for the design, construction, renovation, or repair of buildings or structures used in city operations.

### Body

**WHEREAS** there is a need to manage more efficiently the work done by contractors to design, construct, renovate or repair buildings or structures used in city operations; and

**WHEREAS** consolidation of the project management function under a professional construction manager will service this need and allow the Facilities Management Division to focus its attention on the provision of vital services to city buildings, such as maintenance, security, and repair by city employees; now, therefore

### **Be it ordained by the Council of the City of Columbus:**

**SECTION 1.** That effective 12.01 A.M. November 6, 2006, Section 223.09 of the Columbus City Codes, 1959, be enacted and that existing Section 223.03 of the Columbus City Codes, 1959, be amended to read as follows:

#### **223.03 Division of facilities management.**

The division of facilities management is established as a division of the department of finance and management. The administrative head of the division shall be the facilities management division administrator. The division shall have as its primary duties the ~~construction, maintenance, repair and security,~~ and repair by division employees of such buildings or structures as may be designated by the director or ordinance of council and it shall provide such central services to agencies housed in facilities under its care as may be prescribed from time to time by the director or ordinance of council.

#### **223.09 Office of construction management.**

The office of construction management is established as an office of the department of finance and management within the director's office. The office shall be administered by the construction manager and shall have as its primary duties the

supervision and management of the design, construction, renovation, and repair by independent contractors of such buildings and structures used in city operations as may be designated by the director or ordinance of council.

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

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**Legislation Number:** 1271-2006

**Drafting Date:** 06/30/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Title

To authorize the Director of Development to enter into a second contract modification to the Whittier Site Assessment Contract with Burgess and Niple, Incorporated, by extending the term of the existing contract, expanding the scope, and increasing the total contract amount; to authorize the City Auditor to transfer \$200,000 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund; and to authorize the expenditure of \$200,000. (\$200,000)

Body

**WHEREAS**, the Director of Development desires to enter into a second modification to contract DL010357 Whittier Peninsula Site Assessment with Burgess and Niple, Inc. by increasing the contract amount by \$200,000 and extending the contract through September 30, 2007, a fifteen (15) month extension; and

**WHEREAS**, the Riverfront Vision, adopted by Columbus City Council in 1998, 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**, in May 2003 the city of Columbus, Columbus and Franklin County Metro Parks, and Audubon Ohio entered into a Memorandum of Understanding (MOU) to develop the Whittier Peninsula in accordance with goals and objectives of the Riverfront Vision, including the development of an Audubon nature education center; and

**WHEREAS**, per the 2003 MOU, the city of Columbus assumed the responsibility of obtaining a Covenant Not to Sue (CNS) from the Ohio Environmental Agency's (OEPA) Voluntary Action Program (VAP) for the Whittier parkland; and

**WHEREAS**, under a 2004 contract with Metro Parks, Burgess and Niple, Inc. completed the environmental assessment and planning work necessary to submit a No Further Action letter to the Ohio EPA for the Northern Tier parklands; and

**WHEREAS**, under the terms of this contract and the first modification, Burgess and Niple, Inc has completed a VAP Phase I analysis and has substantially gathered soil and water samples and analyzed data for the city-owned Southern Tier of the Whittier Peninsula, per the VAP Phase II Property Assessment; and

**WHEREAS**, the proposed second modification scope will build off of previous environmental work and complete the Phase II Property Assessment, writing No Further Action letters and prepare bid documentation and oversight for remediation the recreational side of the Whittier Southern Tier ; and

**WHEREAS**, it is necessary to appropriate and transfer \$200,000 from the Special Income Tax Fund to a fund to be determined by the City Auditor and to expend the same; and

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

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project is presently

expected not to exceed \$200,000; **NOW THEREFORE,**

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

**Section 1.** That the Director of Development is hereby authorized to modify for the second time, Contract No. DL0100357 Whittier Peninsula Site Assessment Contract with Burgess and Niple, Inc. by increasing the contract amount by \$200,000 to a total of \$530,000 and extending the contract for fifteen (15) months, through September 30, 2007.

**Section 2.** That for the purpose stated in Section 1, the sum of \$200,000 is hereby appropriated from the unappropriated balance of the Special Income Tax Fund No. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purchase during the fiscal year ending December 31, 2006, to the City Auditor, Dept./Div. No. 22-01, Object Level One 10, OCA 902023, Object Level Three 5502.

**Section 3.** That the City Auditor is hereby authorized to transfer said funds to Fund 735, Miscellaneous Development and Acquisition, Project No. 440019, at such time as is deemed necessary by the City Auditor, and to expend \$200,000 or so much thereof as may be necessary.

**Section 4.** That the expenditure of \$200,000 from the Development Department, Division No. 44-01, Fund 735 Northland and Other Acquisitions, Project No. 440019 Whittier Peninsula, OCA Code 735019, Object Level Three 6680 be hereby appropriated and authorized.

**Section 5.** That upon obtaining other funds for this project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**Section 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3 above.

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

**Section 8.** That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated.

**Section 9.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1276-2006

**Drafting Date:** 07/03/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

Based on the park development plan and development concept for the Whittier Peninsula, Burgess and Niple, Inc completed a Conditional Letter of Map Revision (CLOMR) for submission to the Federal Emergency Management Agency (FEMA). Recent mapping by the Army Corps of Engineers placed a substantial portion of the Whittier Peninsula in the 100 year flood plain. This includes, to varying degree, both parkland and redevelopment areas. Burgess and Niple has concluded, through engineering assessments and river modeling within the Scioto River watershed that the fill in the portion of the Whittier slated for redevelopment, will not adversely impact the watershed and meets FEMA criteria. It should be noted that the new parkland development will maintain its flood plain designation and enhance it by actually creating wetlands that will add additional capacity and actual, operable floodplain to the Whittier Peninsula. Additionally,

the development and parkland areas will be developed so that storm water run-off from the development will be used to re-charge the park wetlands.

**FISCAL IMPACT:**

The submission fee is \$4,200. This legislation authorizes the appropriation and expenditure of \$4,200 from the Miranova TIF - City Riverfront Vision Account (Ordinance #1578-98), adopted by Columbus City Council on June 29, 1998.

**Title**

To authorize the appropriation and expenditure of \$4,200 from the Miranova TIF Fund - City Riverfront Vision Account in order to pay the filing fee to submit a Conditional Letter of Map Revision for the Whittier Peninsula development area with the Federal Emergency Management Agency. (\$4,200)

**Body**

**WHEREAS**, the *Riverfront Vision*, adopted by Columbus City Council in 1998, 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**, under previous contract with the Development Department, the firm, Burgess and Niple, Inc., completed engineering and river modeling necessary to complete a Conditional Letter Of Map Revision for submission to FEMA; and

**WHEREAS**, the work completed by Burgess and Niple, Inc., using the development and parkland footprints, estimated the amount of fill required to raise the development are out of the 100 year flood plain and determined that the fill would not adversely impact the Scioto River watershed; and

**WHEREAS**, the parklands will substantially remain in the floodplain and create an operable flood plain system where none currently exists through the construction of wetland ponds, prairies and meadows; and

**WHEREAS**, Storm water run-off from the development will be used to re-charge the park wetlands; and

**WHEREAS**, Filing of a Conditional Letter of Map Revision is the first step in a process to revise the Flood Plain Maps and allow the placement of fill needed to remove the Whittier redevelopment area from the 100 year flood plain; and

**WHEREAS**, the Department of Development desires to start the FEMA review process through the submission of a Conditional Letter of Map Revision; and **NOW THEREFORE**,

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

- Section 1.** 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, 2006, the sum of \$4,200, be and hereby is appropriated to the Development Department Project 440071, OCA 440071, Object Level One 03, Object Level Three 3336.
- Section 2.** That the Director of Development be and is authorized to submit a Conditional Letter of Map Revision to FEMA and pay fees associated with its submission.
- Section 3.** That the expenditure of \$4,200 or so much as may be necessary, be and is hereby authorized from the Development Department, Miranova TIF Fund - City Riverfront Vision Account, Fund 406, Project 440071, OCA 440071, Object Level One 03, Object Level Three 3336.

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

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**Legislation Number:** 1279-2006

**Drafting Date:** 07/03/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Title**To Authorize the Director of Public Utilities to enter into contract with the Complete General Construction Company, for the construction of the Sanitary System Rehabilitation-Downtown Small Diameter Sanitary Sewer Improvements Project, to authorize the appropriation, transfer and expenditure of \$1,314,375.90 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund for the Division of Sewerage and Drainage. (\$1,314,375.90)

**Body**WHEREAS, one competitive bid for the construction of the Sanitary System Rehabilitation-Downtown Small Diameter Sewer Improvements Project, were received on June 7, 2006; and

WHEREAS, it is necessary for City Council to authorize the Director of the Department of Public Utilities to award and execute a contract for the construction of the Sanitary System Rehabilitation-Downtown Small Diameter Sewer Improvements Project; and to authorize the transfer of the required funds within the Voted Sanitary Bond Fund; 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 Sewer System Reserve Fund, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$1,314,375.90 is hereby appropriated to the Division of Sewerage and Drainage, Division No. 60-05| Object Level One: 10| Object Level Three: 5502| OCA Code 901654.

Section 2. That the City Auditor is hereby authorized to transfer \$1,314,375.90 from the Sewer System Reserve Fund to the Voted Sanitary Bond Fund No. 664, into the Sanitary System Rehabilitation Project Account No. 650404; at such time as deemed necessary by him and to expend said funds, or so much thereof as may be necessary.

Section 3. That the amount of \$1,314,375.90 is hereby appropriated for the Sanitary System Rehabilitation Project Account No. 650404, within the Voted Sanitary Bond Fund No. 664| Division 60-05| OCA Code 655266| Object Level Three No. 6630.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to enter into contract with the Complete General Construction Company, Inc., 1221 East Fifth Avenue, Columbus, Ohio 43219; and to pay up to a maximum amount of \$1,314,375.90, for sewer construction and rehabilitation services required in connection with the above referenced project, in accordance with the terms and conditions as shown in the contract on file in the Sewer System Engineering Section of the Division of Sewerage and Drainage.

Section 5. That for the purpose of paying the cost of the contracts authorized within Sections 4 herein, the expenditure of \$1,314,375.90, is hereby is authorized from the Voted Sanitary Bond Fund No. 664| Project 650404| OCA Code 655266| Object Level Three No. 6630.

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

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1295-2006

**Drafting Date:** 07/05/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**Background:** The City of Columbus has been granted numerous electric, sewer, and water easements in, over, under, across, and through State of Ohio real property for purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating utility lines and appurtenances therein. The State of Ohio, Department of Administrative Services, by State statute, may grant only a 15-year easement to the City of Columbus for such purposes. Therefore, from time to time the easements expire, making it necessary to renew existing easements or to obtain new easements in order to continue operating such utility lines. It is the policy and practice of the State of Ohio that such deeds of easement be signed on behalf of the Grantee for purposes of accepting the terms therein. The Director of Public Utilities does not have the authority without an ordinance of Council to sign accepting such easements on behalf of the City of Columbus. The following legislation would grant the Director of the Department of Public Utilities continuing authority to execute, on behalf of the City of Columbus, all utility easements agreements between the City of Columbus and the State of Ohio and/or The Ohio State University, provided the same are approved as to form or prepared by the City Attorney's Office, Real Estate Division.

**Fiscal Impact:** N/A

**Emergency Justification:** N/A

### Title

To grant the Director of Public Utilities authority to execute, on behalf of the City of Columbus, all new or renewal utility easement agreements that the Director has determined must be obtained from the State of Ohio and/or The Ohio State University, as necessary for the construction, operation or maintenance of such utilities.

### Body

WHEREAS, the City of Columbus has been granted numerous electric, sewer, and water easements in, over, under, across, and through State of Ohio real property for purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating utility lines and appurtenances therein; and,

WHEREAS, the State of Ohio, Department of Administrative Services, pursuant to the Ohio Revised Code, may grant only a 15 year easement to the City of Columbus for such purposes; and,

WHEREAS, from time to time such 15 year easements expire or new utility easements are required, making it necessary to renew existing easements or obtain new easements in order to continue operating such utility lines; and,

WHEREAS, it is the policy and practice of the State of Ohio that such deeds of easement be signed on behalf of the Grantee for purposes of accepting the terms contained therein; and,

WHEREAS, the Director of Public Utilities, does not have the authority to sign and accept such easements on behalf of the City of Columbus; and

WHEREAS, it is in the best interest of the City for the Director of Public Utilities, as the City official with the specific knowledge of the need for easements for utilities under her/his direction and control, to be authorized to accept and sign as Grantee, on behalf of the City, for all public utility easements granted by the State of Ohio and The Ohio State University without the necessity of future ordinances accepting each easement; now therefore:

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

Section 1. The Director of Public Utilities, is hereby granted continuing authority to execute, on behalf of the City of Columbus, all new or renewal utility easement agreements that the Director has determined must be obtained from the State of Ohio and/or The Ohio State University, as necessary for the construction, operation or maintenance of such utilities, provided that such easements are approved as to form or prepared by the City Attorney's Office, Real Estate Division.

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

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**Legislation Number:** 1300-2006

**Drafting Date:** 07/05/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Board of Health has been awarded \$4,384,661.00 in grant funds from the Ohio Department of Health to fund the Women, Infants and Children (WIC) Program for the period October 1, 2006 through September 30, 2007. The Ohio Department of Health has provided \$139,089 for the lease of real property to be used as clinic space for the WIC Program.

<u>Property Owner</u>	<u>Number Sq. Ft.</u>	<u>Contract Compliance #</u>	<u>Price Per Sq. Ft.</u>
Four-D Holdings	4,790	311445996	\$11.09
PLM Company	3,000	311416454	\$11.28
Bruce Williamson	2,100	281341970	\$13.33
Tom Zanetos	1,630	278143514	\$11.85
Ohio State University	360	311340739	\$13.33

Emergency action is requested in order to avoid any delays in providing program services.

**FISCAL IMPACT:** The contracts cited above are entirely funded by the grant. This grant does not generate revenue or require a City match.

**Title**

To authorize and direct the Finance and Management Director on behalf of the Board of Health to enter into lease contracts with four property owners for the lease of clinic space for the WIC program, for the period of October 1, 2006 through September 30, 2007; to authorize a total expenditure of \$139,089 from the Health Department Grants Fund; and to

declare an emergency. (\$139,089)

**Body**

**WHEREAS**, The Ohio Department of Health has designated the Health Department as primary grantee agency and fund administrator for all WIC programs in Franklin County; and,

**WHEREAS**, the WIC Program will lease space from various property owners for their clinic sites for the continuation of Women, Infants and Children services; Now, therefore:

**WHEREAS**, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into these leases 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 and Management Director on behalf of the Board of Health is hereby authorized and directed to enter into contracts for the provision of rental space for three WIC clinics for the period of October 1, 2006 through September 30, 2007.

**SECTION 2.** That to pay the costs of said contracts, the expenditure of \$139,089, is hereby authorized from the Health Department Grants Fund, Fund No. 251, Grant No. 506016, Division No. 50-01, Object Level One 03, Object Level Three 3301, as follows:

<u>Property Owner</u>	<u>OCA</u>	<u>Grant #</u>	<u>Object</u>		<u>Amount</u>
			<u>Level 01</u>	<u>Level 03</u>	
Four-D Holdings	506016	506016	03	3301	\$53,133
PLM Company	506016	506016	03	3301	\$33,840
Bruce Williamson	506016	506016	03	3301	\$28,000
Tom Zanetos	506016	506016	03	3301	\$19,316
Ohio State Univ.	506016	506016	03	3301	\$ 4,800

**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.

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**Legislation Number:** 1302-2006

**Drafting Date:** 07/05/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes The Board of Health to

modify and increase a contract associated with purchase order DE066770, with the Franklin County Sheriff's Office. The Franklin County Sheriff's Office will conduct sobriety checkpoints and saturation patrols. The contract period is October 1, 2005 through September 30, 2006. DE066770 was originally set up for \$20,000. A second modification for \$18,000 was passed July 10. A final modification in the amount of \$13,988 is necessary to meet the demands of the OVI Task Force Program, for a total contract amount not to exceed \$51,988.

Emergency action is required to ensure the continued operation of the OVI Task Force Program.

**FISCAL IMPACT:** This contract is entirely funded by a grant from the Ohio Department of Public Safety. The program does not generate revenue or require a City match. The monies are budgeted in the 2006 Health Department Grants Fund.

**Title**

To authorize the Board of Health to modify a contract with the Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program; to authorize the expenditure of \$13,988.00 from the Health Department Grant Funds to pay the cost thereof, and to declare an emergency, (13,988.00)

**Body**

**WHEREAS**, funding is available from the Ohio Department of Public Safety to modify a contract with Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program; and,

**WHEREAS**, an emergency exists in the usual daily operation of The Columbus Health Department in that it is immediately necessary to modify a contract with the Franklin County Sheriff's Office 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 modify a contract with the Franklin County Sheriff's Office to conduct saturation patrols and sobriety checkpoints for the OVI Task Force grant program for the period October 1, 2005 through September 30, 2006.

**SECTION 2.** That to pay the cost of said contract, the expenditure of \$13,988.00 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Division 50-01, Grant No. 506070, OCA Code 506070, Object Level One 03, Object Level Three 3407.

**SECTION 3.** That this modification is being executed in accordance with Sections 329.16 of the Columbus City Code.

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

**Legislation Number:** 1304-2006

**Drafting Date:** 07/05/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **Background:**

This ordinance will authorize the City Attorney to enter into a special counsel agreement with a committee of attorneys and law firms (collectively known as the City of Columbus Litigation Group) to assist the City Attorney with the investigation and potential litigation against others who manufactured, distributed, marketed or sold lead pigments and/or lead-based paint in the City of Columbus.

#### **Fiscal Impact:**

Funds do not need to be specifically budgeted for these services. There is no cost associated with this ordinance because the special counsel agreement will be a contingency fee arrangement with expenses advanced by special counsel. If a settlement is achieved, City Council authorization will be necessary to approve the settlement and appropriate payment of attorney fees and expenses in accordance with the terms of the special counsel agreement.

**Emergency action** is sought in order to immediately begin the investigation into the City's potential legal claims and to possibly recover funds in order to address and deter childhood lead poisoning through abatement, education and facilitation of treatment.

#### **Title**

To authorize the City Attorney to enter into a special counsel agreement for legal services with a committee of attorneys and law firms (collectively known as the City of Columbus Litigation Group) which includes: Motley Rice, LLC; Crabbe Brown & James LLP; Jon L. Gelman, Esq.; O'Shea & Associates Co., LPA; Lipton Law LLC; and Gerken Law Office to advise and represent the City in matters relating to claims which the City has, or may have, against others relating to the presence of and effects from lead paint in the City of Columbus; and to declare an emergency.

#### **Body**

**Whereas**, although the use of lead paint was banned for residential use in the United States in 1978, lead paint is still present in and on many homes and buildings throughout the City of Columbus; and

**Whereas**, the Center for Disease Control defines lead poisoning as a confirmed level of lead in human blood of ten micrograms per deciliter (10ug/dl) or greater; and

**Whereas**, approximately 2,578 children in Columbus were diagnosed with lead poisoning from 1996 to 2005; and

**Whereas**, lead from paint causes a wide array of health problems in children, including significant reductions in IQ, permanent learning disabilities, speech and hearing problems, loss of attention span, slowed growth and behavioral problems. High levels of lead exposure can cause seizures, convulsions, coma and even death; and

**Whereas**, lead poisoning has caused permanent and significant health problems for the children of Columbus; and

**Whereas**, the presence of lead in paint in homes throughout the City of Columbus constitutes a serious public health problem and a public nuisance; and

**Whereas**, significant public funds have been expended in the effort to remediate homes and buildings with lead-based paint and to prevent lead poisoning in the City; and

**Whereas**, it is in the best interest of the City to investigate and take legal action against those entities that caused or contributed to the creation of a public nuisance arising from the use of lead contained in paints and pigments in the City of Columbus; and

**Whereas**, the Columbus Board of Health passed a resolution on July 18, 2006 in support of the City's efforts to retain special counsel to investigate and pursue potential litigation. The Board expressed its desire that any funds recovered from this action be directed to lead remediation, the prevention of lead poisoning and facilitation of treatment of lead poisoned children.

**Whereas**, an emergency exists in the usual daily operations of the City in that it is immediately necessary for the public peace, health, safety and welfare of the City to enable the City Attorney to enter into a contract for such services; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:**

**Section 1.** That the City Attorney is authorized to enter in a special counsel agreement for legal services with Motley Rice, LLC; Crabbe Brown & James LLP; John J. Gelman, Esq.; O'Shea & Associates Co., LPA; Lipton Law LLC; and Gerken Law Office to advise and represent the City in matters relating to claims which the City has, or may have, against others relating to the presence of and effects from lead paint in the City of Columbus. See attachment ORD 1304-2006special.doc

**Section 2.** That no funds shall be expended under this ordinance. The special counsel agreement shall provided for a contingency fee arrangement and the City's obligations under the agreement will require Council approval and appropriation upon monetary settlement of any potential litigation.

**Section 3.** That the provisions of Chapter 329 of the Columbus City Code relative to the procurement of professional services are hereby waived being deemed to be in the best interest of the City for the reasons that this contract requires specialized legal knowledge and experience. See attachment ORD1304-2006bidwaiver.doc

**Section 4.** That for the reasons set forth in the preamble hereto which is incorporated as if fully restated herein, this ordinance is hereby deemed to be an emergency measure and shall take effect and be in force from and immediately after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1309-2006

**Drafting Date:** 07/06/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**ExplanationBACKGROUND:** This ordinance authorizes the Finance and Management Director, on behalf of the Division of Support Services, to establish a purchase order with Resource One, to purchase Five (5), DELL (Latitude D620 Intel Core Dual T2300E (1.66GHz) 667Mhz Dual Core laptop computers to be used as part of essential test equipment for servicing emergency communications systems used by the Divisions of Police and Fire.

This test equipment will replace the current test equipment that is 20 years old, obsolete and unreliable. This test equipment is used to service and calibrate the existing 800 MHz radios, microwave, E911 and PBX communications systems used by Police and Fire. These radios and computers are in service 24 hours a day, 365 days per year, to aid emergency personnel in protecting over one million citizens in the City of Columbus and the surrounding metro area.

Currently there are over 9000 voice radios in use on the City of Columbus 800 MHz Public Safety Radio System. Additionally there are hundreds of data radios in use on the City of Columbus data and Fire PA (MOSCAD) systems. The Federal Communications Commission (FCC) has mandated that prior to installation, all transmitting equipment shall be bench tested to ensure proper operation and that the equipment meets stringent operating specifications. Failing to abide by the FCC rules and regulations can cause the City of Columbus to be fined \$10,000 per day, per violation.

The Federal Aviation Administration (FAA) mandates additional regulations when referring to the communications equipment used in our fleet of police helicopters. This includes, but is not limited to, transmitting power, transmitting frequency and modulation characteristics. Violations of FAA rules and regulations may result in the loss of the City of Columbus FAA Repair Station Status with the FAA. The City of Columbus has maintained this status for more than 20

years. In the event that the City of Columbus would lose this status with the FAA, the whole fleet of helicopters could be grounded.

The Division of Support Services maintains and services all of the emergency communications equipment for the City of Columbus. Much of the test equipment was purchased over 20 years ago. This test equipment does not meet the demands of today's computerized digital technology that is found in modern voice and data two-way radios. With the lack of reliable and up-to-date test equipment, we cannot guarantee accurate results during testing and frequency alignments. With the increased level of Homeland Security and the expansion of radio interoperability, it is imperative that we maintain a high level of reliability and expedite service.

**BID INFORMATION:** The Purchasing Office advertised and solicited competitive bids in accordance with the Columbus City Code, Section 329.06(a), bid #SA001724. And set up a Universal Term Contract #FL001696 with Resource One.

**FISCAL IMPACT:** Funds are available in Public Safety's Capital Improvement Fund to make this purchase.

**CONTRACT COMPLIANCE:** Resource One #311419297

**Title** To authorize the Finance and Management Director on behalf of the Division of Support Services, to purchase Five (5), Dual Core laptop computers from Resource One, to be used as part of essential test equipment for servicing emergency communication radios and computers used by the divisions of Police and Fire; to authorize the expenditure of \$7,792.55 from the Public Safety Capital Improvement Fund and to declare an emergency. (\$7,792.55)

**Body**

WHEREAS, the responsibility of the Police and Fire Communications system is that of the Division of Support Services; and,

WHEREAS, the Division of Support Services has a need to purchase Five (5), DELL (Latitude D620 Intel Core Dual T2300E (1.66GHz) 667Mhz Dual Core laptop computers to be used as part of essential test equipment for servicing emergency communication radios and computers used by the divisions of Police and Fire; and,

WHEREAS, Resource One has been issued a Universal Term Contract for the purchase of computers and meets the Divisions of Police and Fire's operational and functionality needs; and,

WHEREAS, The Federal Communications Commission (FCC) and The Federal Aviation Administration (FAA) have mandated regulations when referring to the communications equipment used, to avoid fines and losing FAA repair station status.

WHEREAS, an emergency exists in the daily operations of the Division of Support Services, in that these computers are needed as part of essential test equipment for servicing emergency communication radios and computers used by the Divisions of Police and Fire, and to ensure compliance with The Federal Communications Commission (FCC) and The Federal Aviation Administration (FAA) mandates, in order to preserve the public peace, health, safety and welfare; now, therefore,

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

Section 1. That the Director of Finance be and is hereby authorized to purchase from Universal Term Contract #FL001696 with Resource One, Dell laptop computers to be used as part of essential test equipment for servicing emergency communication radios and computers used by the divisions of Police and Fire.

Section 2. To abide by the Federal Communication Commission's rules and regulations to avoid the City of Columbus being fined \$10,000 per day, per violation.

Section 3 . To ensure compliance with Federal Aviation Administration mandates.

Section 4. That this agreement is made in accordance with the provision of Section 329.06(a) of the Columbus City Code.

Section 5. That for the purpose stated in Section 1 hereof, the purchase be allowed:

DIVISION	FUND	PROJECT	OCA	OBJ LEVEL 3	AMOUNT
3002	701	320001 642629	6644		\$7,792.55

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.

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**Legislation Number:** 1310-2006

**Drafting Date:** 07/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

To authorize and direct the Director of Finance and Management, on behalf of the Division of Support Services, to establish a purchase order with Sound Communications Inc., to purchase an upgraded Audio Digital Communications Recording System for the Police and Fire Communications System. This agreement is being entered into under the Sole Source provisions provided under Section 329.07 of the Columbus City Code.

This equipment is essential in logging Police, Fire and EMS, E911 dispatched calls, and radio communications. This addition will provide day-to-day processing of numerous evidentiary and public records requests. This equipment is essential in keeping the Division of Police compliant with the "Commission Accreditation Law Enforcement Agency, (CALEA).

The existing hardware equipment and software will be replaced with more updated technology equipment which will enhance storage capabilities, add multiple levels of redundancies, making the system less prone to down time and loss of data.

The current computer hardware and software have been operating 24 hours a day, 365 days a year, for six years. The current "Windows NT" software is obsolete and no longer being supported by the vendor. The new system will be "Windows 2000".

Bid Information: Sole Source Provider: Sound Communications Inc. CC #311331321 - expires 10/7/06

Emergency Designation: Emergency designation is requested to ensure the continued reliability of the Police and Fire Communication Systems.

**FISCAL IMPACT:**

Funding for this expenditure is available in the Public Safety's Capital Improvement Fund.

**Title**To authorize and direct the Director of Finance and Management to establish a purchase order with Sound Communications Inc., to purchase an upgraded Audio Digital Communications Recording System for the Police and Fire Communications System, to authorize the appropriation and expenditure of \$204,733.60 from the Public Safety's Capital

Improvement Fund, and to declare an emergency. (\$204,733.60).

**Body**

WHEREAS, the responsibility of the Police and Fire Communications System will continue to be that of the Department of Public Safety, Division of Support Services; and,

WHEREAS, the Division of Support Services has a need to establish a purchase order with Sound Communications Inc., to purchase an upgraded Audio Digital Communications Recording System for the Police and Fire Communications System; and,

WHEREAS, Sound Communications Inc., is the original provider of the current system and is the sole provider of maintenance, software, and licenses for the system; and

WHEREAS, this purchase order is being established under the Sole Source provision provided in Section 329.07 of the Columbus City Code; and,

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Communications in that it is immediately necessary to purchase an upgraded Audio Digital Communications Recording System for the Police and Fire Communications System in order to preserve the public peace, health, safety and welfare; now, therefore,

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

**Section 1.** To authorize and direct the Director of Finance and Management, on behalf of the Division of Support Services to establish a purchase order with Sound Communications, Inc., to purchase an upgraded Audio Digital Communications Recording System for the Police and Fire Communications System.

**Section 2.** That this agreement is made in accordance with the Sole Source provision of Section 329.07 of the Columbus City Code.

**Section 3.** That for the purpose stated in Section 1 hereof, the appropriation and expenditure of \$204,733.60, or so much thereof as may be needed, is hereby authorized from:

DIVISION	FUND	PROJECT NUMBER	OCA CODE	AMOUNT
<u>30-02</u>	<u>701</u>	<u>320001</u>	<u>642629</u>	<u>\$204,733.60</u>

**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.

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**Legislation Number:** 1312-2006

**Drafting Date:** 07/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation/Background:** This legislation authorizes the City to enter into a contract in an amount up to \$277,812.00 for the Gay Street Phase 1 Project and to pay construction inspection costs up to \$31,500.00. This improvement includes concrete and brick work associated with the conversion of Gay Street to a two way roadway from Front Street to Cleveland Avenue. This phase will only provide for minor preliminary work associated with the conversion. Phase 2 - which will

install the bulk of the infrastructure required for the two way conversion is targeted to start early spring of 2007. The estimated Notice to Proceed date is September 1, 2006. This Project has been given 3 ½ months to complete the construction of the Project scope. The Project was let by the Transportation Division and was advertised in the City Bulletin, Dodge Reports, and by the Builders Exchange of Ohio. Eleven bidders/suppliers (nine majority, two minority) requested bid specifications. Five bids were received (four majority, one minority) and tabulated on June 22, 2006 as follows:

R. B. Jergens Contractors, Inc.	\$262,110.48
Gaddis & Son, Inc.*	\$277,812.00
G & G Cement Contractors	\$389,760.00
G. Marchi & Son, LLC	\$414,240.00
Parker Cement & Masonry**	\$50,060.00

\* Minority Bidders

\*\* The bid proposal from Parker Cement & Masonry is unresponsive (does not contain a unit price for each pay item listed) and therefore rejected in accordance with Paragraph 102.7, Item 4. of the City of Columbus Ohio Construction and Material Specifications.

In accordance with the responsible contracting provisions of the City Code award is to be made to Gaddis & Son, Inc. cc#31-0818069 (expiring 8/6//2006), as the best, most responsive and most responsible bidder.

**Emergency action** is requested to allow immediate expenditure of the necessary funds so that construction may begin on or around September 1, 2006.

**Fiscal Impact:** Funding for this Project is budgeted within the Transportation Division as part of the Capital Improvement Program and is available within the 1995, 1999, 2004 Voted Streets and Highways Fund for this work.

**Title**To authorize the director of Public Service to enter into a contract for the Transportation Division with Gaddis & Son, Inc. for construction of the Gay Street Phase 1 Project; to authorize the expenditure of \$309,312.00 from the 1995, 1999, 2004 Voted Street and Highway Funds for the Transportation Division; and to declare an emergency. (\$309,312.00).

**Body**WHEREAS, bids were received on June 22, 2006, and tabulated on June 22, 2006, for the Gay Street Phase 1 Project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division in that the contract should be awarded immediately so that the work may proceed on or around September 1, 2006; now, therefore

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

**SECTION 1.** That the Director of Public Service be and is hereby authorized to enter into a contract with Gaddis & Son, Inc., 739 Mulberry Street, Columbus, Ohio 43219, for the construction of the Gay Street Phase 1 Project in the amount of \$277,812.00, for the Transportation Division in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the Project up to a maximum of \$31,500.00.

**SECTION 2.** That for the purpose of paying the cost of the contract and inspection, the sum of \$309,312.00 or so much thereof as may be needed, is hereby authorized to be expended from 1995, 1999, 2004 Voted Streets and Highways Fund, No. 704 for the Transportation Division, Dept./Div. 59-03, OCA Code 644385, Object Level Three 6631 and project 530161.

**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.

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**Legislation Number:** 1319-2006

**Drafting Date:** 07/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:** This is consent legislation with the Ohio Department of Transportation (ODOT) for phase one of a two phase construction project to create a riverfront promenade along the western side of Civic Center Drive. Roadway work will include the reduction of pavement width, resurfacing the roadway and changing Civic Center Drive from one-way to two-way traffic. Enhancements to the roadway will include construction of a balustrade, signals, lighting, trees, benches, fountain, sculptural elements and sidewalk pavers. Project limits extend on Civic Center Drive from 355 feet north of Broad Street to Town Street. (FRA-CIVIC CENTER DRIVE-PID 80823)

Construction of this project is scheduled for State Fiscal Year 2008. This legislation also authorizes the Public Service Director to enter into the necessary agreements to complete this project.

**Fiscal Impact:** The estimated construction cost of this project is \$9,700,000.00. ODOT will fund 80% of construction costs up to a maximum of \$2,184,000. The remaining balance of the project now estimated at \$7,516,000.00 will be funded by The Columbus Downtown Development Corporation. There is no funding required at this time from the City.

TitleTo authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this Civic Center Drive Project from 355 feet north of Broad Street to Town Street for the Transportation Division. (\$0)

**Body**

The following is an Ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the City has identified the need for the described project:

This project is for Phase One of a two phase construction project to create a riverfront promenade along the western side of Civic Center Drive. Roadway work will include the reduction of pavement width, resurfacing the roadway and changing Civic Center Drive from one-way to two-way traffic. Enhancements to the roadway will include construction of a balustrade, signals, lighting, trees, benches, fountain, sculptural elements and sidewalk pavers. Project limits extend on Civic Center Drive from 355 feet north of Broad Street to Town Street.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

**SECTION 1 - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above-described project.

**SECTION 2 - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design

and construction of the identified highway improvement project and grants consent

To the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director.

The City agrees to assume and bear one hundred percent (100%) of the total cost of Preliminary Engineering and right of way and utility relocation. Further, the City agrees to assume and bear one hundred percent (100%) of the total cost of construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

In the event that the City requests certain features or appurtenances be included within the transportation improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the transportation improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent of the costs of incorporating such additional features or appurtenances within the project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

#### SECTION 3 - Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described project. The LPA also understands that right of way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement shall comply that all utility accommodation, relocation, and reimbursement will comply with the current provision of 23 CFR 645 and the ODOT Utilities Manual.

#### SECTION 4 - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

#### SECTION 5 - Consultants and Authority to Sign

The Director of Public Service of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the project and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Public Service is also empowered to assign all rights, title, and interests of the City of Columbus to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

SECTION 6 - This ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1320-2006

**Drafting Date:** 07/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to enter into contract with PDT Communications Ltd for the installation, maintenance and support to upgrade the Customer Interaction Center (CIC), version 2.4 for the Division of Operational Support.

The Interactive Intelligence's CIC Telephone system used by the Department of Public Utilities runs on a Microsoft Server environment, and is located at 910 Dublin Road, Columbus, Ohio, Room 4111. The system currently handles all calls made to the Division of Water, Division of Sewer and Drainage, Division of Electricity Customer Service Sections, DOW Sales Office, DOW Public Office and the DOW Distribution Maintenance/after-hours emergency line. After the upgrade and installation of new hardware and software, the system will be able to handle calls when the new combined Call Center for Public Utilities is in place including an off-site location at 1250 Fairwood Ave Columbus, Ohio and possibly 3500 Indianola Ave, Columbus, Ohio.

Business process changes within the Division of Water and Division of Sewerage and Drainage have expanded the required availability of the system from 8:00 - 5:00 (Monday through Friday) to a present need for 24x7 services with automatic fail-over to minimize system downtime. The Division of Operational Support has two employees certified by Interactive Intelligence to provide first line support and daily maintenance. It is the intent of the Department of Public Utilities to secure second tier support for both the hardware and software, backed by the appropriate hardware manufacturers and Interactive Intelligence (Software Vendor), in order to provide all reasonable expectation of uninterrupted availability and to further assist the Division of Operational Support in acquiring new hardware including but not limited to servers, switches, patch panels and all necessary telephony cards.

The Director of Public Utilities received Requests for Proposals on March 10, 2006. Five (5) proposals were received. A complete summary of scores and evaluations are attached. An evaluation committee after considering all criteria recommended award to be to PDT Communications Ltd.

**SUPPLIER:** PDT Communications Ltd (31-0109794)

**FISCAL IMPACT:** \$115,234.00

Emergency action is being requested so that the contract timelines and schedule can be coordinated without interruption to the upgrade of the CIC system.

### Title

To authorize the Director of Public Utilities to enter into contract with PDT Communications Ltd for installation, upgrade and support of the Customer Interaction Center for the Division of Operational Support, to authorize the expenditure of \$115,234.00 from the Water Operating Fund, and to declare an emergency. (\$115,234.00)

### Body

WHEREAS, The Interactive Intelligence's CIC Telephone system used by the Department of Public Utilities is in need of an upgrade to handle additional calls and service, and

WHEREAS, the Director of Public Utilities received Request for Proposals on March 10, 2006 for the installation, upgrade and support of the CIC, and

WHEREAS, five (5) proposals were received and a committee after review of all criteria and evaluated all proposals recommended an award to be made to PDT Communications, Ltd, and

WHEREAS, the new system be able to handle calls when the new combined Call Center for Public Utilities is in place including an off-site location at 1250 Fairwood Ave Columbus, Ohio and possibly 3500 Indianola Ave, Columbus, Ohio and,

WHEREAS, it is the intent of the Department of Public Utilities to secure second tier support for both the hardware and software, backed by the appropriate hardware manufacturers and Interactive Intelligence (Software Vendor), in order to provide all reasonable expectation of uninterrupted availability and to further assist the Division of Operational Support in acquiring new hardware including but not limited to servers, switches, patch panels and all necessary telephony cards, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Operational Support in that it is immediately necessary to enter into contract so that the contract timelines and schedule can be coordinated without interruption to the upgrade of the CIC system. with PDT Communications Ltd. 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 expenditure of \$115,234.00 or so much thereof as may be needed, be and the same hereby is authorized from the Water Operating Fund, Fund No. 600, OCA 600209, Object Level 1: 03, Object Level 03: 3336

Section 2. 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.

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**Legislation Number:** 1324-2006

**Drafting Date:** 07/07/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

The purpose of this legislation is to authorize the Director of Finance and Management to establish a purchase order with Smart Solutions Inc. in accordance with an established Universal Term Contract.

The Division of Operational Support is in the process of entering into contract for the upgrade, installation and support of the Customer Interaction Center (CIC) phone system. There is a need to purchase additional servers to support the new system and the upgrades. The server needed will be purchased from of an established Universal Term Contract, FL-001717, expires June 30, 2007.

**SUPPLIER:** Smart Solutions Inc (34-1403269)

**FISCAL IMPACT:** \$36,000.00 is need for this purchase.

The Division of Operational Support has encumbered \$100,000.00 in 2006 which is the threshold allowed in Columbus City Code Section 329 for Universal Term Contracts beyond which an ordinance is required.

Emergency legislation is being requested so that the servers can be ordered and configured during the upgrade and installation on the CIC system and so as not cause any interruption in the over time line of the project.

**Title**

To authorize the Director of Finance and Management to establish a purchase order with Smart Solutions Inc for the purchase of Computer Hardware for the Division of Operational Support, to authorize the expenditure of \$15,120.00 from the Sewerage System Operating Fund, \$3,240.00 from the Storm Water Operating Fund, \$6,480.00 from the Electricity Operating Fund, \$11,160.00 from the Water Operating Fund and to declare an emergency. (\$36,000.00)

**Body**

WHEREAS, the Department of Public Utilities, Division of Operational Support is in the process of contracting for the upgrade, installation and support of the Customer Interaction Center (CIC) phone system, and

WHEREAS, due the upgrade, additional servers will be needed, and

WHEREAS, the Division of Operational Support wishes to purchase the needed servers from an established Universal Term Contract with Smart Solutions on file with the Purchasing Office, and

WHEREAS, purchase order will be issued in accordance with the terms and specifications of Contract Number: FL001717 on file in the Purchasing Office; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Operational Support in that it is immediately necessary to establish a purchase order so that the servers can be ordered and configured during the upgrade and installation on the CIC system and so as not cause any interruption in the over time line of the project with Smart Solutions Inc for the immediate preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a purchase order with Smart Solutions Inc for the purchase of Computer Hardware for the Division of Operational Support, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$36,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund 650

OCA: 600205

Object Level 1: 02

Object Level 3: 2193

Amount: \$15,120.00

Fund 675

OCA: 600215

Object Level 1: 02  
Object Level 3: 2193  
Amount: \$3,240.00

Fund 550

OCA: 600207  
Object Level 1: 02  
Object Level 3: 2193  
Amount: \$6,480.00

Fund 600

OCA: 600209  
Object Level 1: 02  
Object Level 3: 2193  
Amount: \$11,160.00

**TOTAL: \$36,000.00**

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.

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**Legislation Number:** 1330-2006

**Drafting Date:** 07/10/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Big Darby Watershed is one of the most biologically diverse aquatic systems in the Midwest and is among the top warm freshwater habitats in the nation. Ten communities collectively retained a team of consultants to develop a multi-jurisdictional plan for the area. That process began in April 2005 and involved substantial input from numerous stakeholders, several public meetings attended by hundreds of participants, consideration of related efforts and a project website.

The final Big Darby Watershed Master Plan was completed and presented to the elected leaders of partner jurisdictions on June 29, 2006. The plan's general land use map and other provisions work to balance development and conservation objectives and underscore the primary goal of safeguarding the Big Darby for future generations. The participating jurisdictions are working to establish a Memorandum of Understanding to guide ongoing cooperation and implementation of the Accord with an important first step being the Accord's adoption by partner communities. This legislation demonstrates Columbus' continued leadership in protecting the Darby through adoption of the plan.

**FISCAL IMPACT:** No funding is required for this legislation.

**Title**

To adopt the Big Darby Accord Watershed Master Plan.

**Body**

**WHEREAS**, the Big Darby Watershed is one of the most biologically diverse aquatic systems in the Midwest and is among the top warm, fresh water habitats in the United States; and

**WHEREAS**, each jurisdiction expressed its resolve to work cooperatively on the development of a plan that would protect the Big and Little Darby Creeks for future generations; and

**WHEREAS**, the ten jurisdictions: Columbus, Franklin County, Hilliard, Harrisburg, Grove City, Brown Township, Pleasant Township, Prairie Township, Norwich Township and Washington Township developed a Mission Statement to guide the planning process; and

**WHEREAS**, the parties retained a team of consultants to develop a multi-jurisdictional plan for the area; and

**WHEREAS**, that process began in April 2005 and involved substantial input from numerous stakeholders, several public meetings attended by hundreds of participants, consideration of related efforts and a project website and;

**WHEREAS**, the final Big Darby Watershed Master Plan representing a cooperative vision for the Franklin County portion of the Big Darby Watershed was completed and presented to elected leaders of partner jurisdictions on June 29, 2006; and

**WHEREAS**, that plan's general land use map and other provisions work to balance development and conservation objectives and underscore the primary goal of safeguarding the Big Darby; and

**WHEREAS**, participating jurisdictions are working to establish a Memorandum of Understanding to guide ongoing cooperation and implementation of the Accord with an important first step being the Accord's adoption by partner communities; and

**WHEREAS**, it is important and appropriate that the City of Columbus continue to show leadership in the protection of the Big Darby through support of the Big Darby Accord Watershed Master Plan; and

**WHEREAS**, with centralized sewer service being environmentally preferable to other septic and land application systems, the City of Columbus will continue to investigate the provision of additional centralized sewer capacity to the identified growth areas to reduce reliance on septic and other package systems within the accord area; and

**WHEREAS**, since the real benefits of traditional neighborhood design are only obtained through using all commercial and residential design elements, the unincorporated Town Center should consist of true traditional neighborhood development that incorporates all TND design components; and

**WHEREAS**, with well over a billion dollar shortfall in projected roadway financing in Columbus and Franklin County, a traffic analysis, similar to the Hayden Run study, of the accord area should be an early priority of the implementation process to determine responsibility for roadway and infrastructure financing with any development in the watershed area; and

**WHEREAS**, with ongoing concerns about the viability of income tax growth in Columbus to support city services, the City of Columbus will endeavor to derive mutually agreeable revenue sharing for major employment centers with other accord jurisdictions through the use of Joint Economic Development Districts and other mechanisms; and

**WHEREAS**, with so many Big Darby environmental protection issues being dependent on the consistency and quality of ongoing stream monitoring methods, the identification of how the structure of monitoring will be accomplished up to and including the potential for permanent staff should be explored early in the implementation process with periodic reports back to City Council and other jurisdictions; and

**WHEREAS**, since the objectives and ultimate success of the Big Darby Plan call for innovative designs for new development that protects natural features, such design elements as single loaded streets adjacent to stream beds, bike paths and pedestrian trail opportunities, best management practices for storm water control, stream restoration and buffer protection, preserved natural views, and common open space usage with cluster

**development, among others, will be diligently pursued where practical with new development; and**

**WHEREAS**, it is recognized that adoption of the plan will initiate a variety of implementation activities; Now, Therefore,

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

Section 1: That the June 2006 Final Big Darby Accord Watershed Master Plan is hereby adopted.

Section 2: That the Environmental Conservation District section of Chapter 8 of the 1993 Columbus Comprehensive Plan is hereby amended to read in its entirety as follows: "Land planning and development in the Environmental Conservation District, including the extension of water and sewer service from the City of Columbus, shall be consistent with and in accordance with the June 2006 Final Big Darby Accord Watershed Master Plan, which plan is hereby incorporated as if fully restated."

Section 3: That the June 2006 Final Big Darby Accord Watershed Master Plan also serves as an update to any elements of the 1994 Westland Area Plan, the 1991 West Columbus Interim Development Concept and the 2004 Interim Hayden Run Corridor Plan that apply to the areas within the Darby Watershed. The June 2006 Final Big Darby Accord Watershed Master Plan shall prevail over any conflicting sections of these plans. The Department of Development is authorized to modify and update these plans as necessary to make them consistent with the June 2006 Final Big Darby Accord Watershed Master Plan.

Section 4: That all departments and divisions of the City administration are hereby authorized and directed to use the said Big Darby Accord Watershed Master Plan in initiating or reviewing proposed projects in the subject area and to require that such proposals generally conform to said plan provisions.

Section 5: That the Department of Development is directed to monitor the use of this plan, and to present to City Council any modifications necessary to keep it up to date.

Section 6: That copies of the Big Darby Accord Watershed Master Plan shall be kept on file in the Department of Development, Planning Division.

Section 7: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1331-2006

**Drafting Date:** 07/10/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** To modify and extend the existing city-wide contract for the option to purchase Integrated Pest Management to and including November 30, 2006. Formal bids were opened by the Purchasing Office on October 3, 2002. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA000327BGB). FL001503, with Orkin Commercial was established in accordance with bids received. Their contract compliance number is 58-0942031 expires 02/09/07.

1. Amount of additional funds: The estimated annual expenditure for the contract is \$40,000.00. Various City agencies must obtain approval to expend from their own budgeted funds for their estimated expenditures.
2. Reason additional needs were not foreseen: The need was foreseen. New bid proposals were solicited and received by the City. All bidders were determined to be non responsive to the needs of the City. New specifications are being

developed to more adequately address those needs.

3. Reason other procurement processes not used: New specifications are near completion and a new contract is anticipated to be completed by December 1, 2006.

4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

FISCAL IMPACT: No funding is required to extend the option contracts. Various City agencies must set aside their own funding for their estimated expenditures.

To maintain an uninterrupted supply of service to the City Agency using the Universal Term Contract, this ordinance is be submitted as an emergency.

**Title**

To authorize and direct the Finance and Management Director to modify and extend the UTC for the option to purchase Integrated Pest Management with Orkin Commercial 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 FL001503 at current prices and conditions to and including November 30, 2006, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid a lapse in our ability to provide Integrated Pest Management, this is being submitted for approval as an emergency measure; and

WHEREAS, Integrated Pest Management is necessary to properly maintain numerous City facilities,

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to extend FL001503 for an option to purchase Integrated Pest Management 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 and Management Director be and is hereby authorized and directed to modify and extend FL001503 with Orkin Commercial. to and including November 30, 2006.

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.

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**Legislation Number:** 1333-2006

**Drafting Date:** 07/10/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** The following legislation authorizes the City Attorney to file the necessary complaints for the

appropriation of permanent easements in and to real estate necessary for **the Agler Road and Cassady Avenue Intersection Improvement Project**.

**Fiscal Impact:** Funding for this project is from the Department of Transportation Division, General Permanent Improvement Fund.

**Emergency Justification:** Emergency action is requested to allow acquisition-related activities to be completed without delay to allow construction of the proposed improvements to commence in 2006.

**Title**

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate **Agler Road and Cassady Avenue Intersection Improvement Project**, to authorize the expenditure of \$2,620.00 from the General Permanent Improvement Fund and to declare an emergency.

**Body**

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Agler Road and Cassady Avenue Intersection Improvement Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0096X-2006, on the 5th day of June, 2006, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That construction and permanent easements in and to the following described real property, be appropriated for the public purpose of the **Agler Road and Cassady Avenue Intersection Improvement Project, #537650**, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909:

3P  
PID 010-107906

Situated in the State of Ohio, County of Franklin, City of Columbus, being in the southwest quarter Township 1, Range 17, United States Military Lands and being part of the 0.517 acres tract as conveyed by Instrument Number 199712040159776, Records Office, Franklin County, Ohio and bounded and described as follows:

Beginning at a point at the intersection of the Easterly edge of the Cassady Ave right-of-way (50 feet) and the southerly edge of the Agler Road right-of-way (50 feet), said point being the northwesterly corner of said 0.517 acre tract and northwesterly corner of the tract herein intended to be described;

Thence South 89° 25' East 30.05 feet parallel to the centerline of Agler Road to a point on the Southerly right-of-way of Agler Road;

Thence South 45° 17' 30" West 42.28 feet to a point on the Easterly right-of-way of Cassady Ave.;

Thence due North 30.05 feet parallel to the centerline of Cassady Ave. to a point and the Point of

Beginning, containing 0.01 acres, more or less.

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

Section 3. That the Council of the City of Columbus, Ohio, hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 4. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be Two Thousand Six Hundred Twenty Dollars (\$2,620.00).

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

Section 6. That the expenditure of \$2,620.00, or so much thereof as may be necessary for the **Agler Road and Cassidy Avenue Intersection Improvement Project**, Project #537650, from the General Permanent Improvement Fund, OCA Code 748599, Object Level Three 6601, Certificate No. AC025687, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

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

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**Legislation Number:** 1334-2006

**Drafting Date:** 07/10/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### Explanation

**Background:** The City of Columbus, Department of Recreation and Parks, desires to enter into a purchase agreement with Blausen Capital, LLC., for 30.1 acres  $\pm$  of certain real property located in the vicinity of West Broad Street and Darby Creek Road. The subject land is to be purchased for park certain development and for a future recreation center. The contract is in the amount of \$1,910,000.00, which includes \$10,000 for incidental expenses related to the acquisition of the property. Therefore it is necessary to authorize the Director of the Recreation and Parks Department to execute those documents as approved by the Department of Law, Real Estate Division for the purchase of the aforementioned real property, and to expend \$1,910,000.00 for cost relevant to its acquisition.

This ordinance will authorize the transfer of \$490,305.68 within the Voted 1999/2004 Parks and Recreation Bond Fund No. 702.

**Fiscal Impact:** \$1,910,000 is budgeted in the Voted 1999/2004 Parks and Recreation Bond Fund to meet the financial obligation of this project.

**Emergency Justification:** Emergency action is requested to allow this acquisition to proceed in agreement with the closing transaction deadline and other terms and conditions of the purchase contract.

To authorize the Director of the Recreation and Parks Department of Recreation and Parks, to enter into a purchase agreement with Blausen Capital, LLC., for 30.1 acres ± of certain real property located in the vicinity of West Broad Street and Darby Creek Road to be purchased for park development and for a future recreation center, to expend \$1,910,000.00 from the Recreation and Parks Bond Fund; to authorize the transfer of \$490,305.68 within the Voted 1999/2004 parks and Recreation Bond Fund, and to declare an emergency.

**Body**

WHEREAS, the City of Columbus, Recreation of Parks Department, desires to enter into a purchase contract, between the City and Blausen Capital, LLC., for 30.1 acres ± for the acquisition of certain real property located in the vicinity of West Broad Street and Darby Creek Road, for use in connection with the Recreation and Parks Land Acquisition Project; and

WHEREAS, the subject real property is to be purchased for park development and for a future recreation center; and

WHEREAS, the contract is in the amount of \$1,910,000.00, which includes \$10,000.00 for incidental expenses related to the acquisition of the property; and

WHEREAS, it is necessary to expend \$1,910,000.00 from the Recreation and Parks Bond Fund in order to purchase the subject real property; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of the Recreation and Parks to execute those documents necessary for the purchase of said real property for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Recreation and Parks Department be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary for the purchase of the subject real property, which in total is a 30.1 acre ± portion of its property which is located in the Columbus/South-western School District, County Auditor's Tax Parcel Number 010-256886.

Section 2. That the expenditure of \$1,910,000.00, or so much thereof as may be necessary for the Recreation and Parks Land Acquisition Project, Project #510112, from the Recreation and Parks Bond Fund, # 702 Fund, OCA Code 644526, Object Level Three 6601, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

Section 3. That the City Auditor is hereby authorized to transfer \$490,305.68 within the voted 1999/2004 Parks and Recreation Bond fund No. 702, Dept. 51-01, from Northland Improvements, Project No. 510321, OCA Code 644526, Object Level 3 6621 to Land Acquisition, Project No. 510112, OCA Code 644526, and object level 3- 6601.

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.

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**Legislation Number:** 1337-2006

**Drafting Date:** 07/10/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

1. BACKGROUND:

A. Need: The Columbus Division of Fire received a grant award from the Ohio Division of EMS to purchase training and

patient care equipment. It is necessary to accept the grant and appropriate the funds.

B. Bid Information: N/A

C. Contract Compliance: N/A

D. Emergency Designation: We are currently in the grant cycle and would like to begin purchases.

2. FISCAL IMPACT: This is a 100% grant and there is no matching requirement from the General Fund.

**Title**

To authorize the Columbus Fire Chief to accept a grant award from the State of Ohio Division of EMS for the purchase of training and patient care equipment for the Division of Fire, to appropriate \$3,500.00 from the unappropriated balance of the General Government Grant Fund, and to declare an emergency. (\$3,500.00)

**Body**

WHEREAS, it is in the best interest of the Fire Chief to accept a grant award for the Division of Fire for training and patient care equipment for the State of Ohio Division of EMS; and

WHEREAS, it is necessary to appropriate funds for said grant; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is necessary to authorize and direct the grant acceptance and appropriation of funds for the grant 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 Fire Chief be and he is hereby authorized to accept a grant award in the amount of \$3,500.00 from the State of Ohio Division of EMS for the Division of Fire training and patient care equipment.

Section 2. That from the unappropriated monies in the General Government Grant Fund, Fund No. 220, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$3,500.00 is appropriated to the Division of Fire as follows:  
Division 30-04, Fund 220, Object Level 1, 02, OCA Code 347002, Grant No. 347002, Amount \$3,500.00.

Section 3. That the monies in Section 2 shall be paid upon order of the Director of Public Safety; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That for 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.

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**Legislation Number:** 1342-2006

**Drafting Date:** 07/10/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

The City of Columbus currently has an excessive amount of vacant office space in our downtown market. This high vacancy rate is having a negative impact on all business activity downtown and throughout the city. Expesite LLC is currently exploring downtown Columbus as a potential site for their relocation. They anticipate creating 30 new positions downtown. This new job creation is estimated to generate \$2.3 million of payroll and \$46,000 annually in City income tax

revenue. Based on this estimate, they would qualify for a Columbus Downtown Office Incentive of an amount equal to 50% of the payroll taxes paid or \$23,000 each year for five (5) years. The Downtown Development Office recommends granting the Columbus Downtown Office Incentive Program to Expesite LLC.

**FISCAL IMPACT:**

No funding is required for this legislation.

**Title**

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Expesite LLC as provide in Columbus City Council Resolution 075X-2004 adopted March 29, 2004.

**Body**

**WHEREAS**, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

**WHEREAS**, Resolution 075X-2004, adopted March 29, 2004, authorized the Department of Development to establish the Columbus Downtown Office Incentive program; and

**WHEREAS**, the Department of Development has received a completed application for the Columbus Downtown Office Incentive Program from Expesite LLC; and

**WHEREAS**, Expesite LLC estimates that it will create 30 new jobs at 278 North Fifth Street, with a projected payroll of \$2.3 million generating estimated City of Columbus income tax revenue of \$46,000 annually; **NOW, THEREFORE**,

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

- Section 1.** That the Director of the Department of Development is hereby authorized to enter into the Columbus Downtown Office Incentive Program agreement with Expesite LLC pursuant to Columbus City Council Resolution 075X-2004, for an annual cash payment equal to 50% of the total income tax withholding for the new positions located in downtown Columbus for a term of five (5) years based on the estimated addition of 30 jobs at 278 North Fifth Street.
- Section 2.** This employment at Expesite LLC is the result of creating 30 new jobs at the Downtown site as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.
- Section 3.** As provided in the program guidelines the proposed 7-year lease at 278 North Fifth Street qualifies Expesite LLC for a five (5) year incentive term. The term beginning in calendar year 2007, with the incentive payment made in the first quarter of the following year based on actual City of Columbus income tax withholding paid by employees for the preceding year.
- Section 4.** Each year of the term of the agreement with Expesite LLC that a payment is due, the City's obligation to pay the incentive is expressly contingent upon the passing of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.
- Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1343-2006

**Drafting Date:** 07/10/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

The City of Columbus currently has an excessive amount of vacant office space in our downtown market. This high vacancy rate is having a negative impact on all business activity downtown and throughout the city. Hexion Specialty Chemicals is the world's largest producer of binders, adhesives, coatings and ink resins for industrial applications employing over 7000 people worldwide. The world headquarters for this large multinational company is located in the Borden Building at 180 East Broad Street. Their net sales grew to over \$4 billion in 2005. They are currently exploring downtown Columbus for substantial expansion in the corporate headquarters workforce. They anticipate nearly doubling their downtown employment from 155 to an estimated 300 people by 2008 with an estimated annual payroll of \$25 million. This expansion will result in annual City income tax revenue growing from \$275,000 to \$500,000 by 2008. Based on this anticipated expansion and the signing of a twelve year lease for space in the Borden Building (180 East Broad Street), the Downtown Development Office recommends granting a Columbus Downtown Office Incentive (CDOI) of an amount equal to 50% of the payroll taxes paid on the new to Columbus employees located in the Borden Building (180 East Broad Street) each year for eight (8) years.

#### **FISCAL IMPACT:**

No funding is required for this legislation.

### **Title**

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Hexion Specialty Chemical, Inc. as provide in Columbus City Council Resolution 075X-2004 adopted March 29, 2004.

### **Body**

**WHEREAS**, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

**WHEREAS**, Resolution 075X-2004, adopted March 29, 2004, authorized the Department of Development to establish the Columbus Downtown Office Incentive Program as modified by this legislation to provide the eight year incentive based on growth of payroll instead of growth in the number of jobs created exclusively; and

**WHEREAS**, the Department of Development has received a completed application for the Columbus Downtown Office Incentive Program from Hexion Specialty Chemical, Inc.; and

**WHEREAS**, Hexion Specialty Chemical, Inc. estimates they will create an estimated 145 new jobs at their Corporate Headquarters at 180 East Broad Street (the Borden Building), with a projected payroll of \$25 million generating estimated City of Columbus income tax revenue of \$500,000 annually by 2008; **NOW, THEREFORE,**

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

- Section 1.** That the Director of the Department of Development is hereby authorized to enter into a Columbus Downtown Office Incentive Program agreement with Hexion Specialty Chemical, Inc., pursuant to Columbus City Council Resolution 075X-2004, for an annual cash payment equal to 50% of the total income tax withholding for the new positions located in downtown Columbus for a term of eight (8) years based on the estimated payroll of \$25 million at 180 East Broad Street.
- Section 2.** This employment at Hexion Specialty Chemical, Inc. is the result of creating 145 new jobs and a projected payroll of \$25 million in the Downtown as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.
- Section 3.** Hexion Specialty Chemical, Inc. will qualify for an eight (8) year incentive term based on the size on the payroll and a twelve year lease, the retention of 155 jobs as well as the anticipated creation of 145 new positions by 2008. The term beginning in calendar year 2006, with the incentive payment made in the first quarter of the following year based on actual City of Columbus income tax withholding paid by employees for the preceding year.
- Section 4.** Each year of the term of the agreement with Hexion Specialty Chemical, Inc. that a payment is due, the City's obligation to pay the incentive is expressly contingent upon the passing of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.
- Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 1344-2006

**Drafting Date:** 07/10/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationOne goal of the *Columbus Covenant* is to engage and promote strong, distinct and vibrant neighborhoods. The area represented by the Franklinton Area Commission contains an excellent urban street network that serves vehicular, bicycle and pedestrian traffic. There is a need to develop a comprehensive Franklinton Community Mobility Plan using professional consultant services in support of the pedestrian, traffic calming and neighborhood mobility programs to enhance pedestrian safety and neighborhood livability in this area.

This ordinance authorizes the Public Service Director to enter into a contract with Evans, Mechwart, Hambleton and Tilton, Incorporated (EMH&T) for the development of a Franklinton Community Mobility Plan (FCMP) in the amount of \$300,000.00. Also, given the positive role of MORPC in the Linden Area Traffic management Plan, we have specified that the community involvement aspects of the planning process will be led by MORPC. Services will include producing the FCMP that will be used to develop pedestrian safety and traffic calming strategies to enhance the livability and vitality of Franklinton neighborhoods. The study area follows the boundaries of the Franklinton Area Commission (Scioto River to the north and east, Stimmel Road/Greenlawn Avenue to the south and Interstate 70 to the west). A professional services contract is needed to assure timely completion of the plan development.

The selection process for this professional services contract was completed in accordance with provisions of Chapter 329.14 of the City Code. Two firms, EMH&T, Inc. and ms consultants, inc. submitted proposals. The evaluation committee determined that EMH&T, contract compliance number 31-0685594 (expiring November 29, 2007), submitted

the best overall proposal for the work. The Public Service Director concurs with the recommendation of the evaluation committee to select EMH&T to develop the FCMP.

**Fiscal Impact:** The sum of \$300,000.00 is budgeted and available within the Transportation Division's 2006 Capital Improvements Budget in the 1995, 1999, 2004 Voted Streets and Highways Fund in the Pedestrian Safety Improvements project for this work.

Emergency legislation is requested in order to allow EMH&T to commence data collection and public engagement activities at the opportune time (summer and fall). The City's timely participation is vital to the success of this project and future community mobility plans.

TitleTo authorize the Public Service Director to enter into a contract with Evans, Mechwart, Hambleton and Tilton, Incorporated (EMH&T) for professional services associated with the development of the Franklinton Community Mobility Plan for the Transportation Division; to authorize the expenditure of \$300,000.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$300,000.00)

Body**WHEREAS**, one goal of the *Columbus Covenant* is to engage and promote strong, distinct and vibrant neighborhoods; and

**WHEREAS**, the area represented by the Franklinton Area Commission contains an excellent urban street network that serves vehicular, bicycle and pedestrian traffic; and

**WHEREAS**, there is a need to develop a comprehensive Franklinton Community Mobility Plan utilizing a professional services consultant in support of the pedestrian, traffic calming and neighborhood mobility programs to enhance pedestrian safety and neighborhood livability; and

**WHEREAS**, the Transportation Division received and evaluated proposals in accordance with the City Code; and

**WHEREAS**, an emergency exists in the daily operation of the Public Service, Transportation Division, in that it is immediately necessary to authorize a contract and its resulting expenditure for this purpose to commence data collection and public engagement activities at the opportune time (summer and fall), thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Public Service Director be and hereby is authorized to enter into a contract with Evans, Mechwart, Hambleton and Tilton, Incorporated (EMH&T), 5500 New Albany Road, Columbus, Ohio 43054 in an amount not to exceed \$300,000.00 for professional services associated with development of the Franklinton Community Mobility Plan for the Transportation Division.

**SECTION 2.** That the expenditure of \$300,000.00 or so much thereof as may be needed, be and hereby is authorized from Fund 704, the 1995, 1999, 2004 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6682, OCA Code 644377 and Project 590105 for this purpose.

**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:** 1347-2006

**Drafting Date:** 07/11/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

This legislation authorizes the Director of Public Utilities to enter into a service agreement for one (1) year for support and maintenance of software on various testing equipment located at the Division of Sewerage and Drainage Surveillance Laboratory with Perkin Elmer Instruments LLC. The agreement will be in effect from July 1, 2006 up to and including June 30, 2007. Perkin Elmer Instruments LLC is the single manufacturer and distributor of the equipment and software developer.

This ordinance is being submitted in accordance with the provisions of Sole Source procurement of the Columbus City Code Section 329.07.

The equipment is vital to the wastewater treatment process. It is used to test for metals in wastewater at the Jackson Pike and Southerly Wastewater Treatment Plants, and in the Industrial Pre-Treatment Section.

Emergency legislation is being requested so that there is no interruption in the support and service of the software at the Surveillance Laboratory.

SUPPLIER: Perkin Elmer Instruments LLC (04-3465240)

FISCAL IMPACT: \$25,356.00 is needed and budgeted for this service.

\$20,208.00 was spent in 2005

\$19,392.00 was spent in 2004

### **Title**

To authorize the Director of Public Utilities to enter into a service agreement with Perkin Elmer Instruments LLC for software maintenance and support of equipment located at the Surveillance Laboratory within the Division of Sewerage and Drainage in accordance with the provisions of sole source procurement of the Columbus City Code, to authorize the expenditure of \$25,356.00 from the Sewerage System Operating Fund and to declare an emergency. (\$25,356.00)

### **Body**

WHEREAS, the Division of Sewerage and Drainage, Surveillance Laboratory has wastewater testing equipment used to analyze metals in the wastewater at Jackson Pike and Southerly Wastewater Treatment Plants and the Industrial Pre-Treatment Lab that requires maintenance and support of the software within the equipment, and

WHEREAS, Perkin Elmer is the manufacturer and distributor of said equipment and software and has submitted a quotation for the one (1) year service agreement and is the sole authorized company to service the equipment, and

WHEREAS, the Division of Sewerage and Drainage is requesting this agreement to be established in accordance with the provisions of the sole source procurement of the Columbus City Code, Section 329.07, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to enter into a one (1) service agreement so that the services can continue without interruption and that the agreement can be executed in the earliest time available with Perkin Elmer Instruments LLC for the immediate preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into a service agreement with Perkin Elmer Instruments LLC for the support and maintenance of software and testing equipment for the Division of Sewerage and Drainage, Surveillance Laboratory.

Section 2. That this service agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

Section 3. That the expenditure of \$25,356.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, OCA 605105, Object Level 1: 03, Object Level 03: 3372.

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

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**Legislation Number:** 1349-2006

**Drafting Date:** 07/11/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation Background:** This legislation authorizes a modification to the design contract with ms consultants, inc. for the Gay Street Traffic Calming General Engineering project. This project is being designed to convert Gay Street to two way operation from Front Street to Cleveland Avenue. This modification provides for inclusion of water line work, sanitary sewer lining, and manhole rehabilitation work at the request of the Department of Public Utilities. This work is being included in this contract to better coordinate with several private development projects and to avoid reopening the street after the two way conversion is completed. This modification is an addition to the original scope of services but is a continuation of the existing work being performed and would not be practical to contract with a different consultant. Using the same consultant eliminates any overlapping survey and design work and allows the project to maintain the existing schedule. Hourly rates, overhead rate and the percent profit were negotiated based on the original contract. ms consultants, Inc., contract compliance number 34-6546916 (expires 7/28/2008), was selected in accordance with Chapter 329 for professional service contracts.

The original contract amount was	\$300,000.00
This modification	<u>\$217,429.73</u>
The contract amount, including all modifications is	\$517,429.73

**Emergency action** is requested for immediate modification of the design contract for the earliest possible completion of the design to stay on schedule for construction and preserve the safety and welfare of the public.

**Fiscal Impact:** Funds in the amount of \$20,000.00 are budgeted and available in the Waterworks Enlargement Voted 1991 Bonds Fund and funds in the amount of \$197,429.73 are available in the Voted Sanitary Bond Fund.

**Title** To authorize the Director of Public Service to modify and increase the contract with ms consultants, inc. for the Gay Street Traffic Calming General Engineering project for the Transportation Division; to authorize the expenditure of \$20,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund; and the transfer and expenditure of \$197,429.73 from within the Voted Sanitary Bond Fund; and to declare an emergency (\$217,429.73).

**Body WHEREAS:** contract no. EL-005933 was authorized by ordinance no. 2102-2005, passed March 6, 2006, executed April 12, 2006, and approved by the City Attorney on April 18, 2006; and

**WHEREAS:** it is necessary to modify this contract to complete additional design for water, sewer and storm work as per the consultant's letter dated July 5, 2006 for the Gay Street traffic Calming General Engineering project; and

**WHEREAS:** an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay to maintain existing project schedules, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**Section 1.** That the Director of Public Service be and is hereby authorized to modify and increase contract no. EL-005933, with ms consultants, inc., to complete the design, construction plans, and permits for the Gay Street traffic Calming General Engineering project in accordance with the plans on file in the office of the Public Service Director.

**Section 2.** That for the purpose of paying the cost of the waterline improvements, the sum of \$20,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Waterworks Enlargement Voted 1991 Bonds Fund, Dept/Div. 60-09, OCA code 642900, Object Level 6629, and project no. 690026.

**Section 3.** That the City Auditor is hereby authorized and directed to transfer \$197,429.73 from within the Voted Sanitary Bond Fund No. 664, for the Division of Sewerage and Drainage as follows:

FROM:

650489-Big Run San. Subt.| Obj. Level 3: 6676| OCA 651489| \$197,429.73

TO:

650404-Sanitary System Rehab.| Object Level 3: 6676| OCA 655266| \$197,429.73

**Section 4.** That for the purpose of paying the cost of the sanitary sewer, identified as Sanitary System Rehabilitation-Gay St. Combined sewer Rehabilitation, the sum of \$197,429.73 or so much thereof as may be needed, is hereby authorized to be expended from the Fund 664| Div. 60-05| Proj: 650404| San. Sys Rehab.| OCA 655266| OL3: 6676.

**Section 5.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

**Section 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.

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**Legislation Number:** 1352-2006

**Drafting Date:** 07/11/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this ordinance is to create a Storm Sewer System Permanent Improvement Fund. Money deposited into the fund will come from funds arising from capital projects heretofore completed or in the process of completion. The purpose of any expenditure from the fund will be limited to future capital projects.

The Storm Sewer System Permanent Improvement Fund will be maintained in the custody of the City. Monies held in the Fund may be used to pay costs of improvements to the Storm Sewer System.

To authorize the City Auditor to create and maintain a Storm Sewer System Permanent Improvement Fund.

**Body**

WHEREAS, it has been determined that there is a need for a Storm Sewer System Permanent Improvement Fund; and

WHEREAS, money deposited into the fund will come from funds arising from capital projects heretofore completed or in the process of completion and the purpose of any expenditure from the fund will be limited to future capital projects; and

WHEREAS, the Storm Sewer System Permanent Improvement Fund will be maintained in the custody of the City; and

WHEREAS, monies held in the Storm Sewer System Permanent Improvement Fund may used to pay costs of improvements to the Storm Sewer System; now therefore

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

Section 1. That the City Auditor be and is hereby authorized to create a Storm Sewer System Permanent Improvement Fund.

Section 2. That money deposited into the fund will come from funds arising from capital projects heretofore completed or in the process of completion and the purpose of any expenditure from the fund will be limited to future capital projects

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

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**Legislation Number:** 1355-2006

**Drafting Date:** 07/11/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe Public Service Department, Transportation Division, is actively engaged in the Hard Road Improvement project. This project will ultimately widen Hard Road to five lanes between Sawmill Road to the west and State Route 315 to the east, provide a grade separation at the intersecting railroad and include sidewalk, curb and gutter, bike lane, drainage, traffic signal and street lighting improvements. Three schools, Granby Elementary, McCord Middle and Worthington Kilbourne High are adjacent to the project limits. The project is being undertaken in three distinct phases called Phase A, phase B and Phase C. Phase B (Smokey Row Road to Linworth Road) is nearing completion of construction. Phase C (Linworth Road to SR 315) is in advanced design and right-of-way acquisition. Phase A (Sawmill Road to Smokey Row Road) is pending.

This legislation authorizes a modification to the existing design contract with URS Corporation for the Hard Road Phase C project. The modification is necessary to compensate the designer for additional work due to revised city and state standards and guidelines. The designer is being asked to provide additional plan design changes and updates for new residential development that has occurred along Hard Road and modify the plans for changes in sidewalks, bike facilities and post construction storm water best management practices. The modification also includes changes to the left turn lanes, bridge structure and drainage structures on State Route 315 as required by the Ohio Department of Transportation.

This modification is an addition to the original scope of services and is a continuation of the work being performed and it would not be practical to contract with a different consultant.

Current hourly rates, overhead rate and percentage of profit for this project have been updated to reflect changes in rates negotiated at the commencement of the project. URS Corporation, contract compliance number 34-0939859 (expires September 2, 2007) was selected in 1997 in accordance with City Code Chapter 329 for engaging professional service

providers.

The City entered into a contract for \$698,200.00 for the design of Phase B with URS Corporation (aka URS Greiner, Incorporated) on May 12, 1998 as authorized by Ordinance 0950-1998 passed by City Council April 6, 1998 (Contract CT-19317). This contract was modified and increased by \$755,712.00 on May 31, 2001 as authorized by Ordinance 0812-2001 passed May 4, 2001 to include the design of Phase C. The contract was further modified and increased by \$200,000.00 for a change in the scope of service by Ordinance 1056-2004 passed July 21, 2004. This new modification is for \$163,000.00. The previous contract amount including all modifications is \$1,653,912.00. The total contract amount, including this and all previous modifications is \$1,816,912.00.

**Fiscal Impact:** This specific expense is unbudgeted, however, funds in the amount of \$163,000.00 are available within the Transportation Division's 2006 Capital Improvements Budget in the 1995, 1999, 2004 Streets and Highways Fund in the Federal/State Match project that can be used for this purpose due to delays in the construction of the Roberts Road Improvement project. This ordinance transfers these funds within and from this Fund to the Federal State Highway Engineering Fund, where they are appropriated and authorized for expenditure. This portion of funding for the Roberts Road project will be replaced with proceeds from a future bond sale.

Emergency action is requested for immediate modification of the design contract for the earliest possible completion of the design to allow the project to stay on schedule for construction.

TitleTo authorize the City Auditor to transfer \$163,000.00 within and from the 1995, 1999, 2004 Voted Streets and Highways Fund to the Federal State Highway Engineering Fund; to appropriate \$163,000.00 within the Federal State Highway Engineering Fund; to authorize the Public Service Director to modify and increase the existing design contract with URS Corporation for the Hard Road Phase C project by \$163,000.00; to authorize the expenditure of \$163,000.00 or so much thereof as may be needed from the Federal State Highway Engineering Fund; and to declare an emergency. (\$163,000.00)

Body**WHEREAS**, Contract CT-19317 for the Hard Road Phase C project was authorized by Ordinance 0950-98, passed April 6, 1998, executed and approved by the City Attorney on May 14, 1998; and

**WHEREAS**, it is necessary to modify this contract to increase the scope of service per the consultant's cost proposal dated June 20, 2006; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay to allow the project to stay on schedule for construction, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the transfer of \$163,000.00 within Fund 704, the 1995, 1999, 2004 Voted Streets and Highways Fund, Department No. 59-09, Transportation Division, be and hereby is authorized as follows:

TRANSFER FROM:

project # / project / Object Level One Code/Object Level Three Code / OCA Code  
530208 / Federal/State Match / 06/6600 / 644385

Total Transfer From: \$163,000.00

TRANSFER TO:

project # / project / Object Level One/Object Level Three Code / OCA Code  
530208 / Federal/State Match / 10/5501 / 644385

Total Transfer To: \$163,000.00

**SECTION 2.** That the transfer of \$163,000.00 between Funds be and hereby is authorized as follows for Department No. 59-09, the Transportation Division:

TRANSFER FROM:

fund / project # / project / Object Level One Code/Object Level Three Code / OCA Code  
704 / 530208 / Federal/State Match / 10/5501 / 644385

Total Transfer From: \$163,000.00

TRANSFER TO:

fund / grant # / grant / Object Level One Code/Object Level Three Code / OCA Code  
765 / 561001 / Hard Road / 06/6681 / 561001

Total Transfer To: \$163,000.00

**SECTION 3.** That the sum of \$163,000.00 be and hereby is appropriated from the unappropriated balance of Fund 765, the Federal State Highway Engineering Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2006, to Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6681, OCA Code 561001 and Grant 561001.

**SECTION 4.** That the monies appropriated in the foregoing Section 3 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 5.** That the Public Service Director be and hereby is authorized to modify and increase Contract CT-19317 with URS Corporation, 277 West Nationwide Boulevard, Columbus, Ohio 43215-2566 to complete the contract construction plans for the Hard Road Phase C project in accordance with the Scope of Service and consultant's modification request that are on file in the office of the Public Service Director.

**SECTION 6.** That for the purpose of paying the cost thereof, the sum of \$163,000.00 or so much thereof as may be needed, be and hereby is authorized to be expended from Fund 765, the Federal State Highway Engineering Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6681, OCA Code 561001 and Grant 561001.

**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:** 1357-2006

**Drafting Date:** 07/11/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### Explanation

**Background:** The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the **Riverview Drive Improvement Project**.

**Fiscal Impact:** Funding for this project is from the Public Service Department, Transportation Division, 1995, 1999, 2004 Voted Streets and Highways Fund.

**Emergency Justification:** Emergency action is requested to allow right-of-way acquisition-related activities to continue so construction of the proposed improvement project can proceed without delay.

### Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the **Riverview Drive Improvement Project**, to authorize the expenditure of \$19,633.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund Fund, and to declare an emergency. (\$19,633.00).

### Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Riverview Drive Improvement Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0098X-2006, on the 12th day of June, 2006, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the **Riverview Drive Improvement Project, #530161**, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

#### PARCEL 16T

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

Being part of Lot Nos. 65 and 66 in the Frank P. Colwells Riverview Parcels, an unrecorded plat which can be found in the Auditors Office, Franklin County, Ohio, Auditors Plat Book 12 Page 36.

Beginning at the grantor's southwesterly comer, the southwesterly comer of Lot No. 65, and in the northerly line of Riverview Drive, 25.00 feet left of Station 31+24.95 centerline of survey of Riverview Drive;

Thence along the grantor's westerly line and the westerly line of Lot No. 65, North 03°35'23"

East a distance of 25.00 feet to a point 50.00 feet left of Station 31+24.95 centerline of survey of Riverview Drive;

Thence South 86°24'37" East a distance of 17.00 feet to a point 50.00 feet left of Station 31+41.95 in the centerline of survey of Riverview Drive;

Thence South 35°13'43" East a distance of 12.83 feet to a point 40.00 feet left of Station 31+50.00 centerline of survey of Riverview Drive;

Thence South 73°05'09" East a distance of 39.05 feet to a point 31.00 feet left of Station 31+88.00 centerline of survey of Riverview Drive;

Thence South 86°24'37" East a distance of 16.00 feet to a point 31.00 feet left of Station 32+04.00 centerline of survey of Riverview Drive;

Thence North 59°50'32" East a distance of 25.20 feet to a point in the grantor's easterly line and the easterly line of Lot No. 66, said point being 45.00 feet left of Station 32+24.95 centerline of survey of Riverview Drive;

Thence along the grantor's easterly line and the easterly line of Lot No. 66, South 03°35'23" West a distance of 20.00 feet to the grantor's southeasterly comer and the southeasterly comer of Lot No. 66, in the northerly line of Riverview Drive, said point being 25.00 feet left of Station 32+24.95 centerline of survey of Riverview Drive;

Thence along the grantor's southerly line, the southerly line of Lot Nos. 66 and 65, and the northerly line of Riverview Drive, North 86°24'37" West a distance of 100.00 feet to the point of beginning containing 0.031 acres more or less.

Bearings are based on NAD 83 Ohio South Zone.

Section 2. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the **Riverview Drive Improvement Project, #530161**, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

#### **PARCEL17T**

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

Being part of Lot No. 67 in the Frank P. Colwells Riverview Parcels, an unrecorded plat which can be found in the Auditors Office, Franklin County, Ohio, Auditors Plat Book 12 Page 36.

Beginning at the grantor's southwesterly comer, the southwesterly comer of Lot No. 67, and in the northerly line of Riverview Drive, 25.00 feet left of Station 32+24.95 centerline of survey of Riverview Drive;

Thence along the grantor's westerly line and the westerly line of Lot No. 67, North 03°35'23" East a distance of 20.00 feet to a point 45.00 feet left of Station 32+24.95 centerline of survey of Riverview Drive;

Thence South 86°24'37" East a distance of 12.00 feet to a point 45.00 feet left of Station 32+36.95 in the centerline of survey of Riverview Drive;

Thence South 73°05'09" East a distance of 39.05 feet to a point in the grantor's easterly line and the easterly line of Lot No. 67, said point being 36.00 feet left of Station 32+74.95 centerline of survey of Riverview Drive;

Thence along the grantor's easterly line and the easterly line of Lot No. 67, South 03°35'23" West a distance of 11.00 feet to the grantor's southeasterly comer and the southeasterly comer of Lot No. 67, in the northerly line of Riverview Drive, said point being 25.00 feet left of Station 32+74.95 centerline of survey of Riverview Drive;

Thence along the grantor's southerly line, the southerly line of Lot No. 67, and the northerly line of Riverview Drive, North 86°24'37" West a distance of 50.00 feet to the point of beginning containing 0.019 acres more or less.

Bearings are based on NAD 83 Ohio South Zone.

This description is based on a survey made by Eriksson Engineering Limited for the City of Columbus in 2000, William G. Young, Registered Surveyor No. 6109.

Said stations stipulated in the plans for Riverview Drive on file with the City of Columbus.

Grantor claims title by instrument of record in 07033107 Franklin County Records Office.

Section 3. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the **Riverview Drive Improvement Project, #530161**, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

#### PARCEL 19WD

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

Being part of a 0.509 acre tract in Section 3, Township I, Range 18, United States Military Lands, and being part of Lot No.3 of Exhibit "A" of an amicable partition made among the heirs of Henry T. Slyh, deceased, as the same is shown of record in Plat Book 5, Page 238, Franklin County, Ohio recorders office, and also being part of P. Colwells Riverview Parcels an unrecorded plat delineated in Plat Book 12, Page 38, Auditors Office, Franklin County, Ohio, now known as Lot No. 72, and described as follows:

Commencing at the intersection of Riverview Drive and Olentangy River Road, Station 39+38.99 centerline of survey of Riverview Drive, which equals Station 121+20.80 centerline of survey Olentangy River Road;

Thence along the centerline of Riverview Drive North 86°24'37" West a distance of 113.50 feet to a point Station 38+25.49 in the centerline of survey of Riverview Drive;

Thence North 03°35'23" East a distance of 25.00 feet to a point in the grantor's southerly line and the northerly line of Riverview Drive, 25.00 feet left of Station 38+25.49 centerline of survey of Riverview Drive, said point being the TRUE POINT OF BEGINNING;

Thence North 77°46' 13" East a distance of 52.43 feet to a point in the westerly right of way line of Olentangy River Road, said point being 39.29 feet left of Station 38+75.93 centerline of survey of Riverview Drive;

Thence along the existing westerly right of way line of Olentangy River Road North 14°04'43" West a distance of 55.25 feet to a point in the grantors northerly line and the southerly line of an 0.887 acre tract conveyed to Magna National Realty, LLC by instrument of record 199912270315295 Franklin County Records office and being 48.58 feet left of Station 122+32.44 centerline of survey of Olentangy River Road;

Thence along the grantor's northerly line, the southerly line of said Magna National Realty, LLC, South 86°33'25" East a distance of 49.67 feet to the grantors northeasterly corner and in the original centerline of Olentangy River Road and in the westerly line of a 7.580 acre tract conveyed to River Road Hotel Corp. by instrument of record 12376B20 Franklin County, Ohio Records office said point being 1.16 feet left of Station 122+ 17.67 centerline of survey Olentangy River Road;

Thence along the grantors easterly line, the westerly line of said River Road Hotel Corp., and the original centerline of Olentangy River Road, South 15°53'37" East a distance of

71.14 feet to the grantors southeasterly corner, said point being in the extension of the northerly right of line of Riverview Drive 25.00 feet left of Station 39+32.56 centerline of survey Riverview Drive;

Thence along the grantors southerly line and the northerly right of way line of Riverview Drive, North 86°24'37" West a distance of 107.07 feet to the TRUE POINT OF BEGINNING containing 0.087 acres more or less of which 0.078 acres are occupied by the present road leaving a net take of 0.009 acres more or less out of Auditors Parcel No. 010-117372

Bearings are based on NAD 83 Ohio South Zone.

This description is based on a survey made by Eriksson Engineering Limited for the City of Columbus in

2000, William G. Young, Registered Surveyor No. 6109.

Section 4. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the **Riverview Drive Improvement Project, #530161**, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

**PARCEL 39T**

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

Being part of Lot No. 16 in the Frank P. Colwells Riverview Parcels, an unrecorded plat which can be found in the Auditors Office, Franklin County, Ohio, Auditors Plat Book 12 Page 36.

Beginning at the grantor's northeasterly comer, the northeasterly comer of Lot No. 16, and in the southerly line of Riverview Drive, 25.00 feet right of Station 30+75.15 centerline of survey of Riverview Drive;

Thence along the grantor's easterly line and the easterly line of Lot No. 16, South  $03^{\circ}35'23''$  West a distance of 10.00 feet to a point 35.00 feet right of Station 30+75.15 centerline of survey of Riverview Drive;

Thence North  $86^{\circ}24'37''$  West a distance of 50.00 feet to a point in the grantor's westerly line and the westerly line of Lot No. 16, said point being 35.00 feet right of Station 30+25.15 centerline of survey of Riverview Drive;

Thence along the grantor's westerly line and the westerly line of Lot No. 16, North  $03^{\circ}35'23''$  East a distance of 10.00 feet to the grantor's northwesterly corner and the northwesterly corner of Lot No. 16, and in the southerly line of Riverview Drive, said point being 25.00 feet right of Station 30+25.15 centerline of survey of Riverview Drive;

Thence along the grantor's northerly line, the northerly line of Lot No. 16, and the southerly line of Riverview Drive, South  $86^{\circ}24'37''$  East a distance of 50.00 feet to the point of beginning containing 0.012 acres more or less.

Bearings are based on NAD 83 Ohio South Zone.

This description is based on a survey made by Eriksson Engineering Limited for the City of Columbus in 2000, William G. Young, Registered Surveyor No. 6109.

Said stations stipulated in the plans for Riverview Drive on file with the City of Columbus. Grantor claims title by instrument of record 200211190296437 Franklin County Recorders Office.

Section 5. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 6. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 7. That the Council of the City of Columbus hereby fixes the value of said fee simple title and lesser interests as follows:

- |    |         |             |
|----|---------|-------------|
| 1. | 16T     | \$6,875.00  |
| 2. | 17T     | \$715.00    |
| 3. | 19WD, T | \$11,793.00 |
| 4. | 39T     | \$250.00    |

Section 8. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property,

in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 9. That the expenditure of \$19,633.00, or so much thereof as may be necessary for the **Riverview Drive Improvement Project**, Project #530161, from the 1995, 1999, 2004, Voted Streets and Highways Fund, Fund #704, OCA Code 644385, Object Level Three 6601, Dept. No. 59-09, Auditor's Certificate No. 025724, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized

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

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**Legislation Number:** 1358-2006

**Drafting Date:** 07/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

At the request of the City, Capitol South Community Urban Redevelopment Corporation has accumulated ground rents that would otherwise be payable to the City with a view to the making of a grant to the Seneca Hotel Housing Project that would enable the same to proceed. The grant proceeds, together with grant proceeds from a Clean Ohio Assistance Fund Grant, are sufficient to defray most of the cost of abating and remediating asbestos containing materials in the building. Without such grants, the Seneca Hotel Housing Project could not proceed. This legislation authorizes and requests that Capitol South (a) segregate \$1,150,000 from ground rents that would otherwise be payable to the City, (b) deposit and hold the same in Capitol South's Downtown Housing Incentive Fund and (c) use the same for the sole purpose of making a grant to the developer of the Seneca Hotel Housing Project.

#### **FISCAL IMPACT:**

No funding is required for this legislation.

### **Title**

To authorize and request that Capitol South Community Urban Redevelopment Corporation make a grant of \$1,150,000 to Campus-Seneca Management, Inc. from accumulated ground rents that are payable to the City for the abatement and remediation of asbestos containing materials for the Seneca Hotel Housing Project.

### **Body**

**WHEREAS**, Capitol South Community Urban Redevelopment Corporation has accumulated ground rents that would otherwise be payable to the City with a view to the making of a grant to the Seneca Hotel Housing Project; and

**WHEREAS**, such grant, together with grant proceeds from a Clean Ohio Assistance Fund Grant, are sufficient to defray most of the cost of abating and remediating asbestos containing materials in the building; and

**WHEREAS**, the Seneca Hotel Housing Project can not proceed without such grants; and

**WHEREAS**, the presence of asbestos containing materials and other circumstances have frustrated the restoration and redevelopment of the Seneca Hotel for over 20 years and, unless prompt action is taken, continued deterioration will place

this important community landmark in serious peril; **NOW, THEREFORE,**

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

**Section 1.** That Capitol South Community Urban Redevelopment Corporation be and is hereby authorized and requested to perform the following acts: (a) segregate \$1,150,000 from ground rents that would otherwise be payable by Capitol South to the City under and in accordance with the Operative Agreement by and between the June 30, 2001 Operative Agreement by and between the City and Capitol South (the "Operative Agreement"); (b) deposit and hold the same in Capitol South's Downtown Housing Incentive Fund for the sole purpose of making a grant benefiting the Seneca Hotel Housing Project; and (c) make a grant to Campus-Seneca Management, Inc., the developer of the Seneca Hotel Housing Project, on such terms and conditions and with such safeguards as Capitol South shall deem appropriate.

**Section 2.** That in the event any of such grant funds shall remain undisbursed after the full performance or expiration of Capitol South's obligations under any applicable grant agreement, then such undisbursed grant funds shall again be deemed ground rents payable by Capitol South to the City and Capitol South shall promptly remit the same to the City.

**Section 3.** That the Director of Finance and Management be and hereby is authorized to execute any and all documents and instruments required or helpful to effect the intent of this Ordinance.

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

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**Legislation Number:** 1359-2006

**Drafting Date:** 07/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the Finance and Management Director to enter into a custodial services contract with K&M Kleening Service, Inc. at the Health Department building, located at 240 Parsons Avenue in the amount of \$297,743.00. The contract is for the period October 21, 2006 through October 20, 2007, with four annual renewal options.

Formal proposals were solicited on June 12, 2006, and opened on June 20, 2006. Six firms submitted a proposal. (2 MBE\*, 1 MBR^).

*Dove Building Services, Inc.	\$292,493.63
*K&M Kleening Service, Inc.	\$297,743.00
Mid-American Cleaning Contractors	\$303,518.00
^AA Programmed Janitorial	\$304,409.00
Mapp Building Services, LLC	\$308,177.00
Aetna Building Maintenance	\$310,893.00

It is the recommendation of the Facilities Management Division to award this contract to the most responsive and responsible bidder, K&M Kleening Service, Inc. The lowest bidder was not selected due to the fact that K&M Kleening Service, Inc. has successfully performed the work in this sensitive location for five years without incident. This building requires accreditation with the Joint Commission for Accreditation of Health Care Organizations (JCAHO). It was deemed inappropriate to change contractors with bids so comparable.

**Fiscal Impact:** The Facilities Management Division budgeted \$299,800.00 in the 2006 budget for this project. The cost of this contract is \$297,743.00. In 2004 and 2005, the cost of this contract was \$294,000.00 each year. K&M Kleening Service, Inc. Contract Compliance Number 02-0553299, expiration 08/26/2007.

Title

To authorize the Finance and Management Director to contract for the Facilities Management Division with K&M Kleening Service, Inc. for custodial services at the Health Department at 240 Parsons Avenue; to authorize the expenditure of \$297,743.00 from the General Fund. (\$297,743.00)

Body

**WHEREAS**, it is necessary to contract for custodial services at the Health Department building at 240 Parsons Avenue, and

**WHEREAS**, the Facilities Management Division formally bid for custodial services, and

**WHEREAS**, it is the recommendation of the Facilities Management Division to award the contract to the most responsive and responsible bidder, K&M Kleening Service, Inc., now, therefore:

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

**SECTION 1.** That the Finance and Management Director is hereby authorized to contract with K&M Kleening Service, Inc. for custodial services at the Health Department building at 240 Parsons Avenue from October 22, 2006 through October 21, 2007.

**SECTION 2.** That the expenditure of \$297,743.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 45-07  
Fund: 010  
OCA Code: 450041  
Object Level 1: 03  
Object Level 3: 3396  
Amount: \$297,743.00

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

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**Legislation Number:** 1363-2006

**Drafting Date:** 07/12/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This ordinance will authorize the Director of Recreation and Parks to enter an agreement with Columbus Firefighters Union Local #67 and Capitol South, which will enable and facilitate the redevelopment and expansion of the historic Toledo and Ohio Railroad Depot. Generally, the City will, without charge, convey to the Firefighters certain City-owned property for the expansion of the Depot.

Additionally, the City will establish a small, adjacent public park to be known as Firefighters Park. The cost of improving the park will be borne by the Firefighters.

In February, 2003, the City acquired from Capitol South Community Urban Redevelopment Corporation the property situated generally at the southwest corner of Broad and Starling Streets using \$466,752 of funds granted by the State of Ohio, through the Department of Natural Resources. In May, 2003, at the request of the City, Capitol South acquired from the Volunteers of America the historic Toledo and Central Ohio Train Depot, which is located immediately west of the Broad and Starling Property. Capitol South owns the Depot at this time. The City Downtown Development Office, in concert with a committee of stakeholders, has received proposals for the acquisition and use of the Depot. A proposal from Columbus Firefighters Union Local #67 was determined to be the best proposal. The Firefighters propose to acquire and extensively redevelop the Depot, reconstruct a carriage porch that was originally part of the Depot and construct an addition to the Depot, all in a single construction project. Upon completion, the redeveloped and expanded Depot would be used by the Firefighters for (i) their offices, (ii) their meetings, conferences and social events, (iii) their educational, charitable and humanitarian undertakings, and (iv) a public exhibit honoring the history and contribution of fire fighting and firefighters in Columbus. This ordinance authorizes the conveyance of portions of, and certain interests in, the Broad and Starling Property to the Firefighters thereby enabling the redevelopment and expansion of the Depot.

**FISCAL IMPACT:**

No funding is required for this legislation

**Title**

To authorize the Director of Recreation and Parks to enter into an agreement providing for the conveyance to Columbus Firefighters Union Local #67 of a portion of, and certain interests in the property situated generally at the southwest corner of Broad and Starling Streets and for the establishment of a small, adjacent public park honoring fire fighting and firefighters in Columbus, to execute a quit claim deed conveying such property and interests, to execute other pertinent documents and, to the extent applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959).

**Body**

**WHEREAS**, the City of Columbus, in February, 2003, acquired the property situated generally at the southwest corner of Broad and Starling Streets (the "Broad and Starling Property") using \$466,752 of funds granted by the State of Ohio, through the Department of Natural Resources, which grant contained a 15-year restriction against the conveyance of the Broad and Starling Property (the "Conveyance Restriction"); and

**WHEREAS**, Capitol South Community Urban Redevelopment Corporation, in May, 2003, at the request of the City, acquired the historic Toledo and Central Ohio Train Depot (the "Depot"), which is located generally adjacent to the Broad and Starling Property (the "Depot"); and

**WHEREAS**, the City Downtown Development Office, in concert with a committee of stakeholders, received proposals for the acquisition and use of the Depot and determined a proposal from Columbus Firefighters Union Local #67 (the "Firefighters") to be the best proposal; and

**WHEREAS**, the Firefighters propose to acquire and extensively redevelop the Depot, reconstruct a carriage porch that was originally part of the Depot and construct an addition to the Depot, all in a single construction project; and

**WHEREAS**, the redeveloped and expanded Depot would be used by the Firefighters for (i) their offices, (ii) their meetings, conferences and social events, (iii) their educational, charitable and humanitarian undertakings, and (iv) a public exhibit honoring the history and contribution of fire fighting and firefighters in Columbus; and

**WHEREAS**, the Firefighters proposal is conditioned upon the City conveying to the Firefighters a portion of, and certain interests in, the Broad and Starling Property and upon the establishment of a small, adjacent public park honoring fire fighting and firefighters in Columbus; now, therefore:

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

**Section 1.** That the Director of the Department of Recreation and Parks be and hereby is authorized to enter into and execute an agreement by and among the City, Capitol South and the Firefighters providing for the following:

- (a) The City will convey to the Firefighters, and the Firefighters will acquire, so much of the Broad and Starling Property as is substantially described as follows (the "Depot Expansion Site"):

Situated in the City of Columbus, County of Franklin and State of Ohio and being part of Lot One Hundred Nine (109) of M.L. Sullivants' Western Additions as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, Page 268, Recorder's Office, Franklin County, Ohio, which part is described as follows:

Commencing at a magnesium nail set at the southeast corner of said Lot One Hundred Nine (109), which corner is also the intersection of the west line of Starling Street and the north line of Capital Street; thence south 88 degrees, 57 minutes, 45 seconds west (S 88° 57' 45" W), along and with the southerly line of said Lot One Hundred Nine (109) and the northerly line of Capital Street, a distance of sixty (60) feet to a magnesium nail set at the southwest corner of said Lot One Hundred Nine (109); then north 1 degree, 00 minutes, 00 seconds west (N 01° 00' 00" W), along and with the westerly line of said Lot One Hundred Nine (109), a distance of seventy-two (72) feet, to a corner in such westerly line; thence north 88 degrees, 57 minutes, 45 seconds east (N 88° 57' 45" E), across said Lot One Hundred Nine (109), a distance of sixty (60) feet to a corner, which corner is in the easterly line of Lot One Hundred Nine (109) and the westerly line of Starling Street; then south 1 degree, 00 minutes, 00 seconds east (S 01° 00' 00" E), along and with the easterly line of said Lot One Hundred Nine (109) and the westerly line of Starling Street, a distance of seventy-two (72) feet, to the place of beginning, containing four thousand three hundred and twenty (4,320) square feet, more or less;

which conveyance would be without consideration, except for the undertakings of the Firefighters set forth in the agreement.

- (b) Such conveyance of the Depot Expansion Site shall be subject to all of the same use and conveyance restrictions imposed by Capitol South with respect to the Depot.
- (c) The City will assist and cooperate in securing from the State of Ohio, Department of Natural Resources, a waiver or release of the Conveyance Restriction, provided that any payment required as a condition of such waiver or release shall be borne by others.
- (d) The City will raze the existing building on the Depot Expansion Site using funds provided by the State of Ohio, Department Natural Resources, under an existing agreement that provides funding for the acquisition of properties and making of improvements on the Scioto Peninsula.
- (e) The Firefighters will, at their sole cost and expense, (i) commence and complete the redevelopment and expansion of the Depot in accordance with plans approved by the Downtown Commission and (ii) improve the remainder of the Broad and Starling Property as a first-class park, consistent with plans prepared by the Firefighters and approved, in writing, by the Director of the Department of Recreation and Parks.
- (f) The City will, for so long as the Firefighters, at their sole cost and expense, maintain such park in a first-class condition and in compliance with all laws having application to public parks, (i) use such park as a City park, generally open to and for public use in compliance with all ordinances, rules and regulations generally applicable to other City parks, (ii) recognize such park as "Firefighters Park" and as "adopted" by the Firefighters and (iii) rely exclusively upon the Firefighters for all maintenance and repair of the same.
- (g) The City will, to facilitate redevelopment and expansion of the Depot and improvement of Firefighters

Park, grant to the Firefighters (i) a license to use for construction staging other City property in the immediate vicinity of the Depot, (ii) a right for a carriage porch to encroach into Firefighters Park and (iii) a restriction creating a no build zone in so much of Firefighters Park as is within thirty (30) feet of the north façade of the Depot expansion.

- (h) The Firefighters will, in recognition of the special "partnership" among Capitol South, the City and the Firefighters that enabled the redevelopment and expansion of the Depot and improvement of Firefighters Park, commission, pay for and place at the Depot, a plaque recognizing the same.

Further, that the Director of Recreation and Parks be and hereby is authorized to execute a quit claim and all other documents and instruments required or helpful to effect and perform such agreement.

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

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**Legislation Number:** 1365-2006

**Drafting Date:** 07/13/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The Development Services Special Revenue Fund was created to support the activities of Building Services Division of the Department of Development and other agencies charged with the review of private development related plans. This fund is supported solely by the fees collected by the Building Services Division from users of its services for those services associated directly with the development process.

The existing fee structure, created at the time of implementation of the Development Services MOU, has been fully reviewed. As result of this review, revised fees are being proposed reflect a 15% percent across the board increase. This fee schedule will not only allow the Division to better budget and project revenue, but also will allow the industry to better prepare for future changes and adjust their bidding process accordingly. As implementation of these fees occurs, further minor modifications and refinements that prove necessary for continued customer service improvements will be evaluated and possibly submitted as future legislation. The Division is committed to establishing a review process with the industry to recommend and evaluate financial and performance indicators for the One Stop Shop.

The majority of the existing fees have not been increased or altered since the inception of the One Stop Shop at the start of 2002, and as such reflect the increase needed to keep pace with the increases in the cost of performing inspections and reviewing plans as well as increases in all development review related activities.

**FISCAL IMPACT:** Revised fees reflect the City's costs associated with the Development related processes.

### **Title**

To repeal the current Building Services Division Fee Schedule, adopted by Ordinance 2176-01, effective January 1, 2002, and all amendments thereto, and to adopt a new Building Services Fee Schedule based on the consolidated "One-Stop

Shop" initiative and as a result of the yearly review of fees related to the development process; **and to declare an emergency.**

**Body**

**Whereas**, the Department of Development and its partners of the construction industry have committed to the Building Services Division's One-Stop-Shop as memorialized in the signing of the Memorandum of Understanding concerning its funding and operation, and

**Whereas**, the cost of all services rendered by the Building Services Division and certain services within the Public Service Department are to be made self-sustaining through the creation of a Building Services Special Revenue Fund, and

**Whereas**, this fund is to be supported by the fees collected by the Building Services Division for services associated with the development process, and

**Whereas**, the existing fee structure, created at the time of implementation of the Development Services MOU, has been fully reviewed, and

**Whereas**, as result of this review, revised fees are being proposed reflect a 15% percent across the board increase, and

**Whereas**, The Division is committed to establishing a review process with the industry to recommend and evaluate financial and performance indicators for the One Stop Shop, and

**Whereas**, as implementation of these fees occurs, further minor modifications and refinements that prove necessary for continued customer service improvements will be evaluated and possibly submitted as future legislation, and

**Whereas**, this fee schedule will not only allow the Division to better budget and project revenue, but also will allow the industry to better prepare for future changes and adjust their bidding process accordingly, **and now therefore**

**Whereas, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to repeal the current Building Services Division Fee Schedule, adopted by Ordinance 2176-01, effective January 1, 2002, and all amendments thereto, and to adopt a new Building Services Fee Schedule based on the consolidated "One-Stop Shop" initiative in order to preserve 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 revised Building Services Division Fee Schedule, as required and authorized by Columbus City Codes Section 4103.14 and titled "Fees and Assessments", which has been created, reviewed and recommended that accompanies this document, shall be utilized as the fee schedule for the permits, licenses, registrations and other functions subject to it for services offered by the Building Services Division of the Department of Development and to become effective on September ~~11~~, 2006, or the earliest period allowed by law.

**Section 2.** The funds generated from these fees shall be deposited in Special Revenue Fund 240.

**Section 3.** Funds necessary for any refunds are hereby deemed appropriated.

**Section 4.** The city auditor, in his discretion, is authorized to make temporary transfers of cash from the economic stabilization fund, Fund 11, to the development services fund, Fund 240, to allow payment of necessary operating expenses from the latter fund in the event of temporary cash shortages in that fund. These transfers are only to be made to address short-term cash flow issues, and they shall be repaid to Fund 11 upon the city auditor determining, in consultation with the director of finance and management, that sufficient funds for such repayment exist in Fund 240. Repayment of such temporary transfers shall be a priority for Fund 240, and it is the intention of this provision that all temporary transfers be repaid at the earliest possible time.

**Section 5.** That the existing Building Services Division Fee Schedule, initially adopted by Ordinance 2176-01, which became effective January 1, 2002, and all amendments thereto, are hereby repealed **effective September 11, 2006.**

**Section 6.** The City will create a five-member Building Services Review Committee, appointed by the mayor with approval by City Council and with recommendations from the boards of the BIA, the BX and NAIOP. The Construction Services Review Committee will consist of one architect, one engineer, one developer, one residential contractor and one commercial contractor. The Committee will meet monthly to review the processes of the Building Services division and the issuance of building permits, with the goal of completing the entire review and permitting process within no more than 30 days. the committee will report directly to the Mayor and City Council's development committee.

**Section 7.** The Building Services division will provide a monthly performance report to Columbus City Council's development committee detailing its progress toward meeting goals set by the Building Services Review Committee.

**Section 7. 8.** ~~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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1366-2006

**Drafting Date:** 07/13/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

The purpose of this legislation is to authorize the Director of Finance and Management to enter into contract for the purchase of Panasonic Video Recording Equipment for the Department of Technology, Information Services Division, with Roscor Corporation. The Panasonic Video Recording Equipment will replace video recorders in the GTC-3 Studio Control Room and will be used to record live and taped programming originating in the GTC-3 Studio, City Council Chambers and other remote sites. The equipment will replace a portable deck used in the field to record meetings and other events, as well as replace " end-of-life " equipment that is currently malfunctioning.

Bids were solicited by the Purchasing Office.

The Purchasing Office opened formal bids, SA002078, on June 29, 2006. Seven (7) bids were received. A tabulation of the bids is listed below and include trade-in:

Roscor Corporation, \$22,243.00  
Washington Professional Systems, \$22,418.00  
Visual Interactive Dynamics, \$22,523.00  
Specialized Communications, \$22,942.00  
B&H Photo Video Pro-Audio, \$23,892.00  
Videotape Products Inc., \$24,025.00  
Long's Electronics, \$24,540.00

The bidder's lists included seven potential bidders, six (6) majority and one (1) MBR

#### **CONTRACT COMPLIANCE NUMBER:**

**Supplier:** Roscor Corporation - 360866840

**Expiration Date:** 10/07/2006

**FISCAL IMPACT:**

Funds are available and budgeted for this expenditure.

**EMERGENCY DESIGNATION:**

Emergency designation is being requested to immediately facilitate this purchase as the equipment being purchased is crucial to city operations.

**Title**

To authorize the Director of Finance and Management to establish a contract with Roscor Corporation for the purchase of Video Recording Equipment for the Department of Technology, Information Services Division, and to authorize the expenditure of \$22,243.00 from the Technology Department Information Services Fund; and to declare an emergency. (\$22,243.00)

**Body**

**WHEREAS**, the Department of Technology, Information Services Division (ISD) has a need for replacement Video Recording Equipment, and

**WHEREAS**, the Purchasing Office opened formal bids on June 29, 2006 via SA002078 and seven (7) bids were received, and

**WHEREAS**, a recommendation has been made to the lowest, responsive and responsible bidder, Roscor Corporation, and

**WHEREAS**, a purchase order will be issued in accordance with the terms and specifications of Solicitation Number: SA002078 on file in the Purchasing Office; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology. The Department of Technology has an immediate need to encumber funds for the purchase of replacement Panasonic Video Recording Equipment from Roscor Corporation, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Finance and Management be and is hereby authorized to establish a contract with Roscor Corporation for the purchase of replacement Panasonic Video Recording Equipment for the Department of Technology, Information Services Division, in accordance with specifications on file in the Purchasing Office.

**SECTION 2.** That the expenditure of \$22,243.00 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02| **Fund:** 514| **Subfund:** 001| **OCA:** 472425| **Obj. Level 1:** 06| **Obj. Level 3:** 6644| **Amount:** \$22,243.00.

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

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**Legislation Number:** 1367-2006

**Drafting Date:** 07/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of Development to amend the existing Enterprise Zone Agreement with Shonac Corporation to reflect the company's new name, which is DSW Inc. The company changed its name to DSW, Inc. on February 22, 2005. The legislation also authorizes the Director of Development to amend the agreement to reflect the transfer of 195 retained jobs from 4150 East 5th Avenue to the new corporate headquarters facility to be developed at 4300 East 5th Avenue. The transferred retained jobs shall become a part of the retained job commitment for the proposed DSW, Inc. Enterprise Zone Agreement. The original agreement was approved under Columbus City Council Ordinance No. 0994-00, passed April 24, 2000. The agreement provided a 50%/7 year tax abatement on personal property. The project involved an investment of \$25,381,711, the relocation of 355 jobs from Watkins Road and the creation of 73 new jobs at the project site located at 4150 East Fifth Avenue in Columbus. Based on the 2005 annual Enterprise Zone Report, Shonac Corporation is in compliance with the Enterprise Zone Agreement.

This legislation also repeals Ordinance 2445-2003, passed on December 8, 2003, that authorized the Director of Development an amendment to the Shonac Corporation Enterprise Zone Agreement. Columbus City Council authorized the amendment to reflect the planned transfer of 203 jobs to the former Northland Mall site that was renovated by Retail Ventures, Inc. Because DSW did not move any employees to that site, the amendment became unnecessary and was not executed.

**FISCAL IMPACT:** No funding is required for this legislation.

### **Title**

To authorize the Director of Development to amend the Enterprise Zone Agreement with Shonac Corporation to reflect the company's new name of DSW, Inc. and to transfer 195 retained jobs to the new proposed corporate facility; and to repeal Ordinance 2445-2003, passed December 8, 2003.

### **Body**

**WHEREAS,** an Enterprise Zone Agreement was approved for Shonac Corporation under ordinance No. 0994-00, passed April 24, 2000; and

**WHEREAS,** on February 22, 2005, the name of the legal entity known as Shonac Corporation was changed to DSW, Inc.; and

**WHEREAS,** a need exist to amend the Enterprise Zone Agreement with Shonac Corporation to reflect the transfer of 195 (one hundred and ninety five) of the 355 (three hundred and fifty five) retained jobs to the new DSW, Inc. corporate headquarters facility to be located at 4030 East Fifth Avenue; and

**WHEREAS,** the City desires to amend the existing Enterprise Zone Agreement between the City of Columbus and Shonac Corporation in order to foster economic growth; **NOW, THEREFORE,**

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

**Section 1.** That the Director of Development is hereby authorized to amend the Enterprise Zone Agreement between the City of Columbus and Shonac Corporation to reflect the new name, DSW, Inc. and to transfer one hundred and ninety five (195) of the three hundred and Fifty-five (355) retained jobs to the new DSW Inc. corporate headquarters facility to be located at 4030 East Fifth Avenue.

**Section 2.** That Ordinance 2445-2003, passed December 8, 2003, is hereby repealed.

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

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**Legislation Number:** 1369-2006

**Drafting Date:** 07/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The need exists to enter into an Enterprise Zone Agreement with ADS Alliance Data Systems, Inc. and Duke Realty Corporation, and a Jobs Creation Tax Credit Agreement with ADS Alliance Data Systems, Inc., and Ohio Enterprise Zone law (O.R.C. Section 5709.61 et seq.) and Jobs Creation Tax Credit law (O.R.C. Section 718.15) require the City to enter into a Council-approved agreements with the participating companies.

Duke Realty Corporation proposes to build a 200,000 square foot office building that ADS Alliance Data Systems, Inc. will occupy under a net lease arrangement with Duke Realty Corporation. The project will be located on Stelzer Road in the Easton area in Columbus' North Enterprise Zone. The project will include an investment of \$24,700,000. Included in this investment will be \$23,650,000 in real property improvements, \$250,000 in machinery & equipment, \$750,000 in furniture & fixtures and \$50,000 in stand alone computers. ADS Alliance Data Systems, Inc. will relocate and retain 529 full-time permanent employees, which will be new to Columbus, with an annual payroll of \$40 million and create 54 full-time permanent jobs with an annual payroll of \$2.7 million. Columbus will revenue share with the Columbus Public Schools under O.R.C. Section 5709.82. The 529 jobs will be relocated from the City of Gahanna, which has been notified of the proposed relocation. The Ohio Department of Development, pursuant to O.R.C. Section 5709.633 (B), has waived the relocation restrictions.

The Department of Development recommends a 100%/10 year tax abatement on real property improvements, machinery & equipment, furniture & fixtures and stand-alone computers, contingent on prior approval by the Columbus Public Schools. The Department also recommends a 65%/15 year Jobs Creation Tax Credit.

The Columbus Public School District has been advised of the project and will approve the Enterprise Zone tax abatement prior to this Council's approval of the ordinance.

Emergency action is requested by City Council to facilitate construction time schedules.

**FISCAL IMPACT:** No funding is required for this legislation.

**Title**

To authorize the Director of Development to enter into an Enterprise Zone Agreement with ADS Alliance Data Systems, Inc. and Duke Realty Corporation for a tax abatement of 100% for a period of ten years and to also enter into a Jobs Creation Tax Credit Agreement with ADS Alliance Data Systems, Inc. for 65% for a period of 15 years; and to declare an

emergency.

**Body**

**WHEREAS**, by Ordinance No. 0427-03 passed March 31, 2003, the City designated the North Enterprise Zone as an "urban jobs and enterprise zone" pursuant to Chapter 5709 of the Ohio Revised Code and declared that incentives for businesses offered by such zones will enhance efforts to promote the viable and diverse economic activity necessary for rejuvenation of the zone; and

**WHEREAS**, effective January 8, 2004, the Director of Development of the State of Ohio determined that the aforementioned area designated by the City contains the characteristics set forth in Section 5709.61(A)-(3) of the Ohio Revised Code, and certified said area as an "Enterprise Zone" under Chapter 5709 of the Ohio Revised Code; and

**WHEREAS**, pursuant to Section 718.15 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

**WHEREAS**, the Ohio Department of Development has offered ADS Alliance Data Systems, Inc. a 60%/7 year Jobs Creation Tax Credit; and

**WHEREAS**, Duke Realty Corporation plans to build a new office building of approximately 200,000 square feet which ADS Alliance Data Systems, Inc. will occupy under a net lease arrangement; and

**WHEREAS**, ADS Alliance Data Systems, Inc. and Duke Realty Corporation agree to invest approximately \$24,700,000 in real property improvements and personal property within the City; and

**WHEREAS**, ADS Alliance Data Systems, Inc. agrees to relocate and retain 529 full-time permanent jobs, which will be new to Columbus, and create 54 new full time permanent jobs; and

**WHEREAS**, pursuant to ORC 5709.633-(B), the Ohio Department of Development waived the relocation restriction of ORC Section 5709.633 (A), effective July, 2006; and

**WHEREAS**, the Columbus Public Schools by resolution of its Board of Education has approved the proposed Enterprise Zone tax abatement and waived all notices for this project based on its understanding that the City will revenue share with the Columbus Public Schools for this project under ORC 5709.82(D) in an amount equal to any property taxes that would have been payable to the Columbus Public Schools if the project investment had been made but that investment not subject to the proposed Enterprise Zone tax abatement; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into contract with ADS Alliance Data Systems, Inc. and Duke Realty Corporation all 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 is hereby authorized to enter into an Enterprise Zone Agreement with ADS Alliance Data Systems, Inc. and Duke Realty Corporation, contingent on prior approval by the Columbus Public Schools, and to provide therewith an exemption of one hundred percent (100%) on real property improvements, machinery & equipment, furniture & fixtures and stand-alone computers for a term of ten (10) taxable years, and also enter into a Jobs Creation Tax Credit Agreement with ADS Alliance Data Systems, Inc. and to provide therewith a tax credit of sixty-five percent (65%) for a term of fifteen (15) years in association with the project's proposed \$24,700,000 investment, job retention and creation.

**Section 2.** That the City of Columbus Enterprise Zone Agreement shall be signed by ADS Alliance Data Systems, Inc. and Duke Realty Corporation within ninety (90) days of passage of this ordinance, and the Jobs Creation Tax Credit Agreement with ADS Alliance Data Systems, Inc. shall be signed within ninety 90 days of passage of this ordinance, or

this ordinance and the abatement authorized herein are null and void.

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

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**Legislation Number:** 1370-2006

**Drafting Date:** 07/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

Need: The Division of Police, Department of Public Safety needs to purchase Firearms Parts for conversion of Colt M-16 Rifles from fully automatic to semi-automatic rifles.

Bid Information: The Purchasing Office solicited bids, SA 002075, for the purchase of firearms parts for the Division of Police. Two vendors responded with the following prices:

Vance's Outdoors, Inc.	\$26,441.35
Lawmen's & Shooters' Supply, Inc.	\$29,069.75

Award of the contract is to be made to the lowest, responsive, responsible and best bidder, Vance's Outdoors, Inc.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Contract Compliance: 542072038

Fiscal Impact: This purchase will be funded with Drug Seizure Funds; therefore, there will be no effect on the financial status of the General Funds.

Emergency Designation: Emergency legislation is requested so the firearms will be ready for street use, if needed.

**Title**To authorize and direct the Director of Finance and Management to enter into a contract with Vance Outdoors, Inc. for the purchase of firearms parts for the Division of Police, to authorize the expenditure of \$26,441.35 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$26,441.35)

**Body**WHEREAS, the Division of Police, Department of Public Safety needs to purchase firearms parts for conversion of M-16 rifles; and

WHEREAS, bids for the purchase of firearms parts were solicited by the Purchasing Office; and

WHEREAS, the lowest, responsive, responsible and best bidder was Vance Outdoors, Inc.; and

WHEREAS, the funding source for this purchase will come from the Law Enforcement Seizure Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police in that it is immediately necessary to authorize the Director of Finance and Management to enter into a contract for the purchase of firearms parts, thereby preserving the public health, peace, property, safety, and welfare; now therefore

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

Section 1. That the Director of Finance and Management be and is hereby authorized to enter into a contract with Vance Outdoors, Inc. for the purchase of firearms parts for the Division of Police.

Section 2. That the expenditure of \$26,441.35 from the Division of Police, Division No. 30-03 | OCA Code 300988 | Object Level One 02 | Object Level Three 2215 or so much thereof as may be needed, be and same is hereby authorized.

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

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**Legislation Number:** 1371-2006

**Drafting Date:** 07/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

**Need:** The Department of Public Safety, Division of Police needs additional funding to purchase Centrex services (telephone services) for the entire Division.

**Bid Information:** The Purchasing Office has set up a universal term contract with AT&T to provide Centrex services under contract CT09759.

**Contract Compliance No.:** 363258076

**FISCAL IMPACT:**

Funds have been allocated in the Division's 2006 General Fund Budget for Centrex telephone services.

**Emergency Designation:** Emergency legislation is requested for this ordinance so as to allow for the purchase and continuation of the Centrex phone services for the operation of the Division of Police.

**Title**To authorize and direct the Finance and Management Director to contract for Centrex phone services with AT&T for the Division of Police, to authorize the expenditure of \$196,000.00 from the General Fund; and to declare an emergency. (\$196,000.00)

**Body**WHEREAS, the additional funding is needed to continue Centrex phone services for the Division of Police; and

WHEREAS, the city has an universal term contract with AT&T for Centrex phone services; and

WHEREAS, emergency legislation is requested so phone service will not be interrupted because of non-payment of invoices; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into contract for Centrex phone services for the immediate preservation of the public peace, health, safety, and welfare; now therefore

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

Section 1. That the Finance and Management Director be and is hereby authorized and directed to contract with AT&T for Centrex phone services for the Division of Police, Department of Public Safety, on the basis of the City's universal term contract number CT09759

Section 2. That the expenditure of \$196,000.00 or so thereof as may be needed, be and the same is hereby authorized as follows:DEPT 30-03 | FUND 010 | OBJ. LEVEL 1 - 03 | OBJ. LEVEL 3 - 3320 | OCA 300301.

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

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**Legislation Number:** 1372-2006

**Drafting Date:** 07/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

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

Action Group Inc. provides short-term delivery demands for precision metal, wood, plastic and glass store fixtures, electronic enclosures, chassis, cabinets and other items needed in the industrial, commercial, institutional and architectural marketplace. Action Group, Inc. plans to purchase \$1,300,000 in machinery and equipment to accommodate expansion. The project will include an investment of \$1,385,000, retention of 69 (sixty-nine) full-time jobs and the creation of 25 (twenty-five) full-time jobs. The project site is located at 411 Reynoldsburg-New Albany Road. The principal party is Frank Denutte, owner.

The Department of Development recommends a 60%/6 year jobs creation tax credit.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

To authorize the Director of Development to enter into an agreement with Action Group, Inc. for a Jobs Creation Tax Credit of 60% for a period of six years in consideration of a proposed \$1,385,000 investment, the retention of 69 new full-time jobs and the creation of 25 new full-time jobs.

#### **Body**

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

**WHEREAS,** the State of Ohio Tax Credit Authority granted Action Group, Inc. a 40% 5 year Jobs Creation Tax Credit on June 26, 2006; and

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

**WHEREAS**, the granting of the tax credit by the City for the proposed expansion project by Action Group, Inc. will create 25 (twenty-five) full-time permanent jobs and increase opportunities for employment and strengthen the economy of the city; and

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

**WHEREAS**, Action Group, Inc. plans to invest \$1,300,000 in new machinery and equipment to accommodate expansion; and

**WHEREAS**, the expansion will add approximately \$1,385,000 in investment within the City; and

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

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

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

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

**Section 3.** That the Director of the Department of Development is hereby authorized and directed to enter into and execute a 6-year, 60% Jobs Creation Tax Credit Agreement with Action Group, Inc.

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

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**Legislation Number:** 1374-2006

**Drafting Date:** 07/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

NP Limited Partnership, an Ohio limited partnership, owner, by KEW Investment Company, an Ohio General Partnership, its general partner, by Robert J. Weiler, General Partner of Star-Weiler Limited Partnership, an Ohio Limited partnership, Partner of KEW Investment Company, has submitted the plat titled LYRA DRIVE, PART 4 to the City Engineer's Office for review and approval. This plat has been reviewed and approved by the City Engineer. The following legislation allows the City to accept said plat for property located south of Polaris Parkway and east of South Old State Road.

**Emergency Justification:** Emergency action is requested to allow development of this subdivision to proceed as currently scheduled.

**Title**

To accept the plat titled LYRA DRIVE, PART 4, from NP Limited Partnership, an Ohio limited partnership, owner, by KEW Investment Company, an Ohio General Partnership, its general partner, by Robert J. Weiler, General Partner of Star-Weiler Limited Partnership, an Ohio Limited partnership, Partner of KEW Investment Company; and to declare an emergency.

**Body**

WHEREAS, the plat titled LYRA DRIVE, PART 4 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, NP Limited Partnership, an Ohio limited partnership, owner, by KEW Investment Company, an Ohio General Partnership, its general partner, by Robert J. Weiler, General Partner of Star-Weiler Limited Partnership, an Ohio Limited partnership, Partner of KEW Investment Company, owner of the platted land, desires to dedicate to the public use all or such parts of the Drives and easements shown on said plat and not heretofore so dedicated; and

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

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize the acceptance of this plat so development of this subdivision can proceed as currently scheduled thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**Section 1.** That the plat titled LYRA DRIVE, PART 4 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

**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.

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**Legislation Number:** 1382-2006

**Drafting Date:** 07/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes the cancellation of Contract No.DL011001, appropriates and expends \$23,150.60 from the Emergency Human Services Fund and authorizes the Director of the Department of Development to execute a Grant Agreement with the Salvation Army of Greater Columbus to serve as the fiscal agent for the Columbus Workforce Alliance.

The City Attorney Office has established a policy that City Council-approved Emergency Human Services Fund agreements or any previously established EHS contract being altered, be henceforth submitted as grant agreements. The contract referenced above was established in 2005 prior to this new policy.

The Columbus Workforce Alliance is using EHS funds to conduct a project to determine and highlight the effectiveness of current workforce development programs designed for helping low-income employed and/or underemployed individuals residing in the Empowerment Zone find jobs. Due to unanticipated contract delays with its primary project funder (Ohio Department of Development), the Alliance was required to amend the original timeline for the *Meeting the Needs of Low-Income Unemployed and Underemployed Job Seekers* research and demonstration project. The extension of time will enable the Alliance to implement and evaluate elements of Phase II of the project, which includes the piloting of services identified as critical to labor force attachment by central city residents surveyed in Phase I.

Emergency action is requested to facilitate processing of project expenses without interruption.

**FISCAL IMPACT:** Funds for this grant are allocated from the Emergency Human Services Fund. The funds remaining from the cancellation of Contract No. DL011001 will be used for this grant agreement.

**Title**

To authorize the cancellation of an existing contract with the Salvation Army; to execute a grant agreement with the Salvation Army of Greater Columbus; to appropriate and expend \$23,150.60 from the Emergency Human Services Fund; and to declare an emergency (\$23,150.60).

**Body**

**WHEREAS**, in April 2005 City Council reviewed the grant application of the Columbus Workforce Alliance to conduct a research and demonstration project, '*Meeting the Needs of Unemployed and Underemployed Job Seekers*' and declared that the Alliance had articulated an emergency human service need that is sufficient to justify approval of said grant; and

**WHEREAS**, City Council passed Ordinance No. 0803-05 on May 9, 2005 to approve funding from the Emergency Human Services Fund for the project; and

**WHEREAS**, that Ordinance authorized Contract No.DL011001 with the Salvation Army, which serves as fiscal agent for the Workforce Alliance; and

**WHEREAS**, the City Attorney Office has established a policy that Emergency Human Services Fund agreements or any established EHS contract being altered, be henceforth submitted as a grant agreement; and

**WHEREAS**, due to unanticipated delays with its primary funder, the Ohio Department of Development, it has become necessary for the Alliance to amend the original timeline for its project; and

**WHEREAS**, the Director of the Department of Development desires to cancel Contract No.DL011001, to appropriate and expend \$23,150.60 from the Emergency Human Services Fund, and to execute a grant agreement with the Salvation Army of Greater Columbus; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to cancel the existing contract with the Salvation Army and to appropriate and expend said funds for a new grant agreement all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE**,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to cancel Contract No.DL011001 with the Salvation Army of Greater Columbus.

**Section 2.** That the Director of the Department of Development is hereby authorized to execute a grant agreement with the Salvation Army of Greater Columbus, which serves as fiscal agent for the Columbus Workforce Alliance. The Alliance is using these funds to conduct the research and demonstration project *Meeting the Needs of Unemployed and Underemployed Job Seekers*.

**Section 3.** That for the purpose as stated in Section 2, the appropriation and expenditure of \$23,160.60, or so much thereof as may be necessary, be and is hereby authorized from the Emergency Human Services Fund, Department of Development, Division 44-05, Fund 232, Object Level One 03, Object Level Three 3337, OCA Code 445205.

**Section 4.** That the expenditure authorized herein is in accordance with Section 317.02(c) of the Columbus City Codes, 1959, as amended.

**Section 5.** 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.

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**Legislation Number:** 1383-2006

**Drafting Date:** 07/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation

**Background:** This legislation authorizes the Finance and Management Director to enter into a professional services contract for the Facilities Management Division with Design Group, Inc. for engineering consulting services in order to produce detailed plans for a new West Side Family Health Center. The goal is to design a three story, 35,000 square foot facility at 2300 West Broad Street, the location of the original Fire Station 17. The design, at a minimum, is to incorporate the front façade of the existing structure. It is to include office space, a storage room, a community room, office space for various public safety functions, a kitchenette, a medical clinic, a podiatry clinic, an OB/GYN clinic, a pediatric clinic, a dental clinic, social services and a vision clinic. All of these design services are to include environmentally responsible components in compliance with the Mayor's policy directive "Get Green Columbus 2005: Environmental Stewardship in the 21st Century."

Responsibilities will also include progressive meetings with the City and the community through completion of agreed upon final product, complete zoning process, renderings, drawings, specifications, and the bid process. The construction administration phase will include shop drawings and submittal reviews, RFI and change order process, pay request review/approval, weekly site progress meetings, providing as built drawings/CAD files, with close out documentation upon completion of the project. The contract will also include an architectural contingency for City requested scope of work changes and unforeseen circumstances.

Formal Requests for Statements of Qualifications (RFSQ) were solicited by the City of Columbus in the City Bulletin from March 16, 2006 through March 30, 2006. The City received four minimally compliant proposals (1 MBE, 1 MBR). Trinity Health Group submitted a proposal after the deadline date and was not considered. A seven-member evaluation committee reviewed the statements. Two members were from the Facilities Management Division. There was one member each from the following: Columbus Neighborhood Health Centers, Equal Business Opportunity Commission Office, Hilltop Area Commission, Health Department, and Mayor's Office. In addition, there were two non-voting members representing Columbus City Council on the committee as well as one non-voting member from the Columbus Landmarks Foundation.

The committee ranked the statements of qualifications as follows: Design Group, Inc. 1252; Moody-Nolan, Inc. (MBE) 1207; eS Architecture and Development, Inc. 1116; DLZ Ohio, Inc. (MBR) 1058.

This ordinance also authorizes the transfer, appropriation, and expenditure of \$300,000.00 from the Special Income Tax Fund to partially pay for this project. The Special Income Tax transfer and appropriation is a temporary measure until the City sells notes or bonds for this project.

**Emergency action** is requested so that work may begin as quickly as possible to improve health services on the west side of the City.

**Fiscal Impact:** The Health Department has \$500,000.00 in the 2006 Capital Improvement Budget and the Safety Department/Administration has \$300,000.00 in the 2006 Capital Improvement Budget for the professional services for this project. Bonds have yet to be sold, therefore a transfer of cash from the Special Income Tax Fund is necessary. The remaining \$271,100.00 is available in the Facilities Management Capital Improvement Budget. This amount will be reimbursed to the Facilities Management Capital Improvement Budget in 2007. The actual project will be bid once the engineering is complete. The total cost of this professional services contract is \$1,071,100.00. Of this, \$921,100.00 is the base contract and \$150,000.00 is for contingency. Design Group, Inc. Contract Compliance Number 31-0810142, expiration date 05/26/2007.

Title

To authorize and direct the City Auditor to transfer \$300,000.00 from the Special Income Tax Fund to the Health Voted Bond Fund; to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Design Group, Inc. for professional services related to the construction of a new West Side Family Health Center, to authorize the expenditure of \$800,000.00 from the Health Voted Bond Fund, to authorize the expenditure of \$271,100.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$1,071,100.00).

Body

**WHEREAS**, the City of Columbus desires to design a new West Side Family Health Center to better meet the current and future needs of the residents of Columbus, and

**WHEREAS**, four firms submitted professional services proposals and Design Group, Inc. achieved the highest score from a seven-person Evaluation Committee, and

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

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

**WHEREAS**, the aggregate principal amount which the city will issue to finance this phase of the project is presently expected not to exceed \$300,000.00; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to contract with Design Group, Inc. for professional services associated with the design and construction administration of a new West Side Family Health Center, therefore:

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

**SECTION 1.** That the sum of \$300,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2006 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

**SECTION 2.** That the City Auditor is hereby authorized to transfer said funds to the Health Voted Bond Fund, Fund 706, at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

**SECTION 3.** That the amount of \$300,000.00 is hereby transferred and appropriated to the Health Department 50-01, Health Voted Bond Fund, Fund 706, Westside Health Center 500504, Object Level One 06, Object Level Three Code 6681.

**SECTION 4.** That upon obtaining other funds for the Westside Health Center Project, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 2, above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 5.** That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 2, above.

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

**SECTION 7.** That the Finance and Management Director is hereby authorized to contract with Design Group, Inc. for professional services associated with the design and construction administration of the new West Side Family Health Center.

**SECTION 8.** That the expenditure of \$1,071,100.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 7, be and is hereby authorized and approved as follows:

Division: 50-01  
Fund: 706  
Project: 500504  
Object Level 1: 06  
Object Level 3: 6681  
Amount: \$800,000.00

Division: 45-07  
Fund: 733  
Project: 570030  
Object Level 1: 06  
Object Level 3: 6681  
Amount: \$271,100.00

**SECTION 9.** 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.

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**Legislation Number:** 1384-2006

**Drafting Date:** 07/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** On October 26, 2004, the City Attorney entered into a contract with McNees, Wallace & Nurick LLC, a law firm knowledgeable in electric purchase power issues to provide specialized legal services for the Division of Electricity (City) relating to the Power Purchase and Sale Agreement between the City and Constellation Commodities Group and American Municipal Power-Ohio (Constellation). Constellation, which is the Division of Electricity's energy requirements provider, is subject to a new service charge created by the Federal Energy Regulatory Commission (FERC) as part of the efforts to deregulate the electric power industry. This charge, which is called the Seams Elimination Cost Allocation (SECA), is to be paid, by FERC order, by those receiving the energy. The City and Constellation disagree over the interpretation of the City's contract as to who is liable for payment of the SECA charges.

To date the City Attorney, has contracted with McNees, Wallace & Nurick for a total of \$70,000, beginning in 2004. It is estimated that an additional \$35,000 is needed to cover the remaining specialized legal services regarding SECA purchase power issues, and certain additional legal services necessary to the evaluation of purchase power proposals and the negotiations of new purchase power agreements anticipated for 2006 and 2007.

**Contract Compliance Number:** 231256003

**FISCAL IMPACT:** There is sufficient budget authority in the Division of Electricity's Operating Fund to cover this expenditure

**EMERGENCY JUSTIFICATION:** Emergency action is requested as not to delay the monies necessary to continue the legal services of David Kleppinger, the City's special counsel, whose expertise in this matter is needed.

**Title**

To authorize the City Attorney to modify an existing contract with McNees Wallace & Nurick LLC to act as special

counsel to represent the City regarding certain Seams Elimination Cost Allocation (SECA) purchase power issues, and other necessary specialized legal services, and to authorize the expenditure of \$35,000.00 from the Division of Electricity Operating Fund and to declare an emergency. (\$35,000.00)

**Body**

WHEREAS, On October 26, 2004, the City Attorney entered into a contract with McNeese, Wallace & Nurick LLC, (ED017942), a law firm knowledgeable in electric purchase power issues, in the amount of \$10,000, to provide specialized legal services for the Division of Electricity (City) relating to the Power Purchase and Sale Agreement between the City and Constellation; and

WHEREAS, Constellation and the City disagree on which party, under the City and Constellation Agreement, is responsible for a FERC imposed charge, called the Seams Elimination Cost Allocation (SECA) related to deregulation of transmission services; and

WHEREAS, due to the continuing SECA issue, the City Attorney, through an encumbrance in 2005 for \$10,000.00, an additional \$15,000.00 as authorized by Ordinance Number 1519-2005, and most recently in January Ordinance 0097-2006 authorized \$35,000.00, to date has contracted with McNeese, Wallace & Nurick for a total of \$70,000; and

WHEREAS, it is estimated that an additional \$35,000 is needed to cover the remaining specialized legal services regarding SECA purchase power issues, and certain additional legal services necessary to the evaluation of purchase power proposals and the negotiations of new purchase power agreements anticipated for 2006 and 2007; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is immediately necessary to authorize the City Attorney to modify an existing contract with McNeese Wallace & Nurick LLC to act as special counsel to represent the City regarding the Seams Elimination Cost Allocation (SECA) purchase power issues relating to the Power Purchase and Sale Agreement between the City of Columbus and Constellation Commodities Group, and for additional legal services necessary to the evaluation of purchase power proposals and the negotiations of new purchase power agreements 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 Attorney is hereby authorized to modify an existing contract with McNeese, Wallace & Nurick LLC, in an amount of \$35,000.00, for special legal counsel services relating to the Power Purchase and Sale Agreement between the City of Columbus and Constellation Commodities Group and for additional legal services necessary to the evaluation of purchase power proposals and the negotiations of new purchase power agreements.

SECTION 2. That to pay the cost of the aforesaid contract modification, the expenditure of \$35,000.00, or so much thereof as may be needed, is hereby authorized from the Division of Electricity, Division No. 60-07, Operating Fund 550, OCA 600830, Object Level Three 3336.

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

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**Legislation Number:** 1386-2006

**Drafting Date:** 07/14/2006

**Current Status:** Passed

**Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to enter into a contract with the Clintonville Resources Center to support the operation of the Chores Program. The contract will provide \$30,000 from the Community Development Block Grant Fund.

The Chores Program provides minor home maintenance and repair services to low and low/moderate-income elderly and disabled homeowner-occupants in the City of Columbus. Examples of program services include replacement or repair of leaking faucets and commodes, faulty light fixtures and switches, loose or missing sections of porch decking or steps and installation of handrails, smoke detectors and deadbolt locks. Eligible homeowners may receive up to \$1,000 in home repairs within one calendar year. The Clintonville Resources Center will be the program provider to neighborhoods on the north and east sides of the City. This program will help about 100 households.

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

**FISCAL IMPACT:** Funds for this expenditure are allocated from the 2006 Community Development Block Grant Fund budget.

**Title**

To authorize the Director of the Department of Development to enter into a contract with the Clintonville Resources Center for the Chores Program; to authorize the expenditure of \$30,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$30,000.00)

**Body**

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

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

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

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

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

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

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

**Section 3.** That for the purpose as stated in Section 1, the expenditure of \$30,000.00 or so much thereof as necessary, be and is hereby authorized to be expended from the Department of Development, Department No. 44-10, Fund 248, Object Level One 03 , Object Level Three 3337, OCA 446009.

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

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**Legislation Number:** 1387-2006

**Drafting Date:** 07/17/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to enter into a contract with the Economic Community Development Institute to support the operation of the Chores Program. The contract will provide \$32,000 from the Community Development Block Grant Fund.

The Chores Program provides minor home maintenance and repair services to low and low/moderate-income elderly and disabled homeowner-occupants in the City of Columbus. Examples of program services include replacement or repair of leaking faucets and commodes, faulty light fixtures and switches, loose or missing sections of porch decking or steps and installation of handrails, smoke detectors and deadbolt locks. Eligible homeowners may receive up to \$1,000 in home repairs within one calendar year. This program will help about 100 households.

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

**FISCAL IMPACT:** Funds for this expenditure are allocated from the 2006 Community Development Block Grant Fund budget.

**Title**

To authorize the Director of the Department of Development to enter into a contract with the Economic Community Development Institute for the Chores Program; to authorize the expenditure of \$32,000 from the Community Development Block Grant Fund; and to declare an emergency. (\$32,000.00)

**Body**

**WHEREAS,** the Director of the Department of Development desires to enter into a contract with the Economic Community Development Institute to fund the Chores Program; and

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

**WHEREAS,** the Economic Community Development Institute is a non-profit organization; and

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

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

**Section 1.** That the Director of the Department of Development is hereby authorized to enter into a contract with the Economic Community Development Institute to fund the Chores basic home maintenance and repair program.

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

**Section 3.** That for the purpose as stated in Section 1, the expenditure of \$32,000.00 or so much thereof as necessary, be and is hereby authorized to be expended from the Department of Development, Department No. 44-10, Fund 248, Object Level One 03, Object Level Three 3337, OCA 446009.

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

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**Legislation Number:** 1388-2006

**Drafting Date:** 07/17/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**Background:** This legislation is to authorize and direct the Director of Finance and Management on behalf of the Franklin County Municipal Court Clerk to enter into a contract with Maximus Inc for the period of four additional months commencing August 1, 2006 through November 30, 2006 to provide funding for an additional software support services for the Court's CourtView 2000 case management system. An additional amount of time is needed to complete the negotiations for a new software support contract with Maximus, Inc. in conjunction with the City Attorney's Office.

On January 22, 2001, Council approved ordinance 0112-01 authorizing a six-year contract with Maximus, Inc. for the purpose of providing software support for CourtView 2000, the Municipal Court case management system. Further, ordinance 0539-2006 passed on April 3, 2006 provided for four months of the sixth year of a six-year contract to renegotiate a new software contract with Maximus, Inc.

**Fiscal Impact:** Funds for this budgeted expenditure are available within the Municipal Court Clerk 2006 special revenue fund appropriations.

**Emergency:** Emergency legislation is requested to maintain ongoing and uninterrupted software support for the CourtView 2000, the Municipal Court case management system.

**Contract Compliance Number:** Maximus, Inc. 54-1000588, expires 1/23/07

#### **Title**

To authorize and direct the Director of the Department of Finance and Management on behalf of the Franklin County Municipal Court Clerk to enter into contract with Maximus, Inc. for the CourtView 2000 software support; to authorize the expenditure of \$62,587.00 from the Clerk's computer fund; to declare an emergency. (\$62,587.00)

#### **Body**

**Whereas,** Council approved ordinance 0112-01 on January 22, 2001 to establish a six year agreement with Maximus, Inc.

for the CourtView 2000 primary software and secondary web-site software support for the Franklin County Municipal Court; and

Whereas, it was necessary to secure support from April 1, though July 31, 2006, four months of the sixth year of a six-year contract, authorized by ordinance 0539-2006; and

**Whereas**, it is necessary to secure support from August 1, 2006 thru November 30, 2006, for an additional four months totaling eight months of the sixth year of the six year agreement; and

**Whereas**, continuation of the support agreement with Maximus, Inc. for four additional months is needed to allow the Clerk sufficient time to complete the renegotiation of a new support agreement with Maximus, Inc.; and

**Whereas**, an emergency exists in the usual daily operation of the Municipal Court Clerk's office, in that it is immediately necessary to provide for ongoing and uninterrupted software support for the Municipal Court's case management system, thereby preserving the public health, peace, property, safety, and welfare; now therefore

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

**Section 1.** That the Director of the Department of Finance on behalf of the Franklin County Municipal Court Clerk be and is hereby directed and authorized to enter into a contract with Maximus, Inc. for four additional months, totaling eight months of the sixth year of a six year contract with Maximus, Inc. for the CourtView 2000 software support service for the period of August 1, 2006 thru November 30, 2006.

**Section 2.** That for paying the cost thereof the sum of \$62,587.00 or so much thereof as may be needed is hereby authorized to be expended from the Municipal Court Clerk special revenue fund, fund 227, organization one 2601, subfund number 02, oca code 260208, object level 1- 03, object level 3 - 3369.

**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 if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1389-2006

**Drafting Date:** 07/17/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** This ordinance authorizes a supplemental appropriation of \$195,000.00 from the unappropriated balance of the Clerk's collection fund; authorizes the Franklin County Municipal Court Clerk to enter into the first year of a three-year contract with Linebarger, Goggan, Blair & Sampson, LLP and Dana and Pariser L.P.A, commencing August 3, 2006 through August 2, 2007, for the provision of collection services for the Court's accounts receivables; authorizes an expenditure of \$355,000.000.

On March 6, 2006 ordinance 0421-2006 and 0439-2006 authorized an expenditure totaling \$200,000.00 from the 2006 collection fund appropriation of \$360,000.00, until such time the collections services were bid competitively. As a result, a supplemental appropriation up to the sum of \$195,000.00 from the unappropriated balance of said fund is needed to enter into the first year of two, three-year contracts commencing August 3, 2006 through August 2, 2007.

The second tier collection services have been ongoing since 1998. These services have been very successful in collecting

finances and costs that would otherwise be uncollectible. Since, the Franklin County Municipal Court Clerk's office does not have the resources in-house to adequately pursue these services, the Clerk believes it is in the City's best interest to out-source the collection services. The contracts are self-funding in that the percentage charged for collecting the receivables is added to the total debt collected, pursuant to ORC 2335.24; thereby, negating any costs to the City of Columbus for this service.

**Bid Information:**

On May 15, 2006 opening formal competitive bids were solicited through SA 002035, for one or more collection services. The bids closed on June 5, 2006, with forty-four responses from the vendors. A total of eleven of the forty-four vendors submitted timely proposals. An evaluation committee of five was formed to evaluate the SOQs specified in the RFSQs on the following criteria:

1. The competence of the offeror to perform the required service.
2. The ability of the offeror to perform competently and expeditiously.
3. Past performance of the offeror.

On the basis of these criteria, the committee selected the four (4) best-qualified vendors for further consideration. The committee visited each of the 4 offeror's facilities where a presentation was made by each of the offerors to elaborate on their proposals, statement of qualifications and other pertinent information. The committee ranked all the offerors based on the quality and feasibility of their proposals. The committee submitted in writing the ranking and explanation to the Director. In agreement with the committee, the Director awarded contracts to the two best bidders: Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A.

These companies are not debarred according to the excluded party listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State unresolved finding for recovery certified search.

**Contract Compliance Number:** Linebarger, Goggan, Blair & Sampson LLP: 74-2864602, Expires 1/20/2007  
Dana & Pariser L.P.A.: 31-1465711, Expires 5/25/2007

**Emergency:** Emergency declaration is requested for the continuity of the collection process.

**Fiscal Impact:** This ordinance shall result in additional revenues to the general fund. No payment of services will be made until monies for the collection of the accounts receivable are deposited with the Clerk and subsequently with the City Treasurer. Funds totaling \$160,000.00 are available in the Clerk's 2006 collection special revenue fund appropriations and the supplemental appropriation of \$195,000.00 shall be available as funds are deposited into said fund.

**Title**

To authorize a supplemental appropriation of \$195,000.00 from the unappropriated balance of the Clerk's collection fund; to authorize and direct the Franklin County Municipal Court Clerk to enter into the first year of a three year contract with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A, for the provision of the Clerk's accounts receivables collection services; to authorize an expenditure up to \$355,000.00 from the Clerk's collection fund appropriations; and to declare an emergency. (\$355,000.00)

**Body**

**Whereas**, it is necessary to enter into contract with Linebarger, Goggan, Blair & Sampson LLP and Dana & Pariser L.P.A. to continue to the collect accounts receivables for the Franklin County Municipal Court that the Clerk has determined to be uncollectible; and,

**Whereas**, passage of this ordinance will enable the Franklin County Municipal Court Clerk to appropriate said funds within the unappropriated balance of the collection special revenue fund; and

**Whereas**, the current contracts expire August 2, 2006; and

**Whereas**, that proceeds are within the collection fund; and

**Whereas**, the Franklin County Municipal Court has a immediate need for this service to bring in additional revenues to the general fund as well as other agencies in Franklin County; and,

**Whereas**, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk, in that it is immediately necessary to authorize such contracts to continue the collection services without interruption, for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

**Section 1.** That the Franklin County Municipal Court Clerk is authorized and directed to enter into the first year of a three year contract with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A. to review and collect the Court's accounts receivables that the Clerk has determined to be uncollectible.

**Section 2.** That from the unappropriated monies in the Clerk's collection fee special revenue fund, and from all monies estimated to be deposited into said fund, the sum of \$195,000.00 be and is hereby appropriated within fund 295, sub fund 02, organization 2601, oca code 261295, object level one 03, object level three - 3336.

**Section 3.** That the expenditure of \$195,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Clerk's collection special revenue fund, department 2601, fund 295, oca 261295, object level one 03, object level three - 3336 to contract with Linebarger, Goggan, Blair & Sampson LLP and that the Auditor is hereby authorized to draw warrants upon the treasury for services there under upon receipt of invoices from the Franklin County Municipal Court Clerk.

**Section 4.** That the expenditure of \$160,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Clerk's collection special revenue fund, department 2601, fund 295, oca 261295, object level one 03, object level three - 3336 to contract with Dana & Pariser L.P.A. and that the Auditor is hereby authorized to draw warrants upon the treasury for services there under upon receipt of invoices from the Franklin County Municipal Court Clerk.

**Section 5.** That the contracts were awarded pursuant to the provisions of the Columbus City Codes, Chapter 329, Section 329.13.

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

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**Legislation Number:** 1391-2006

**Drafting Date:** 07/17/2006

**Version:** 2

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the disposition of one property, 2800 Bulen Avenue (010-113716), currently held in the Land Bank and the acceptance of one parcel into the Land Bank, 882 Ellsworth Avenue (010-054903). The parcel identified as 2800 Bulen Avenue will be traded to Greater Columbus Habitat for Humanity in exchange for the vacant lot located at 882 Ellsworth Avenue. Greater Columbus Habitat currently owns this vacant lot and it will be

transferred to the Land Bank for an identified project. This property will be held in the City's Land Bank and managed in accordance with the policies and procedures of the Land Reutilization Program.

**FISCAL IMPACT:** No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance, and disposition of such land and such other expenses of the program as the City may apportion to such land.

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to expedite the redevelopment efforts.

**Title**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (2800 Bulen Avenue) held in the Land Bank pursuant to the Land Reutilization Program; to authorize the acceptance of a deed for one parcel of land (882 Ellsworth Avenue) into the Land Bank; and to declare an emergency.

**Body**

**WHEREAS**, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

**WHEREAS**, a proposal for the sale of one parcel which has been acquired **pursuant to Section 5722.03** for this program meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

**WHEREAS**, such this one parcel of real estate being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07 **competitive bidding is not required**; and

**WHEREAS**, under 5722.07 “fair market value” means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; and

**WHEREAS**, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

**WHEREAS**, Greater Columbus Habitat for Humanity, owner of the said real estate, has agreed to exchange a parcel of land for another Land Bank lot; and

**WHEREAS**, by virtue of said deed to the City of Columbus this deed will be recorded in the Franklin County Ohio, Recorder's Office; and

**WHEREAS**, the City desires to accept the deed for said property which will be held in the Land Bank Program and managed in accordance with the Land Reutilization Program's policies and procedures; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to approve said Land Bank real estate exchange, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That the Director of the Department of Development is hereby authorized and directed to execute any and all necessary agreements and deeds to convey title of the following parcels of real estate:

2800 Bulen Avenue 010-113716

Being Lot Number Eighty-Five (85) "Opportunity Farms", as the same lot is numbered and delineated upon the recorded plat thereof of record in Plat Book 15, page 28, Recorder's Office, Franklin County, Ohio.

**Section 2.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**Section 3.** That the City of Columbus hereby accepts the property described herein as:

PARCEL: 010-054903  
ADDRESS: 882 Ellsworth Avenue  
USE: Future Redevelopment  
PRICE: \$0.00

**Section 4.** That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

**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.

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**Legislation Number:** 1392-2006

**Drafting Date:** 07/17/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This ordinance transfers \$150,000 within the Development Department, General Fund to provide additional funds for the demolition of unsafe structures.

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

**FISCAL IMPACT:**

This ordinance will authorize the transfer of \$150,000 from Object Level One 01 to Object Level One 03.

**Title**

To authorize and direct the transfer of \$150,000 within the Development Department, General Fund between object levels to provide additional funds for the demolition of unsafe structures; and to declare an emergency. (\$150,000)

**Body**

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to transfer funds for the demolition of unsafe structures, thereby preserving the public health, peace, property, safety and welfare; **Now, Therefore;**

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

**Section 1.** That the City Auditor be and is hereby authorized and directed to transfer \$150,000 within the Development Department, General Fund, Fund 010, Neighborhood Services, Division 44-05, as follows:

**FROM:**

<b>Object Level 1</b>	<b>Object Level 3</b>	<b>OCA</b>	<b>Amount</b>
01	1101	440328	\$60,000
01	1101	440329	\$90,000
<b>Total: \$150,000</b>			

**TO:**

<b>Object Level 1</b>	<b>Object Level 3</b>	<b>OCA</b>	<b>Amount</b>
03	3292	440330	\$150,000
<b>Total:\$150,000</b>			

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

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**Legislation Number:** 1394-2006

**Drafting Date:** 07/18/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes the appropriation and expenditure of \$18,581.00 from the Emergency Human Services Fund. These funds will be used by the Department of Development to enter a grant agreement with the

EnterpriseWorks for its Women's Business Center. EnterpriseWorks Women's Business Center will assist socially and economically disadvantaged Columbus women within the business community in achieving economic empowerment through entrepreneurship, increase competitiveness of female owned Columbus businesses in government markets, and creating and retaining jobs.

EnterpriseWorks is requesting \$18,581.00 for its involvement in the Women's Business Center for training needs for female business owners. Said training will include business marketing, business growth and expansion, generating cash flow and capital, client budget constraints and time management consulting. The training will also include workshops and seminars on business topics such as, how to start a business, securing loans, financial management and government procurement and marketing assistance among others.

EnterpriseWorks requests \$18,581.00 for wages, fringe, space costs and other supplies in order to provide training and counseling through the Women's Business Center.

This legislation is presented as an emergency in order to provide assistance to the organization in timely manner.

**FISCAL IMPACT:** Funds for this grant will be allocated from the FY2006 Emergency Human Services Fund.

**Title**

To authorize the appropriation of \$18,581.00 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to approve a grant application to EnterpriseWorks which is seeking financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959; to authorize the Director of the Department of Development to provide grant assistance to EnterpriseWorks; to authorize the expenditure of \$18,581.00 from the Emergency Human Services Fund; and to declare an emergency. (\$18,581.00)

**Body**

**WHEREAS,** EnterpriseWorks has submitted a grant application seeking funds for assistance with wages and fringe, space costs, supplies; and

**WHEREAS,** City Council has reviewed the grant application of EnterpriseWorks and hereby declares that EnterpriseWorks has articulated an emergency human service need that is sufficient to justify approval of said grant; and

**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 Program Operating Fund; and to enter into a grant with EnterpriseWorks; and

**WHEREAS,** the grant will assist EnterpriseWorks with operating funds to improve the delivery of social services; 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 provide grant assistance to EnterpriseWorks, all for the immediate preservation of the public health, peace, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That the grant application to EnterpriseWorks will seek financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959 is hereby approved.

**Section 2.** That the Director of Development is hereby authorized and directed to provide grant assistance to the

EnterpriseWorks to support its Women's Business Center.

**Section 3.** 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, 2006, the sum of \$18,581.00 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 4.** That for the purpose as stated in Section 2, the expenditure of \$18,581.00 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 5.** That the expenditure authorized herein is in accordance with Section 371.02(c) of the Columbus City Codes, 1959.

**Section 6.** That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and shall 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.

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**Legislation Number:** 1395-2006

**Drafting Date:** 07/18/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** This legislation authorizes the modification of a contract between the City of Columbus and the YMCA of Central Ohio (YMCA). Contract DL011754 provides the YMCA with funding to support truancy intervention activities. It is necessary at this time to modify the contract to extend the contract for an additional year, to June 30, 2007.

This modification will allow the YMCA to increase its capacity to expand on reductions in truancy through educational procedures, case management and other interventions. In addition to monetary support, the Columbus Public Schools will continue to be responsible for coordination and communication of program expectations to its' school system and to the at-large community. The City of Columbus will continue to facilitate police officers to transport truant students to a truancy center, and to serve as the fiduciary for the contract.

This legislation is presented as an emergency because of the need to continue program services without interruption.

**FISCAL IMPACT:** No funding is required for this legislation.

#### **Title**

To authorize the Director of the Department of Development to modify the truancy intervention program contract with the YMCA of Central Ohio to extend the contract for an additional year; and to declare an emergency.

#### **Body**

**WHEREAS,** it is the desire of the Director of the Department of Development to modify contract DL011754 with the YMCA of Central Ohio for truancy intervention activities; and

**WHEREAS**, a modification to that contract is now necessary to extend the contract period for an additional year; and

**WHEREAS**, this modification will increase the YMCA's capacity to expand on reductions in truancy through educational procedures, case management and other interventions; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Neighborhood Services Division, in that it is immediately necessary to modify said contract with the YMCA of Central Ohio, all for the immediate preservation of the public health, peace, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That the Director of the Department of Development is hereby authorized to amend contract DL011754 with the YMCA of Central Ohio to extend the contract term to June 30, 2007.

**Section 2.** That this modification is awarded pursuant to Section 329.16 of the Columbus City Codes, 1959 as amended.

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

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**Legislation Number:** 1396-2006

**Drafting Date:** 07/18/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The City of Columbus Department of Public Safety, Division of Police on behalf of the Columbus Urban Area Homeland Security Advisory Committee was awarded a grant for the acquisition of a BlastGARD Window Film. This protective window film will provide shatter resistance protection to Central Police Headquarters to significantly reduce the potential of glass cut injuries in the event of an explosion or natural disaster. The City of Columbus and Franklin County entered into an Intergovernmental Agreement, Ordinance 1917-2005 to enable this type of purchase. The total expenditure is in the amount of \$133,350.00. The grant award is in the amount of \$105,219.00 the remaining balance of \$28,131.00 will be expended from Police Capital Improvements for small projects. Due to time constraints of the grant, it is important to complete this acquisition as soon as possible.

Bid Information: A formal bid, Solicitation No. SA002005, Purchase & Installation of Glass Retention Film was opened on June 8, 2006.

Eight suppliers submitted bids for BlastGARD Window Film and the evaluation committee determined that Pentagon Protection United States was the most responsive, responsible bidder.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Emergency Designation: Emergency legislation is requested to expedite the process of the award from Franklin County Office of Homeland Security and Justice Programs.

Contract Compliance Number: 510556781

FISCAL IMPACT: There is no fiscal impact for the General Fund Account. The Intergovernmental Agreement permits City of Columbus and Franklin County to make the federal sub-grant expenditures. \$105,219.00 will be paid by Franklin County through the Urban Area Homeland Security Grant and \$28,131.00 from the Police Capital Improvement Funds for small projects.

**Title**

To authorize and direct the Public Safety Director to execute those documents necessary for the acquisition of protective window film utilizing the Homeland Security Grant; to enter into contract with Pentagon Protection United States for protective window film; and to declare an emergency.

**Body**

WHEREAS, the Division of Police was awarded a grant from Franklin County Office of Homeland Security and Justice Programs; and

WHEREAS, protective window film will provide shatter resistance protection to Central Police Headquarters to significantly reduce the potential of glass cut injuries in the event of an explosion or natural disaster; and

WHEREAS, formal bid SA002005 for the acquisition of protective window film for the Division of Police, Department of Public Safety was received on June 8, 2006; and

WHEREAS, Pentagon Protection United States was the most responsive, responsible bidder: and

WHEREAS, the Division of Police is requesting the Public Safety Director to execute the necessary document for acquisition of protective window film utilizing the Homeland Security Grant; and

WHEREAS, the Division of Police is requesting the Public Safety Director to enter into contract for protective window film; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Support Services, Department of Public Safety, in that it is immediately necessary to execute the needed documents for the acquisition from the federal sub-grant and to enter into contract for protective window film from Police Capital Improvement Funds thereby preserving the public peace, property, health, safety and welfare; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Public Safety Director be and is hereby authorized and directed to execute those documents necessary for acquisition of a protective window film from Pentagon Protection United States utilizing the Homeland Security Grant and to expend funds for protective window film.

Section 2. That the evaluation committee determined that Pentagon Protection United States was the most responsive and responsible bidder.

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.

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**Legislation Number:** 1397-2006

**Drafting Date:** 07/18/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**..Explanation**

BACKGROUND: To modify and extend the existing city-wide contract for the option to purchase Liquefied Petroleum Gas (Propane) to and including June 30, 2007. Formal bids were opened by the Purchasing Office on June 12, 2003. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA000451JRM). FL001780, with Ferrellgas was established in accordance with bids received. Their contract compliance number is 43-1698481 expires 07/17/07.

1. Amount of additional funds: The estimated annual expenditure for the contract is \$60,000.00. Various City agencies must obtain approval to expend from their own budgeted funds for their estimated expenditures.
2. Reason additional needs were not foreseen: The need was foreseen. An extension clause was included in the original contract.
3. Reason other procurement processes not used: The same exact product is required as originally bid. No lower pricing/more attractive terms and conditions are anticipated at this time.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

FISCAL IMPACT: No funding is required to extend the option contracts. Various City agencies must set aside their own funding for their estimated expenditures.

To maintain an uninterrupted supply of service to the City Agency using the Universal Term Contract, this ordinance is be submitted as an emergency.

#### **Title**

To authorize and direct the Finance and Management Director to modify and extend the UTC for the option to purchase Liquefied Petroleum Gas (Propane) with Ferrellgas 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 FL001780 at current prices and conditions to and including June 30, 2007, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid a lapse in our ability to provide Liquefied Petroleum Gas (Propane), this is being submitted for approval as an emergency measure; and

WHEREAS, Liquefied Petroleum Gas (Propane) is necessary to properly maintain numerous City facilities,

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to extend FL001780 for an option to purchase Liquefied Petroleum Gas (Propane) 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 and Management Director be and is hereby authorized and directed to modify and extend FL001780 with Ferrellgas. to and including June 30, 2007.

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.

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**Legislation Number:** 1400-2006

**Drafting Date:** 07/18/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

ExplanationThe Public Service Department, Transportation Division has recently completed the reconstruction and widening of Lane Avenue from a point 700 feet west of Olentangy River Road to a point 500 feet east of North High Street. As a part of the acquisition related activities on this project the City Attorney's Office filed a case in the Franklin County, Ohio, Court of Common Pleas for acquisition of Parcel 42 WD, T. The City Attorney's Office, Real Estate Division settled Court Case 02CVH-09-9701 on June 26, 2006. At this time an additional \$253,000.00 is needed to pay the court-approved settlement costs associated with this case. This legislation authorizes the City Attorney to expend an additional \$253,000.00 or so much thereof as may be necessary to complete the acquisition of Parcel 42 WD, T.

**Fiscal Impact:** Additional court-approved settlement costs associated with the acquisition of Parcel 42 WD, T of the Lane Avenue Widening and Improvement project total \$253,000.00. Funds for this settlement are available within the State Issue Two Street Projects Fund in the Lane Avenue project. This legislation appropriates the necessary funds and authorizes this expenditure.

Emergency action is requested to allow eminent domain-related acquisition activities for this parcel to be completed as soon as possible to bring closure to this court-approved settlement.

TitleTo appropriate \$253,000.00 within the State Issue Two Street Projects Fund; to authorize the City Attorney to expend an additional \$253,000.00 for acquisition activities for the Lane Avenue Improvement project from the Issue Two Street Projects Fund for the Transportation Division and to declare an emergency. (\$253,000.00)

Body**WHEREAS**, the Public Service Department, Transportation Division has recently completed the reconstruction and widening of Lane Avenue from a point 700 feet west of Olentangy River Road to a point 500 feet east of North High Street; and

**WHEREAS**, as a part of the acquisition-related activities on this project the City Attorney's Office filed a case in the Franklin County Court of Common Pleas for acquisition of Parcel 42 WD, T; and

**WHEREAS**, the City Attorney's Office, Real Estate Division, settled Court Case 02CVH-09-9701 on June 26, 2006; and

**WHEREAS**, an additional \$253,000.00 is needed at this time to pay the court-approved settlement costs associated with this case; and

**WHEREAS**, this legislation authorizes the City Attorney to expend an additional \$253,000.00, or so much thereof as may be necessary, to complete the acquisition of Parcel 42 WD, T; and

**WHEREAS**, funds are available within the State Issue Two Street Projects Fund but must be appropriated to pay for said eminent domain-related settlement costs; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to authorize the City Attorney to pay these costs as soon as possible to bring closure to this Franklin County Common Pleas Court-approved settlement, 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 in Fund 764, the State Issue Two Street Projects Fund, and from all

monies anticipated to come into said Fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$253,000.00 be and hereby is appropriated to Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6601, OCA Code 590410 and Grant 590410.

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

**SECTION 3.** That the City Attorney be and hereby is authorized to expend \$253,000.00 or so much thereof as may be necessary to complete the acquisition of Parcel 42 WD, T for the Lane Avenue Improvement project for the Transportation Division.

**SECTION 4.** That the expenditure of an additional of \$253,000.00 or so much thereof as may be necessary be and hereby is authorized from Fund 764, the State Issue Two Street Projects Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6601, OCA Code 590410 and Grant 590410 to pay the cost thereof.

**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.

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**Legislation Number:** 1402-2006

**Drafting Date:** 07/18/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** To change the Federal Identification (FID) Number for contract number CT-14942 for the purchase of Pager Services for the Department of Public Safety, the largest user. This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus with ARCH WIRELESS from FID 22-3619446 to FID 91-1199104.

Contract Compliance #223619446; expires October 28, 2007.

- 1. Amount of additional funds:** No additional funds are necessary to modify the option contract.
- 2. Reason additional needs were not foreseen:** The current supplier merged with another company.
- 3. Reason other procurement processes not used:** The same exact product is required as originally bid. No lower pricing/more attractive terms and conditions are anticipated through rebidding at this time.
- 4. How cost was determined:** Terms and conditions are in accordance with the original agreement.

**FISCAL IMPACT:** No additional dollars required to modify the option contract. Each agency must set aside their own funding for their estimated expenditures.

This company is not listed on the Auditor of State Findings for Recovery Database. This company is not listed on the Federal Excluded Parties Listing.

In order to maintain an uninterrupted of services to City agencies using this Universal Term Contract, this ordinance is being submitted as an emergency.

To authorize and direct the Finance & Management Director to modify past, present and future purchase orders with ARCH WIRELESS and to declare an emergency.

**Body**

**WHEREAS**, the Finance/Purchasing Office established the contract with ARCH WIRELESS for the option to purchase pager services, and

**WHEREAS**, ARCH WIRELESS has changed its FID Number, in addition to notifying the City of the change has agreed to honor the past, present and future purchase orders established from contract number CT-14942, and

**WHEREAS**, in order to ensure pager services are available for the Department of Public Safety, the largest user to avoid delays, this is being submitted for consideration as an emergency measure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Safety Department in that it is immediately necessary to modify contract number CT-14942, thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

**SECTION 1.** That the Finance & Management Director be and is hereby authorized and directed to modify contract CT-14942 and all past, present and future purchase orders pursuant to that contract to reflect ARCH WIRELES'S FID Number change from 22-3619446 to 91-11999104.

**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.

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**Legislation Number:** 1403-2006

**Drafting Date:** 07/18/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe Public Service Department, Transportation Division, is pursuing the improvement of a portion of Alum Creek Drive between Williams Road and Refugee Road in cooperation with the Ohio Department of Transportation (ODOT). This project is designed to improve the capacity of Alum Creek Drive by widening the roadway to five lanes. The project will also include curb, asphalt paths for pedestrians and bicycles, enclosed drainage, new signals and street lighting.

This legislation authorizes a modification to the existing design contract with R. D. Zande and Associates, Incorporated. A contract modification is necessary to incorporate revised city and state standards and guidelines, additional surveying and plan design changes for new developments that have occurred along Alum Creek, a new traffic signal at New World Drive, a 24" waterline (per the Power and Water Division's request) and additional design changes to provide accommodations for Americans with Disabilities Act (ADA) features and bikeway facilities and to modify the plans to reflect changes in

lighting and drainage standards.

This modification is an addition to the original scope of services but is a continuation of the existing work being performed and it would not be practical to contract with a different consultant.

The current hourly and overhead rates and percentage of profit for this project have been updated to reflect changes in negotiated rates from the commencement of this project in 1999. R. D. Zande, contract compliance number 31-1395123 (expires January 27, 2008) was selected in 1998 in accordance with City Chapter 329 requirements for professional service contract provision.

The original contract amount was \$464,200.00. The previous modification amount was \$139,385.03. This modification is for \$202,855.00. The total of all modifications is \$342,240.03. The total contract amount including all modifications is \$806,440.03.

**Fiscal Impact:** This specific expense is unbudgeted, however, funds in the amount of \$202,855.00 are available within the Transportation Division's 2006 Capital Improvements Budget in the 1995, 1999, 2004 Streets and Highways Fund in the Federal/State Match project that can be used for this purpose due to delays in the construction of the Roberts Road Improvement project. This portion of funding for the Roberts Road project will be replaced with proceeds from a future bond sale.

Emergency action is requested for immediate modification of the design contract for the earliest possible completion of the design to stay on schedule for construction and to preserve the safety and welfare of the public.

Title To authorize the Public Service Director to modify and increase the existing design contract with R. D. Zande and Associates, Incorporated, for the Alum Creek Drive Improvement project for the Transportation Division; to authorize the expenditure of \$202,855.00 from the 1995, 1999, 2004 Streets and Highways Fund and to declare an emergency. (\$202,855.00)

Body **WHEREAS**, Contract number CT-19996 was authorized by Ordinance 2661-1998, passed by City Council October 19, 1998, and executed and approved by the City Attorney on January 5, 1999; and

**WHEREAS**, it is necessary to modify this contract to scope of services per the consultant's letters dated February 24, 2006 for design of the Alum Creek Drive project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be modified and increased immediately so that the work may proceed without delay in order to stay on schedule for construction, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Public Service Director be and hereby is authorized to modify and increase Contract number CT-19996 with R. D. Zande and Associates, Incorporated, 1500 Lake Shore Drive, Suite 100, Columbus, Ohio 43204 to complete the design of the Alum Creek Drive project in accordance with the scope of service on file in the office of the Public Service Director.

**SECTION 2.** That for the purpose of paying the cost of said contract modification, the sum of \$202,855.00 or so much thereof as may be needed, be and hereby is authorized to be expended from Fund 704, the 1995, 1999, 2004 Streets and Highways Fund, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6682, OCA Code 644385 and Project 530208.

**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.

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**Legislation Number:** 1404-2006

**Drafting Date:** 07/18/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

**Background:** This ordinance authorizes a supplemental appropriation of \$80,000.00 from the unappropriated balance of the Clerk's collection fund; authorizes the Franklin County Municipal Court Clerk to amend and increase the contract with Capital Recovery Systems Inc., for an additional eight months, commencing August 3, 2006 through April 2, 2007, for the provision of collection services for the Court's accounts receivables and authorize an expenditure up to \$80,000.00.

Ordinance 0421-2006 passed by Council on March 6, 2006 authorized the Clerk to enter into contract EA004094-005 with Capital Recovery Systems for an additional five months until such time the Clerk could competitively bid-out the collection services. On May 15, 2006 the collection bids were open through SA002035. The bid was not awarded to Capital Recovery System; therefore, an additional eight months are needed for the company to sufficiently complete the collection process for the cases that they currently have in their possession, as well as to return all case data to the Franklin County Municipal Court Clerk. Further, due to the authorized expenditure of \$200,000.00 (ordinances: 0421-2006 and 0439-2006) from the \$360,000.000 collection fund appropriation and the pending ordinance 1389-2006, a supplemental appropriation is needed for an additional eight months of collection services.

This company is not debarred according to the excluded party listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State unresolved finding for recovery certified search.

**Contract Compliance Number:** Capital Recovery Systems, Inc.: 31-1570459, Expires 2/2/2007

**Emergency:** Emergency declaration is requested for the continuity of the collection process.

**Fiscal Impact:** This contract is self-funding and shall result in additional revenues to the general fund. No payment of services will be made until monies for the collection of the accounts receivable are deposited with the Clerk and subsequently with the City Treasurer. Funds for the supplemental appropriation shall be available upon deposit of said funds with the City Treasurer.

### **Title**

To authorize a supplemental appropriation of \$80,000.00 from the unappropriated balance of the Clerk's collection fund; authorize and direct the Franklin County Municipal Court Clerk to amend and increase the Court's receivables contract with Capital Recovery Systems, Inc.; to authorize an additional expenditure up to \$80,000.00 from the Clerk's collection fund appropriations; and to declare an emergency. (\$80,000.00)

### **Body**

**Whereas**, it is necessary to enter into a contract with Capital Recovery Systems, Inc. for an additional eight months to sufficiently complete the collection process for the cases that they currently have and to return all case data to the Franklin County Municipal Court; and

**Whereas**, passage of this ordinance will enable the Franklin County Municipal Court Clerk to appropriate said funds within the unappropriated balance of the collection special revenue fund; and

**Whereas**, the current contracts expires August 2, 2006; and

**Whereas**, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk, in that it is

immediately necessary to authorize such contracts to continue the collection services without interruption, for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

**Section 1.** That the Franklin County Municipal Court Clerk be and hereby authorized to amend and increase contract number EA004094/006 with Capital Recovery Systems from August 3, 2006 through April 2, 2007 to collect the Court's receivables.

**Section 2.** That from the unappropriated monies in the Clerk's collection special revenue fund, and from all monies deposited into said fund, the sum of \$80,000.00 be and is hereby appropriated with fund 295, subfund 02, organization 2601, oca code 261295, object level one 03, object level three -3336.

**Section 3.** That an additional expenditure of \$80,000.00 or so much thereof as may be needed to be expended from the Clerk's collection fee special revenue fund, department 2601, fund 295, oca 261295, object level one 03, object level three-3336.

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

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**Legislation Number:** 1405-2006

**Drafting Date:** 07/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: To modify and extend the existing city-wide contract for the option to purchase Vehicle Washing Services for Fleet Management, the largest user to and including May 31, 2007. Formal bids were opened by the Purchasing Office on April 22, 2004. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA001093 GRW). FL002227, with Custom Detailing Inc. was established in accordance with bids received. Their contract compliance # 311585664.

1. Amount of additional funds: The estimated annual expenditure for the contract is \$25,000.00. Fleet Management must obtain approval to expend from their own budgeted funds for their estimated expenditures.
2. Reason additional needs were not foreseen: The need was foreseen. An extension is provided for in the original contract.
3. Reason other procurement processes not used: No better pricing, terms or conditions are expected by re-bidding at this time.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

FISCAL IMPACT: No funding is required to extend the option contracts. Fleet Management must set aside their own funding for their estimated expenditures.

To maintain an uninterrupted supply of service to the City Agency using the Universal Term Contract, this ordinance is be submitted as an emergency.

**Title**

To authorize and direct the Finance and Management Director to modify and extend the citywide contract for the option to purchase Vehicle Washing Services with Custom Detailing Inc. 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 FL002227 at current prices and conditions to and including May 31, 2007, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid a lapse in our ability to provide Vehicle Washing Services, this is being submitted for approval as an emergency measure; and

WHEREAS, this service is used to keep the city's fleet of vehicles and equipment clean and operational,

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management in that it is immediately necessary to extend FL002227 for an option to purchase Vehicle Washing Services thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to modify and extend FL002110 with Automotive Spring Service Inc. to and including May 31, 2007.

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.

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**Legislation Number:** 1406-2006

**Drafting Date:** 07/19/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** This legislation authorizes the Finance and Management Director to enter into a professional services contract for the Facilities Management Division with Mull & Weithman Architects, Inc. for engineering consulting services in order to produce detailed plans for the new impound lot. The goal is to design a 20,000 square foot office facility with two 15,000 square feet storage barns and a 45-acre storage lot. All of these design services are to include environmentally responsible components in compliance with the Mayor's policy directive "Get Green Columbus 2005: Environmental Stewardship in the 21st Century."

Responsibilities will also include progressive meetings with the City and the community through completion of an agreed upon final product, complete zoning process, renderings, drawings, specifications, and the bid process. The construction administration phase will include shop drawings and submittal reviews, RFI and change order process, pay request review/approval, weekly site progress meetings, providing as built drawings/CAD files, with close out documentation upon completion of the project. The contract will also include an architectural contingency for City requested scope of work

changes and unforeseen circumstances.

Formal Requests for Statements of Qualifications (RFSQ) were solicited by the City of Columbus in the City Bulletin from April 4, 2006 through April 14, 2006. The City received three minimally compliant proposals. A five-member evaluation committee reviewed the statements. Two members were from the Police Division, two members were from the Facilities Management Division, and one member was from the Equal Business Opportunity Commission.

The committee ranked the statements of qualifications as follows: Mull & Weithman Architects, Inc. 917; McDonald, Cassell & Basset, Inc. 751; WSA Studio 702.

This ordinance also authorizes the transfer, appropriation, and expenditure of \$1,800,000.00 from the Special Income Tax Fund to partially pay for this project. The Special Income Tax transfer and appropriation is a temporary measure until the City sells notes or bonds for this project.

**Emergency action** is requested so that work may begin as quickly as possible to improve Police Division operations throughout the City and relocate the impound lot off the Whittier Peninsula as soon as possible.

**Fiscal Impact:** The Facilities Management Division received \$12,000,000.00 in the 2006 Capital Improvement Budget for this project, to include professional services and construction. Bonds have yet to be sold; therefore, a transfer of cash from the Special Income Tax Fund is necessary. The actual project will be bid once the engineering is complete. The total cost of this professional services contract is \$1,800,000.00. Of this, \$1,544,400.00 is for base services, and the remaining \$255,600.00 is contingency. Mull & Weithman Architects, Inc., Contract Compliance Number 31-1635306, expiration date 01/31/2008.

Title

To authorize and direct the City Auditor to transfer \$1,800,000.00 from the Special Income Tax Fund to the Facilities Management Capital Improvement Fund; to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Mull & Weithman Architects, Inc. for professional services related to the construction of a new impound lot, to authorize the expenditure of \$1,800,000.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency. (\$1,800,000.00).

Body

**WHEREAS**, the City of Columbus desires to design a new impound lot to better meet the current and future needs of the residents of Columbus, and

**WHEREAS**, three firms submitted professional services proposals and Mull & Weithman Architects, Inc. achieved the highest score from a five-person Evaluation Committee, and

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

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

**WHEREAS**, the aggregate principal amount which the city will issue to finance this phase of the project is presently expected not to exceed \$1,800,000.00; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to contract with Mull & Weithman Architects, Inc. for professional services associated with the design and construction administration of a new impound lot, therefore:

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

**SECTION 1.** That the sum of \$1,800,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2006 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

**SECTION 2.** That the City Auditor is hereby authorized to transfer said funds to the Facilities Management Capital Improvement Fund, Fund 733, at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

**SECTION 3.** That the amount of \$1,800,000.00 is hereby transferred and appropriated to the Facilities Management Division 45-07, Capital Improvement Fund, Fund 733, Impound Lot Project 570034, , Object Level Three Code 6681.

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

**SECTION 5.** That the City Auditor is authorized to establish proper accounting project numbers, and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 2, above.

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

**SECTION 7.** That the Finance and Management Director is hereby authorized to contract with Mull & Weithman Architects, Inc. for professional services associated with the design and construction administration of the new impound lot.

**SECTION 8.** That the expenditure of \$1,800,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 7, be and is hereby authorized and approved as follows:

Division: 45-07  
Fund: 733  
Project: 457733  
Object Level 1: 06  
Object Level 3: 6681  
Amount: \$1,800,000.00

**SECTION 9.** 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.

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**Legislation Number:** 1408-2006

**Drafting Date:** 07/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This ordinance authorizes the Public Service Director to enter into contract with Messer Construction Company for the construction of the new fleet maintenance facility for the Fleet Management Division and enter into a professional services contract for construction management services pending negotiations on price with the firms who submitted formal proposals on May 17, 2006. The Public Service Department is committed to building a new fleet maintenance facility to conduct vehicle repairs and service the needs of the city fleet. The existing maintenance facility at 423 Short Street was originally constructed as a vehicle storage building for refuse collection vehicles and retrofitted in the early 1970's for repairing vehicles and administrative offices. The existing facility is spatially inadequate to handle the maintenance of a large and modern city fleet. The construction of a new maintenance facility will provide a 150,000 square ft. building specifically designed for fleet maintenance operations and will be large enough to consolidate several current maintenance garages including 270 Greenlawn Avenue, the Short Street facilities, the motorcycle shop, and East 25th Avenue. The new maintenance facility will also be large enough to accommodate all manner of Fire, Police, Refuse Collection, and Transportation Division vehicles and with enough space to service the City's fleet well into the twenty-first century. In addition, the new maintenance facility will include the Police Division Traffic Bureau (Motorcycle Unit) and Fire Maintenance 34. Vacating the Short Street location as well as the Greenlawn facilities will present opportunities for future riverfront and/or Brewery District and Whittier Peninsula development.

Council passed Ordinance 0469-2005 on July 11, 2005 to complete the design of the new maintenance facility by DLZ in the amount of \$725,000.00. Council also passed Ordinance 0933-2005 on June 13, 2005 to purchase nearly 28 acres of land on Groves Road (near Hamilton Road) in the amount of \$775,000.00 as the location of the new maintenance facility. The Groves Road location will also include a Transportation Outpost facility in the future.

The Public Service Department advertised formal bids for the new fleet maintenance facility in the City Bulletin. Four bids were received on July 13, 2006, as follows:

<b>Firm</b>	<b>Bid</b>	<b>Status</b>
Messer Construction	\$25,741,000.00	Majority
Corna/Kokosing	\$26,919,800.00	Majority
Albert Higley	\$28,646,500.00	Majority
Setterlin	\$29,638,000.00	Majority

After review of the bids received the Public Service Department, Fleet Management Division, recommends acceptance of the best and most responsive bid submitted by Messer Construction Company, CC# 310740877, in the amount of \$25,527,000.00 (the total bid less Bid Alternate #2- Vehicle Wash Bay, \$214,000.00).

The Public Service Department does not maintain staff to complete a project of this magnitude without the services of a construction manager. A construction manager is necessary to provide project oversight during construction to include full-time monitoring of construction activities and progress, provide construction administration including but not limited to construction planning, communication, coordination of all aspects of the construction process and acting as a liaison between the general contractor and the City of Columbus.

A Request for Proposal (RFP) for construction management services was advertised in the City Bulletin from May 2, 2006 through May 17, 2006. Six (6) proposals were received from the following firms:

<b>Firm</b>	<b>Status</b>
DLZ Ohio, Inc.	MBR
G. Stephens	MBE
H.R. Gray	Majority
Miles/McClellan	MBE
Resource International	FBE
Smoot Construction	MBE

Upon review of the proposals by an evaluation committee, the firms were ranked by the quality of their proposals using criteria specified in the Columbus City Code 329.14, "Awarding professional service contracts through requests for proposals." The criteria used is as follows: firm location, firm size, current workload with the Public Service Department, understanding of the project, competence to perform, past performance, project tasks defined, proposed schedule, innovative approach, and cost containment. Based upon the aforementioned criteria, oral interviews were conducted with the top three ranked firms: Smoot Construction, DLZ Ohio, and Miles/McClellan. Negotiations on price remain incomplete at the time of this ordinance. This ordinance will, however, authorize the Director of Public Service to enter into a professional services contract for construction management services pending negotiations on price with the firms on file (and listed above) in the Public Service Department as a result of the RFPs received on May 17, 2006.

**FISCAL IMPACT:** The Fleet Management Division budgeted \$23,815,000.00 in the 2006 Capital Improvements Budget (CIB) for this project. This ordinance authorizes a total expenditure of \$26,740,000.00. The additional cost of the new fleet maintenance facility is due to inflation on construction materials and the inclusion of the Police Traffic Bureau (approximately \$1.5 million), which was not part of the original building plan. The additional funding will come from the Special Income Tax Fund (SIT) and \$925,000.00 from the Public Safety Voted Bond Fund as a partial commitment from Public Safety for the construction of the Police Traffic Bureau and Fire Maintenance 34.

Messer Construction Company's bid totals \$25.5 million. A total of \$7 million will be certified from the SIT as a

temporary measure until bonds are sold at which time the Fleet Management Division will begin paying for the additional debt via the operating budget. The entire debt cost of the new fleet maintenance facility and the construction management contract, will be paid from fees charged to Fleet Management customers.

**Emergency legislation** is requested so that construction can proceed as soon as possible to ensure sufficient progress during the 2006 construction season and keep the project on-schedule. A delay in awarding the contract will delay the completion of the project for approximately three months.

**Title**

To amend the 2006 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$7,000,000.00 from the Special Income Tax Fund to the Fleet Management Services Fund; to authorize the transfer of \$925,000.00 within the Public Safety Voted Bond Fund, to authorize the Public Service Director to enter into contract with Messer Construction Company for construction of the new fleet maintenance facility for the Fleet Management Division, to authorize the Public Service Director to enter into a professional services contract for construction management services based upon formal proposals on file with the Public Service Department, to authorize the expenditure of \$25,815,000.00 from the Fleet Management Services Fund and \$925,000.00 from the Public Safety Voted Bond Fund; and to declare an emergency. (\$26,740,000.00)

**Body**

**WHEREAS**, the Fleet Management Division has a need to replace its current fleet maintenance facilities and is intending to construct a new fleet maintenance facility on Groves Road beginning in the late summer 2006, and

**WHEREAS**, bids for a new fleet maintenance facility were formally advertised and received by the Fleet Management Division on July 13, 2006, and

**WHEREAS**, after review of the bids, the Public Service Department, Fleet Management Division, recommends acceptance of the best and most responsive bid submitted by Messer Construction Company, and

**WHEREAS**, proposals for construction management services for construction of the new fleet maintenance facility were formally advertised and received by the Fleet Management Division on May 17, 2006, and

**WHEREAS**, the Public Service Director will enter into a professional services contract for construction management services pending completion of negotiations on price with the firms who submitted proposals on May 17, 2006, and

**WHEREAS**, it is necessary to amend the 2006 Capital Improvements Budget, and

**WHEREAS**, this ordinance authorizes the City Auditor to transfer \$7,000,000.00 from the Special Income Tax Fund to the Fleet Management Services Fund, and

**WHEREAS**, this ordinance authorizes the City Auditor to transfer \$925,000.00 within the Public Safety Voted Bond Fund, and

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

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project is presently not expected to exceed \$7,000,000.00, and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Fleet Management Division, in that it is immediately necessary for the Director of Public Service to enter into contract with Messer Construction Company for the construction of the new fleet maintenance facility and a professional services contract for construction management services pending negotiations on price, in order to begin the project during the 2006 construction season and keep the project on-schedule, thereby preserving the public health, peace, property, safety and welfare; now,

therefore

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

**SECTION 1.** That the 2006 Capital Improvements Budget be amended as follows:

<b>Project Name</b>	<b>Project No.</b>	<b>Dept/Div.</b>	<b>Fund#</b>	<b>Existing Budget</b>	<b>Revised Budget</b>
<b>CIB as Amended</b>					
Fleet Management Facility	550001	5905	513	\$23,815,000.00	\$2,000,000.00
\$25,815,000.00					

**SECTION 2.** That from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$7,000,000.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5500 and OCA Code 920023.

**SECTION 3.** That the City Auditor is hereby authorized to transfer said funds to the Fleet Management Services Fund, Fund 513, Project 550001, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

**SECTION 4.** That the amount of \$7,000,000.00 is hereby appropriated within Fund 513, Sub-Fund 002, Fleet Management Services Fund, Department 59-05, Fleet Management Division, Object Level One Code 06, Object Level Three Code 6604, OCA Code 642454, Project 550001, to enter into a contracts for construction management services and to construct a new fleet maintenance facility for the Fleet Management Division.

**SECTION 5.** That the monies appropriated in the foregoing SECTION 4 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 6.** That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under SECTION 3 above and said funds are hereby deemed appropriated for such purpose.

**SECTION 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under SECTION 3 above.

**SECTION 8.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**SECTION 9.** That the City Auditor is hereby authorized to transfer \$925,000.00 within the Public Safety Voted Bond Fund, Fund 701, Department No. 30-04, Object Level One Code 06, Object Level Three Code 6600, as follows:

**Transfer From:** Project 340119 - Community Safety Center, OCA Code 644518

**Transfer To:** Project 550001 - Fleet Managment Facility, OCA Code 701551

**SECTION 10.** That the Public Service Director be and hereby is authorized to enter into a contract with Messer Construction Company, 5158 Fishwick Drive, Cincinnati, Ohio 45216, for construction of the new fleet maintenance facility for the Fleet Management Division.

**SECTION 11.** That the Public Service Director be and hereby is authorized to enter into a professional services contract for construction management services pending negotiations on price with the firms on file in the Public Service Department as a result of Request for Proposals (RFPs) received on May 17, 2006, and

**SECTION 12.** That the expenditure of \$25,815,000.00, or so much thereof as may be needed, is hereby authorized and directed to be expended from the Fleet Management Services Fund, Fund 513, Sub-Fund 002, Department No. 59-05, Object Level One Code 06, Object Level Three Code 6604, OCA Code 642454, Project 550001 to pay the cost thereof.

**SECTION 13.** That the expenditure of \$925,000.00, or so much thereof as may be needed, is hereby authorized and directed to be expended from the Public Safety Voted Bond Fund, Fund 701, Department No. 30-04, Fire Division, Object Level One Code 06, Object Level Three Code 6604, OCA Code 701551, Project 550001 to pay the cost thereof.

**SECTION 14.** 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.

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**Legislation Number:** 1409-2006

**Drafting Date:** 07/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The City desires to adopt a 457 deferred compensation plan for the Fraternal Order of Police of the City of Columbus.

After implementation, there will be no additional costs to the City.

**Title**

To adopt a 457 deferred compensation plan for the Fraternal Order of Police of the City of Columbus; and to declare an emergency.

**Body**

WHEREAS, Ohio Revised Code Section 148.04 allows for the creation of Deferred Compensation Plans; and

WHEREAS, a copy of the uniform plan document for the Program has been provided to the City; and

WHEREAS, the City of Columbus is an employer as defined in R.C. 148.01(A) and thereby may adopt a Plan under the Program; and

WHEREAS, the City desires to adopt a Plan under the Program for participation by the Fraternal Order of Police and other eligible employees of the City of Columbus, and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to adopt said Plan so that participation can begin at the earliest possible date, 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. The City hereby adopts a Plan under the Program, and shall properly contract with any Fraternal Order of Police member and other eligible employees of the City of Columbus, Ohio who desires to participate in the Plan. The City's Plan shall be the Plan as promulgated by and as amended from time to time by the Fraternal Order of Police of

Columbus, Ohio.

Section 2. The Fraternal Order of Police is hereby authorized to administer the Plan under the Program, and do all things necessary or proper for the administration of the Plan, consistent with the Enabling Statutes and all the Rules and Regulations promulgated by the Fraternal Order of Police, whether by the Ohio Administrative Code or otherwise, and consistent with the Program Adoption Agreement executed by the City.

Section 3. The City Auditor is hereby appointed the Responsible Official and is authorized and directed by the Governing Body to execute the Program Adoption Agreement.

Section 4. Consistent with the Program Adoption Agreement and the Rules and Regulations promulgated by the Fraternal Order of Police, the proper officials, officers, employees, and agents of the City are authorized to provide the Fraternal Order of Police with any information they may properly require for the administration of the Plan under the Program.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees which results in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. For the reasons stated in the preamble hereto which are made a part hereof, this ordinance is hereby declared to be an emergency measure and will 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.

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**Legislation Number:** 1410-2006

**Drafting Date:** 07/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**Background:** Ordinance No. 0717-2006 passed April 3, 2006, authorized the Director of Development to enter into contracts for purchase of certain real properties within the Greater Parsons Avenue Area Vision Plan and authorized the expenditure of \$1,600,000.00 from the Northland and Other Acquisitions Bond Fund. The original amount of funding made available for this project was done so with the understanding that additional monies may be needed at a later date. It is now necessary to increase the Auditor's Certificate established by the aforementioned ordinance by the amount of \$850,000.00.

**Fiscal Impact:** The \$850,000 will come from the Special Income Tax Fund. This legislation authorizes the appropriation, transfer and the expenditure of funds. This transfer from the Special Income Tax Fund is only a temporary funding measure until bonds are sold in 2006 at which time the Special Income Tax Fund will be reimbursed for this transaction.

**Emergency Justification:** Emergency action is requested in order to meet deadlines for closing under the various real estate purchase contracts.

#### **Title**

To increase an existing Auditor's Certificate by \$850,000.00 for the Greater Parsons Avenue Area Vision Plan; to authorize the City Auditor to transfer \$850,000 from the Special Income Tax Fund to the Northland and Other Acquisition Bond Fund; to authorize the expenditure; and to declare an emergency. (\$850,000.00)

**Body**

**WHEREAS,** the City of Columbus is engaged in the acquisition of real estate in connection with the Greater Parsons Avenue Area Vision Plan; and

**WHEREAS,** an emergency exists in that it is immediately necessary to increase an Auditor's Certificate by \$850,000.00, from the Northland and Other Acquisitions Bond Fund to pay additional professional service costs and other fees incidental to the acquisition of real estate for the above referenced project for the preservation of the public health, peace, property, safety, and welfare; and

**WHEREAS,** it is necessary to appropriate and transfer \$850,000 from the Special Income Tax Fund to a fund to be determined by the City Auditor and to expend the same; and

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

**WHEREAS,** the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$850,000; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to increase an existing Auditor's Certificate for the Greater Parsons Avenue Area Vision Plan and to authorize said transfer and expenditure, all for the immediate preservation of the public health, peace, property, safety and welfare;  
**NOW, THEREFORE,**

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

**Section 1.** That the City Auditor be, and he hereby is, authorized to increase Auditor's Certificate # AC-025708 in the amount of \$850,000.00 from the Northland and Other Acquisitions Bond Fund, Fund #735 for the purpose of paying costs incidental to the acquisition of land Greater Parsons Avenue Area Vision Plan.

**Section 2.** That for the purpose stated in Section 1, the sum of \$850,000 is hereby appropriated from the unappropriated balance of the Special Income Tax Fund No. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purchase during the fiscal year ending December 31, 2006, to the City Auditor, Dept./Div. No. 22-01, Object Level One 10, OCA 902023, Object Level Three, 5502.

**Section 3.** That the City Auditor is hereby authorized to transfer said funds to Fund 735, Southside Acquisitions project, at such time as is deemed necessary by the City Auditor, and to expend \$850,000 or so much thereof as may be necessary.

**Section 4.** That the expenditure of \$850,000 from the Development Department, Division No. 44-01, Fund 735 Northland and Other Acquisitions, Project No. 441743 Southside Acquisitions, OCA Code 441743, Object Level Three 6680 be hereby appropriated and authorized.

**Section 5.** That upon obtaining other funds for this project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**Section 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3 above.

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

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

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**Legislation Number:** 1411-2006

**Drafting Date:** 07/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe Public Service Department, Transportation Division, has undertaken the North High Street streetscape improvement project. This project installed streetscape enhancements including new curbs, new sidewalks, ornamental lighting, mast-arm signal structures, traffic-calming nodes and street furniture on North High Street from Arcadia Avenue to Torrence Road. Property owners agreed by petition to be assessed for a portion of the total cost of these improvements. Resolution 060X-2004 was adopted by City Council July 19, 2004; this authorized the Public Service Director to cause the preparation of plans and specifications for the improvement and capped the property owners' portion of total project costs at \$936,373.07. Ordinance 1092-2004 was also passed July 19, 2004; this authorized the Director to enter into contract for the work and pay construction inspection charges [total authorization \$4,353,538.85]. Finally, Resolution 0036X-2005 was adopted July 18, 2005; this authorized the Director to declare the necessity of the improvement under the assessment procedure. A Board of Revision was recently convened to hear challenges to individual assessments but no challenges were presented.

Section 178 of the City Charter provides, in pertinent part, that subsequent to such an improvement being completed and its cost ascertained City Council shall, by ordinance, assess upon the property mentioned and in the manner provided in the preliminary resolution, the entire cost and expense thereof, excepting the portion to be paid by the City. All costs of the streetscape improvements have now been assembled and the final assessment report has been prepared. This legislation levies a special assessment upon the lots and lands benefited by the improvements consistent with the City Charter.

**Fiscal Impact:** No expenditures are authorized by this legislation. The City has temporarily absorbed the total cost of the improvement. The completion of the assessment procedure will allow the City to recover \$936,373.07, the portion of the costs to which the property owners have subscribed.

Emergency action is requested in order that the assessment process may be completed prior to the street improvement notes becoming due and payable by the City.

TitleTo authorize the Public Service Director to levy a special assessment upon the lots and lands benefited by the construction of streetscape enhancements on North High Street from Arcadia Avenue to Torrence Road for the Transportation Division and to declare an emergency. (\$-0-)

Body**WHEREAS**, property owners have submitted a petition for streetscape enhancements including new curbs, sidewalks, ornamental lighting, mast-arm signal structures, traffic-calming nodes and street furniture on North High Street from Arcadia Avenue to Torrence Road; and

**WHEREAS**, Resolution 060X-2004 was adopted by City Council July 19, 2004; this authorized the Public Service Director to cause the preparation of plans and specifications for the improvement and capped the property owners' portion of the total project costs at \$936,373.07; and

**WHEREAS**, Ordinance 1092-2004 was also passed July 19, 2004; this authorized the Director to enter into contract for the work; and

**WHEREAS**, Resolution 0036X-2005 was adopted July 18, 2005; this authorized the Director to declare the necessity of the improvement under the assessment procedure; and

**WHEREAS**, all costs of the streetscape enhancement now have been assembled and the final assessment report has been prepared; and

**WHEREAS**, Section 178 of the City Charter provides, in pertinent part, that subsequent to such an improvement being completed and its cost ascertained, City Council shall, by ordinance, assess upon the property mentioned and in the manner provided in the preliminary resolution, the entire cost and expense thereof, excepting the portion to be paid by the City; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to levy a special assessment upon the lots and lands benefited by said improvement to complete the assessment process prior to the streetscape assessment notes becoming due and payable by the City, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the Public Service Director be and hereby is authorized and directed to levy an assessment for the cost and expense of construction of streetscape enhancements in accordance with Resolution 0036X-2005, adopted by City Council July 18, 2005, in the City of Columbus, Franklin County, Ohio as prepared by the Transportation Division, that the same is hereby confirmed and that there be and hereby is levied and assessed upon the lots and lands herein set forth, the several amounts herein set forth, it being hereby determined and declared that each said lot and land is specially benefited by said improvements and in an amount equal to said improvement:

Total Amount of Contract	\$3,847,724.85	
Inspection and Prevailing Wage	505,814.00	
Design Engineering	342,046.11	
Transportation Division - Certified Mail - Notices		1,214.39
Transportation Division - Certified Mail - Invoices		1,214.39
Cost of Issuance of Bonds	<u>7,500.00</u>	
Total Cost	\$4,705,513.74	
Less City Portion	<u>3,768,540.74</u>	
Total Property Portion		\$ 936,973.00

Property Owners' portion of \$936,973.00 divided by 11,416.92 linear feet of property frontage equals \$82.02 per linear foot.

**SECTION 2.** That the total assessment shall be payable at the office of the City Treasurer of Columbus, in Franklin County, Ohio, within thirty days from the effective date of this ordinance, or at the option of the owner, in ten annual installments with interest upon deferred payment at an annual rate of 4.850 percent at the Office of the County Treasurer of Franklin County, Ohio, after the same have been certified to the County Auditor of Franklin County, Ohio, for collection in the manner provided by law.

**SECTION 3.** That the said assessment, and all portions thereof, when collected, shall be paid into the Sinking Fund and shall be applied to the payment of the notes and/or bonds issued for said improvement and the interest thereon, as the same shall become due and for no other purpose whatsoever.

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

Drafting Date: 07/20/2006

Current Status: Passed

Version: 1

Matter Type: Ordinance

### Explanation

**BACKGROUND:** This legislation authorizes the appropriation and expenditure of \$15,000 from the Emergency Human Services Fund. These funds will be used by the Department of Development to enter into a grant agreement with the Community Shelter Board.

Community Shelter Board is requesting \$15,000.00 for consulting costs with the Center for Urban Community Services, Inc. to conduct a comparative analysis of the shelter, transitional and permanent housing inventory in Columbus between 1998 and 2005.

This legislation is presented as an emergency in order to provide assistance to the organization in a timely manner.

**FISCAL IMPACT:** Funds will be allocated from the FY2006 Emergency Human Services Fund.

### Title

To authorize the appropriation of \$15,000 from the unappropriated balance of the Emergency Human Services Fund to the Department of Development; to approve the grant application of the Community Shelter Board seeking financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959; to authorize the Director of the Department of Development to provide grant assistance to the Community Shelter Board and authorize the expenditure of \$15,000 from the Emergency Human Services Fund; and to declare an emergency. (\$15,000)

### Body

**WHEREAS,** the Community Shelter Board has submitted a grant application seeking financial assistance for assistance with consulting costs; and

**WHEREAS,** City Council has reviewed the grant application of Community Shelter Board and hereby declares that Community Shelter Board has articulated an emergency human service need that is sufficient to justify approval of said grant; and

**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 enter into a grant agreement with the Community Shelter Board; and

**WHEREAS,** the grant will assist with consulting costs with the Center for Urban Community Services, Inc. to conduct a comparative analysis of the shelter, transitional and permanent housing inventory in Columbus between 1998 and 2005; 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 provide grant assistance to the Community Shelter Board, all for the immediate preservation of the public health, peace, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That the grant application the Community Shelter Board seeking financial assistance to address an emergency human service need pursuant to Section 371.02(c) of the Columbus City Codes, 1959 is hereby approved.

- Section 2.** That the Director of Development is hereby authorized and directed to provide grant assistance to the Community Shelter Board to assist with consulting costs with the Center for Urban Community Services, Inc. to conduct a comparative analysis of the shelter, transitional and permanent housing inventory in Columbus between 1998 and 2005.
- Section 3.** That from the unappropriated monies in the Emergency Human Services Program Operating Fund, and from any and all sources unappropriated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$15,000.00 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 4.** That for the purpose as stated in Section 2, the expenditure of \$15,000.00 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 5.** That the expenditure authorized herein is in accordance with Section 371.02(c) of the Columbus City Codes, 1959.
- Section 6.** That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and shall 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:** 1418-2006

**Drafting Date:** 07/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of the Department of Development to modify several contracts with the Columbus Compact Corporation by granting time extensions for Economic Opportunities contracts DL010232, DL003837, DL011075, Neighborhood Life contract DL002045 and Community Values and Cultural Life contracts DI002043 and DL003838. The original contracts are scheduled to expire on June 30, 2006. Per a Compact board-approved proposal, the modifications will extend the contracts through June 30, 2007, an extension of twelve (12) months.

This legislation is necessary to allow the Columbus Compact's sub-recipient contracts allocated under these programs to close out and continue to administer on-going activities related to Round II centerpiece Initiatives of the Empowerment Zone Strategic Plan.

This legislation is presented as an emergency to provide the Columbus Compact with additional time to implement on-going programs without interruption.

**FISCAL IMPACT:** No additional funds are required for these modifications.

### **Title**

To authorize the Director of Development to modify the Empowerment Zone Community Values & Cultural Life,

Economic Opportunity and Neighborhood Life contracts with the Columbus Compact Corporation by extending the term of the contracts; and to declare an emergency.

**Body**

**WHEREAS**, the Director of the Department of Development desires to modify several Empowerment Zone contracts with the Columbus Compact Corporation by extending the contracts through June 30, 2007, a twelve (12) month extension; and

**WHEREAS**, the contracts effected are Economic Opportunities contracts DL010232, DL003837, DL011075, Neighborhood Life contract DL002045 and Community Values and Cultural Life contracts DL002043 and DL003838; and

**WHEREAS**, these modifications will provide the Columbus Compact Corporation with additional time to provide Empowerment Zone Economic Opportunity, Community Values & Cultural Life and Neighborhood Initiatives on behalf of the City; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to modify the aforementioned contracts with the Columbus Compact Corporation by extending the time of the contract by twelve (12) months, all for the preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That the Director of the Department of Development is hereby authorized to modify EZ Economic Opportunity Contracts No. DL010232, DL003837, & DL011075, EZ Neighborhood Life Contract No. DL002045 and EZ Community Values & Cultural Life Contracts No. DL002043 & DL003838 and with the Columbus Compact Corporation by extending the contracts by twelve (12) months, through June 30, 2007.

**Section 2.** That these modifications are awarded pursuant to Section 329.16 of the Columbus City Codes, 1959 as amended.

**Section 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is 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.

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**Legislation Number:** 1421-2006

**Drafting Date:** 07/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation** This ordinance will serve as a technical correction for language inadvertently omitted from Ordinance 0178-2004 and the Project Acquisition Agreement thereto.

**Title**

To authorize the Director of Development to execute the amendment of the City's Project Acquisition Agreement dated February 1, 2004 with National Church Residences; and to declare an emergency.

**Body** WHEREAS, in accordance with Sections 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code, the City of Columbus, Ohio (the "City"), pursuant to its Ordinance No. 1721-02, passed November 25, 2002 (as the same may be amended or supplemented, the "TIF Ordinance"), has among other things, (i) declared the increase in the assessed value of certain real property described in the TIF Ordinance (the "Property") subsequent to the date of the TIF Ordinance to be a public purpose; (ii) exempted 100% of such increase in assessed value from taxation for a period of thirty (30) years; (iii) required the current and future owners of the Property to make annual service payments in lieu of real property taxes (the "TIF Payments"); (iv) determined that certain public improvements (the "Improvements") would benefit or serve the Property; and (v) established the Waggoner Road Tax Increment Equivalent Fund (the "TIF Fund") into which the TIF Payments (other than amounts required by the TIF Ordinance to be paid to the Columbus City Council) are to be deposited and from which costs of the Improvements may be paid; and

WHEREAS, National Church Residences, an Ohio nonprofit corporation having its principal office in Columbus, Ohio (the "Developer"), for itself and on behalf of its affiliates, Waggoner Senior Housing Limited Partnership, National Church Residences of Waggoner Road and Waggoner Woods Limited Partnership, was or is the owner, or is the affiliate of the owner, of certain parcels of real property constituting a portion of the Property; and

WHEREAS, in order to implement the acquisition of the Improvements, the City, pursuant to its Ordinance No. 0177-04, passed January 26, 2004, authorized a Project Acquisition Agreement (the "Agreement") which provides for payment of costs of the Improvements upon the terms provided therein; and

WHEREAS, the Columbus City Council on January 26, 2004 passed Ordinance No. 0178-04 (the "Bond Ordinance"), and pursuant to the authority granted in the Bond Ordinance, the City has issued its Adjustable Rate Tax Increment Financing Bonds (Waggoner Road Project) dated February 12, 2004 in the original principal amount of \$1,700,000 (the "Bonds"), the proceeds of which Bonds were used to acquire the Improvements and to pay the Developer for the Cost of Improvements, as defined in the Agreement; and

WHEREAS, the City entered into the Agreement with the Developer on February 1, 2004, which Agreement required the Developer to provide a letter of credit to provide security for the Bonds (the "Letter of Credit"); and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary for passage as the property is generating TIF Payments in excess of the amount of TIF Payments required to be held within the TIF Fund (the "Excess TIF Revenues"), and the City desires to use these permissible Excess TIF Revenues to reimburse the Developer for the costs it has incurred and will incur to maintain the Letter of Credit; all for the immediate preservation of the public health, peace, property, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. Section 4.4 of the Agreement, which currently reads:

"Section 4.4 Additional Payments to the Developer. No later than each January 15, the City shall provide a written statement to the Developer setting forth the amount of monies that were on deposit in the TIF Fund on the immediately preceding December 15. The City and Developer agree that to the extent (i) the Developer has made or caused to be made payments to the provider of the Letter of Credit to reimburse draws made by the City under the Letter of Credit from sources other than moneys in the TIF Fund (the "Developer LOC Payments") and (ii) the amount of payments in lieu of taxes required to be deposited into the TIF Fund for the then current Fiscal Year is at least equal to 130% of the principal and interest payable on the Bonds in the then current Fiscal Year, the Developer may request the City to pay to the Developer, but solely from monies remaining on deposit in the TIF Fund as of the immediately preceding December 15, an amount equal to the difference between (x) the aggregate Developer LOC Payments, and (y) the aggregate amounts theretofore paid to the Developer pursuant to this Section 4.4. In making such calculation, interest payable on the Bonds shall be assumed to be the Maximum Interest Rate, as defined in the Bond Ordinance. The City shall make such payments to the Developer within twenty-one (21) days of that request. The City shall continue to make payments to the Developer as requested until the Developer has received payments pursuant to this Section 4.4 in the aggregate amount equal to the

aggregate of all Developer LOC Payments. Any payments to the Developer pursuant to this Section shall be made by wire transfer in immediately available funds to the Developer's Wire Transfer Address. The City shall take no action to terminate the TIF Payments until all Developer LOC Payments have been repaid to the Developer as provided in this Section 4.4. The rights of the Developer to be repaid for Developer LOC Payments is subject and subordinate to the rights of the Bank under the Bond Ordinance and under the reimbursement agreement pursuant to which the Letter of Credit was issued."

Shall be amended in its entirety to read as follows:

"Section 4.4 Additional Payments to the Developer. No later than each January 15, the City shall provide a written statement to the Developer setting forth the amount of monies that were on deposit in the TIF Fund on the immediately preceding December 15. The City and Developer agree that to the extent (i) the Developer has made or caused to be made payments to the provider of the Letter of Credit to reimburse draws made by the City under the Letter of Credit from sources other than moneys in the TIF Fund or has paid fees associated with the Letter of Credit, including but not limited to, amounts constituting drawing fees or commitment fees associated with a Letter of Credit (the "Developer LOC Payments") and (ii) the amount of payments in lieu of taxes required to be deposited into the TIF Fund for the then current Fiscal Year is at least equal to 130% of the principal and interest payable on the Bonds in the then current Fiscal Year, the Developer may request the City to pay to the Developer, but solely from monies remaining on deposit in the TIF Fund as of the immediately preceding December 15, an amount equal to the difference between (x) the aggregate Developer LOC Payments, and (y) the aggregate amounts theretofore paid to the Developer pursuant to this Section 4.4. In making such calculation, interest payable on the Bonds shall be assumed to be the Maximum Interest Rate, as defined in the Bond Ordinance. The City shall make such payments to the Developer within twenty-one (21) days of that request. The Developer shall provide any written documentation that the City may require in connection with the reimbursement of Developer LOC Payments. The City shall continue to make payments to the Developer as requested until the Developer has received payments pursuant to this Section 4.4 in the aggregate amount equal to the aggregate of all Developer LOC Payments. Any payments to the Developer pursuant to this Section shall be made by wire transfer in immediately available funds to the Developer's Wire Transfer Address. The City shall take no action to terminate the TIF Payments until all Developer LOC Payments have been repaid to the Developer as provided in this Section 4.4. The rights of the Developer to be repaid for Developer LOC Payments is subject and subordinate to the rights of the Bank under the Bond Ordinance and under the reimbursement agreement pursuant to which the Letter of Credit was issued."

Section 2. The Director of Development is hereby authorized to execute an amendment to the Agreement consistent with the provisions authorized in Section 1.

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

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**Legislation Number:** 1422-2006

**Drafting Date:** 07/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** This Ordinance will authorize the City Auditor and/or the Director of the Department of Finance and Management to comply with certain IRS regulations pertaining to the issuance of City bonds.

**Title** To authorize the City Auditor and the Director of the Department of Finance and Management to issue statements of official intent to issue reimbursement obligations and to declare an emergency.

**Body** WHEREAS, the City of Columbus, Ohio (the "City") anticipates expending funds of the City from time to time

to finance costs associated with capital projects (the "Projects"); and

WHEREAS, the City may intend to reimburse itself for expenditures associated with the Projects from the proceeds of one or more series of tax-exempt obligations to be issued by City; and

WHEREAS, such reimbursements are reasonably intended to be allocated within eighteen months from the later of the date of the expenditure of funds or of the date the financed property is placed in service or abandoned, but in no event more than three years after the original expenditures are paid, unless a longer period is permitted under Treasury Regulations 1.150-2(d)(2)(iii); and

WHEREAS, an emergency exists in the daily operation of the City in that the City has determined that it is necessary and appropriate for the City Auditor or the Director of the Department of Finance and Management to be authorized and designated by the City to declare official intents on behalf of the City pursuant to Section 1.150-2 (the "Rule") of the treasury regulations adopted under the Internal Revenue Code of 1986, as amended for the immediate preservation of the public peace, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. The City Auditor and the Director of the Department of Finance and Management (the "Officers") are hereby each authorized and designated to make declarations of official intent on behalf of the City for purposes of the Rule to facilitate the reimbursement of City funds spent on such various Projects.

Section 2. The statements of official intent authorized in this ordinance, to be made by either of the Officers, must comply with the provisions of the Rule.

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

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**Legislation Number:** 1425-2006

**Drafting Date:** 07/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**Background:** Alliance Data Systems proposes to relocate from Gahanna to Columbus. To effect such relocation, a new 200,000 square foot facility will need to be constructed to house their 529 existing professional and technical employees and the 54 new positions that will be created. The City of Columbus has offered a tax abatement and Job Creation Tax Credits. The City of Columbus has committed to funding this new roadway and related utilities for purposes of creating economic development opportunities and increasing the real and personal property tax and income tax revenues of the City.

**Fiscal Impact:** The \$1,750,000 will come from the Special Income Tax Fund. This legislation authorizes the appropriation, transfer and the expenditure of funds. This transfer from the Special Income Tax Fund is only a temporary funding measure until bonds are sold in 2006 at which time the Special Income Tax Fund will be reimbursed for this transaction.

**Emergency Justification:** Emergency action is necessary in order to adhere to Alliance Data System's schedule for its relocation decision, building construction and occupancy, and for the preservation of the public health, peace, property and

safety.

**Title**

To amend the 2006 Capital Improvement Budget; to authorize the City Auditor to transfer \$1,750,000 from the Special Income Tax Fund to the Northland and Other Acquisitions Fund 735; to authorize the Director of Development to enter into a Guaranteed Maximum Price Reimbursement Agreement with MORSO Holding Co. for up to \$1,750,000 to design and construct a portion of a new roadway called Easton Square Place, and related utilities; to waive the provisions of Chapter 329 of Columbus City Code; to authorize the expenditure of \$1,750,000 from Fund 735; and to declare an emergency. (\$1,750,000)

**Body**

**WHEREAS**, Alliance Data Systems proposes to relocate their 529 existing employees from Gahanna to the City of Columbus into a new 200,000 square foot facility to be constructed; and

**WHEREAS**, the City has offered a tax abatement and Job Creation Tax Credits to Alliance Data Systems; and

**WHEREAS**, the City has committed to funding a portion of a new roadway, Easton Square Place, and related utilities to provide access and utilities to the Alliance Data Systems site, to create economic development opportunities and to increase real, personal and income tax revenues; and

**WHEREAS**, it is necessary to appropriate and transfer \$1,750,000 from the Special Income Tax Fund to a fund to be determined by the City Auditor and to expend the same; and

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

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$1,750,000; and

**WHEREAS**, it is necessary to amend the 2006 Capital Improvement Budget; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into a Guaranteed Maximum Price Reimbursement Agreement with MORSO Holding Co. and to transfer and appropriate said funds, all for the immediate preservation of the public health, peace, safety and welfare;  
**NOW, THEREFORE,**

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

**Section 1.** That the 2006 Capital Improvement Budget is hereby amended as follows:

**CURRENT CIB:**

Dept/Div: 44-01/Fund: 735/Project Name - Land Assemblage: Short/Sycamore Connector \$2,468,729.00

Dept/Div: 44-01/Fund: 735/Project Number 441744/Project Name - Easton Square Place Roadway \$0

**REVISED CIB:**

Dept/Div: 44-01/Fund: 735/Project Name - Land Assemblage: Short/Sycamore Connector \$718,729.00

Dept/Div: 44-01/Fund: 735/Project Number 441744/Project Name - Easton Square Place Roadway \$1,750,000.00

**Section 2.** That the Director of Development is hereby authorized to enter into a Guaranteed Maximum Price

Reimbursement Agreement with MORSO Holding Co. for up to \$1,750,000 for purposes of designing and constructing a portion of a Easton Square Place and related utilities to service Alliance Data Systems' new facility proposed for construction.

**Section 3.** That for the purpose stated in Section 1, the sum of \$1,750,000 is hereby appropriated from the unappropriated balance of the Special Income Tax Fund No. 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purchase during the fiscal year ending December 31, 2006, to the City Auditor, Dept./Div. No. 22-01, Object Level One 10, OCA 902023, Object Level Three 5502.

**Section 4.** That the City Auditor is hereby authorized to transfer said funds to Fund 735, Easton Square Place Roadway project, at such time as is deemed necessary by the City Auditor, and to expend \$1,750,000 or so much thereof as may be necessary.

**Section 5.** That the expenditure of \$1,750,000 will use authority allocated to Land Assemblage in Fund 735, from the Development Department, Division No. 44-01, Fund 735 Northland and Other Acquisitions, Project No.441744, OCA Code 441744 and Object Level Three 6680 be hereby appropriated and authorized.

**Section 6.** That upon obtaining other funds for this project, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**Section 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 3 above.

**Section 8.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**Section 9.** That the provisions of Chapter 329 of the City Code be and hereby are waived.

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

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**Legislation Number:** 1435-2006

**Drafting Date:** 07/26/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

Need:

This legislation authorizes the Director of Public Safety to enter into an agreement with Air Flite to serve as a broker for the sale of 551CP helicopter which is no longer has a use for the Division of Police. To obtain the highest possible revenue from the sale by the use of a broker is the best possible solution due to the uniqueness of this equipment. The City of Columbus has used the services of Air Flite as a broker in the sale of the helicopter in 2002. The Department of Public Safety is requesting that the provisions of Chapter 329 of the City Code pertaining to the sale of city-owned personal property to be waived. By expediting this sale, revenues could be greater than anticipated due to the current demand in the marketplace for this type of helicopter.

Contract Compliance: 731160673

Emergency Designation: This ordinance is being submitted as an emergency measure in order to expedite the sale of the helicopter.

FISCAL IMPACT: The revenue generated from this sale will be deposited in the Special Income Tax Fund.

**Title**

To authorize and direct the Public Safety Director to enter into a contract with Air Flite for the sale of a helicopter; and to waive the relevant provisions of Chapter 329 of the Columbus City Codes, 1959, pertaining to the sale of city-owned personal property; and to declare an emergency.

**Body** WHEREAS, a need exists to sell 551CP helicopter which is no longer in use; and

WHEREAS, the use of a broker is the best possible solution due to the uniqueness of this type of sale; and

WHEREAS, Air Flite has been used previously as a broker to sell the Division of Police's helicopters; and

WHEREAS, it is necessary to waive the provisions of Section 329.30 of the Columbus City Code; and

WHEREAS, an emergency exists in the usual and daily operation of the Department of Public Safety, in that it is immediately necessary to enter into contract for sale of helicopter no longer in use 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 Public Safety Director be and is hereby authorized and directed to enter into a contract for the sale of 551CP helicopter with Air Flite.

Section 2. That in accordance with Section 329 of Columbus City Codes, this Council finds it is in the best interest of the City of Columbus to waive the provisions of Section 329.30 of the Columbus City Codes, 1959, pertaining to the sale of city-owned personal property.

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

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**Legislation Number:** 1436-2006

**Drafting Date:** 07/26/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance updates and clarifies sections of Chapter 3390 of the Zoning Code that regulates the establishment and operation of temporary uses in the city. The operation of certain temporary uses has evolved over time, and today includes temporary storage systems not envisioned when the current codes were promulgated, thus requiring the codes regulating these to be kept updated and modernized.

Over time, public attitude towards temporary uses and approved special events has changed and as these uses have gained acceptance, the community is seeing a greater number of events held every year. The city has a duty and obligation to protect the health, safety, and welfare of the citizens of the neighborhoods in which these events are held by regulating

temporary uses. This ordinance will assure that standards for land uses not designed or intended to be permanent in nature are properly addressed and that temporary storage systems are appropriately regulated.

The Columbus Development Commission, at its monthly public meeting held on June 23, 2005, has reviewed this proposed ordinance and subsequently has recommended its approval and submission to City Council for consideration.

**FISCAL IMPACT:** No funding is required for this legislation.

**Title**

To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to on-demand, portable storage.

**Body**

**WHEREAS,** the operation of certain temporary uses has evolved over time, and today includes temporary storage systems not envisioned when the current codes were promulgated, thus requiring the codes regulating these to be kept updated and modernized; and

**WHEREAS,** over time, public attitude towards temporary uses and approved special events has changed and as these uses have gained acceptance, the community is seeing a greater number of events held every year; and

**WHEREAS,** the city has a duty and obligation to protect the health, safety, and welfare of the citizens of the neighborhoods in which these events are held by regulating temporary uses; and

**WHEREAS,** this ordinance will assure that standards for temporary storage systems are appropriate; and

**WHEREAS,** the Columbus Development Commission, at its monthly public meeting held on June 23, 2005, has reviewed this proposed ordinance and subsequently has recommended its approval and submission to City Council for consideration; now, therefore;

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

**Section 1.** That section 3303.16 of the Columbus City Codes, 1959, is hereby amended to include the following definition:

**3303.16 Letter P.**

"Panel antenna" means the combination of a rectangular panel not to exceed two (2) feet wide by six (6) feet tall by six (6) inches deep and any associated support structure used to facilitate wireless radio and telecommunication transmissions. This definition excludes lattice, guyed, dish or erector-style antennas.

"Parking space" means a rectangular area of not less than nine (9) feet by eighteen (18) feet, exclusive of any driveway or other circulation area, accessible from a street, alley, or maneuvering area and designed for parking a motor vehicle.

"Parking lot" means any off-street area or facility which meets one (1) of the following conditions:

1. Contains one (1) or more parking, loading or stacking space for commercial, institutional or industrial use; or
2. Contains five (5) or more parking spaces for any residential use.

"Pennant" means a flag or banner that is triangular in shape. (See "Banner," "Flag" and "String of pennants.")

Permanent Sign. See "Sign."

"Person" means, without limitation, a natural person, his heirs, executors, administrators, or assigns, and also includes a corporation, partnership, an unincorporated society or association, or any other type of business or association, including respective successors or assigns, recognized now or in the future under the laws of the state or the city.

"Personal assistance" means supervision as required and services including help in walking, bathing, dressing, feeding, or getting in and out of bed.

"Pitch" means the slope of a roof expressed in feet as a ratio of vertical rise to horizontal run.

"Pole cover" means a decorative enclosure that covers the structural support of a sign.

Political Sign. See "Sign."

"Porch" means a roofed platform projecting from a building at an entrance and is separated from the building by the walls of the building, and is partially supported by piers, posts or columns. A porch may be open, enclosed or partially enclosed.

"Open porch" means a porch which is unenclosed (except possibly for screens) by anything higher than thirty-six (36) inches above the floor except for the roof and roof supports.

"Portable building" means any building or vehicle designed with running gear permanently attached for transportation on the public streets and highways under its own power or towed behind another vehicle, arriving at the site, substantially ready for use, whether for residential, office, commercial or manufacturing use. Removal of packing and baffles; interconnection of two (2) or more buildings or vehicles; and connection of or to utilities shall not be considered in determining whether a portable building is substantially ready for use. The towing hitch, wheels, axles, and other running gear may not be removed from a portable building preventing it from being portable.

Portable Sign. See "Sign."

"Portable Storage Container" means a non-permanent, non-habitable, self-contained structure of less than 169 square feet in size and eight (8) feet in height designed for temporary placement on and subsequent removal from a parcel for the purpose of facilitating off-site storage.

"Premises" means land together with the buildings and structures thereon.

"Private access" means driveway as defined and regulated in the parking chapter hereof.

"Private club" means a building and accessory facilities owned and operated by an association, a corporation, or a group of individuals established for the cultural, educational, fraternal, recreational, or social enrichment of its members and not primarily for profit, and whose members pay dues and meet certain prescribed qualifications for membership.

"Private garage" means a building or portion of a building for the housing of motor vehicles as an accessory use permitted in a residential district or an apartment district and in which no service, work, trade, occupation, or business is carried on connected in any way with a motor vehicle as defined by Ohio Revised Code Section 4511.01.

"Private residence" means a place of usual or customary abode.

"Private roadway" means a privately owned and maintained strip of land designed, improved, and intended to be used for vehicular traffic.

Projecting Sign. See "Sign."

Projector Graphic. See "Graphic."

Property Frontage. See "Frontage."

Property Owner. See "Owner."

"Public garage" means any building or portion of a building other than a private garage, for the housing of commercial or noncommercial motor vehicles.

"Public notice" of a hearing or proceedings means ten (10) days notice of the time and place thereof printed (see "printed" in 101.03 Interpretation) in The City Bulletin.

"Public nuisance" means any structure which is permitted to be or remain in any of the following conditions:

- (A) In a dilapidated, decayed, unsafe or unsanitary condition detrimental to the public health, safety, and welfare, or well being of the surrounding area; or
- (B) A fire hazard; or
- (C) Any vacant building that is not secured and maintained in compliance with Chapter 4513; or
- (D) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used in violation of any division of Section 2925.13, Ohio Revised Code.

"Public nuisance" also means any structure or real property which is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance of the Columbus City Code or Columbus City Health Code, or any real property upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment.

"Public service announcement" means a temporary graphic display for the purpose of informing the public about events or activities involving the arts, or involving community service or not-for-profit organizations.

Public Sign. See "Public graphic" and "Sign."

"Public way" means an alley, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, lane, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk or other way in which a public entity has a proprietary right, or which is dedicated whether or not it has been improved.

**Section 2.** That section 3303.20 of the Columbus City Codes, 1959, is hereby amended to include the following definition:

**3303.20 Letter T.**

Temporary sign. See "Sign."

"Temporary use" means the application of a parcel of land, building, or structure, to a particular purpose intended or designed to be used, or used in a non-permanent manner for a specific limited period of time as prescribed in this Code.

"Tenant panel" means that portion of a ground sign for an institutional, commercial, or manufacturing complex which identifies any one tenant or activity.

"Tenement house" means a house or building all or any portion of which is rented, leased, let or hired out to be occupied or is intended, arranged or designed to be occupied as the home or residence of two (2) or more families living independently of each other and doing their cooking upon the premises, and having a common right in the halls and or stairways, but having no water supplied and drains connected for bath and or washstand within each apartment.

"Through lot" means a lot which has either opposite ends, or opposite sides, each abutting a public street.

"Town house" means one (1) dwelling unit of a row situated on its own lot in a recorded subdivision.

"Town house development" means a residential development of town houses as regulated by Chapter 3333, C.C.

"Trade" embraces such commercial activities as are entailed in interchange, but not including operations of manufacture.

Trailer Sign. See "Sign."

"Two-family dwelling" means a residential building consisting of two (2) dwelling units each of which adjoins the other either horizontally or vertically, and is arranged, intended or designed for one (1) family. Each dwelling unit shall have its own separate, private means of ingress and egress. The term "two-family dwelling" shall not include a manufactured home or a mobile home.

**Section 3.** That section 3390.02 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3390.02 No Temporary Use Permit required.**

For purposes of the Zoning Code and subject to the provisions of this chapter, the following temporary uses are permitted without a temporary use permit in accordance with the conditions specified.

(A) A carnival or a circus is permitted on any lot developed with an existing religious, educational or fraternal organization building in any residential district, or on any lot in any commercial or industrial district for a period not to exceed fifteen (15) days and a maximum of two (2) times each year. No structure or equipment shall be placed within twenty (20) feet of any residential building or structure.

(B) A Christmas tree sales lot is permitted on any lot developed with an existing religious, educational or fraternal organization building in any residential district, or on any lot in any commercial or industrial district for a period not to exceed sixty (60) days; provided, however, that any such lot shall be cleared by the first day of January. In a commercial or manufacturing district, a temporary structure or portable building may be used on such a lot but only if a temporary use permit has been obtained for such structure or portable building.

(C) A garage or yard sale is permitted on any lot in any residential, commercial or industrial district for a maximum of two (2) times each year and a maximum of four (4) days at a time.

(D) An assembly in a tent is permitted on any lot developed with an existing religious, educational or fraternal organization building in any residential district, or on any lot in any commercial or industrial district for a period not to exceed thirty (30) days and a maximum of two (2) times each year. No structure or equipment shall be placed within twenty (20) feet of any residential building or structure.

Off-street parking requirements for subject lot shall not be enforced during the period that such temporary use complies with this chapter.

(E) A temporary parking lot for special events open to the general public is permitted on any lot, properly zoned to permit parking for a period not to exceed twenty-one (21) days and a maximum of one (1) time each year.

Parking lot requirements for the subject lot shall not be enforced during the period that such temporary use complies with this chapter.

(F) Portable Storage Containers *Portable storage containers are a temporary structure designed for storage that are less than 169 square feet in size and eight (8) feet in height that may be delivered onsite by a commercial enterprise then picked up and removed to a commercial storage facility or the customer's destination. Portable storage containers are permitted as a non-permanent accessory use to provide temporary storage for moving and similar short-term purposes.*

One (1) portable storage container may be located on any parcel for two non-sequential periods, not exceeding fourteen (14) days for each period, per calendar year. The portable storage container shall be situated on an improved surface when possible and not block any sidewalk. A portable storage container is not permitted as a permanent accessory storage structure regardless of the proposed location of the unit on a parcel.

**Section 4.** That section 3390.04 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3390.04 Temporary use permit required.**

No person shall use any building structure or premises or erect any building or structure for particular uses specified in this section except in compliance with a temporary use permit issued by the administrator as provided in this chapter.

(A) A real estate office is permitted in any residential subdivision actively under construction, as determined by the administrator, for the purpose of selling lots in such subdivision. A model home may be used as a temporary sales office. A temporary use permit for such use may be issued for one (1) year. At the end of a year, a new permit may be issued if the administrator determines that such subdivision is still actively under construction. A temporary use permit may be issued for a mobile home or portable building to be used as a temporary sales office to allow earlier sales for new developments pending completion of a furnished model home. Off-street parking requirements for the subject lot shall not be enforced during the term of either permit.

(B) A mobile home -for emergency housing for the victim of a fire or catastrophic loss is permitted on the lot where such loss occurred. A portable storage unit may be used in conjunction with such temporary housing. A temporary use permit for such use may be issued for ninety (90) days, renewable for an additional maximum term of ninety (90) days and may be subject to additional restrictions.

(C) A temporary use of a building for seasonal celebrations such as a "haunted house" is permitted in any residential, commercial or industrial district for a period not to exceed thirty (30) days one (1) time each year.

(D) A temporary structure or portable building is permitted on a Christmas tree sales lot in a commercial or manufacturing district. A temporary use permit may be issued for a period not to exceed sixty (60) days and shall provide that such structure or building shall be removed by the first day of January.

**Section 5.** That prior existing sections 3390.02 and 3390.04 of the Columbus City Codes, 1959, are hereby repealed.

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

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**Legislation Number:** 1437-2006

**Drafting Date:** 07/27/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**Background: This ordinance authorizes the City Attorney to contract with Rendigs, Fry, Kiely and Dennis, LLP , a firm located in Cincinnati, Ohio with expertise in tax law to advise the City Attorney on matters related to tax and litigation as it pertains to the City's hotel/motel tax ordinance.

**Fiscal Impact:** No City funds will be expended at this time. Any future expenses shall be subject to appropriation and certification by the City Auditor and approval by City Council.

**Emergency Designation:** This ordinance is submitted as an emergency measure so that the City Attorney may be advised on these matters at the earliest possible date.

**Title**

To authorize the City Attorney to enter into a special counsel agreement with Rendigs, Fry, Kiely & Dennis, LLP for the purpose of advising the City Attorney on matters relating to taxation and litigation as it pertains to the City's hotel/motel tax ordinance; and to declare an emergency.

**Body**

WHEREAS, the City Attorney is seeking advice on matters related to tax and litigation in connection with the City's hotel/motel tax ordinance; and

WHEREAS, Rendigs, Fry, Kiely & Dennis, LLP, a law firm in Cincinnati, Ohio has the requisite level of expertise in tax law to provide such advice; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into this special counsel agreement so that the City can receive advice without delay thereby preserving the public health, peace, property, safety and welfare; now therefore,

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

Section 1. That the City Attorney be authorized to enter into a contract with the law firm of Rendigs, Fry, Kiely & Dennis, LLP for special legal services on matters related to tax and litigation in connection with the City's hotel/motel tax ordinance.

Section 2. That any future expenses associated with this contract shall be subject to appropriation and certification by the City Auditor and approval by City Council.

Section 3. That for good cause shown, the provisions of Chapter 329 of the Columbus City Codes, 1959 relative to the procurement of professional services are hereby waived.

Section 4. That for the reasons set forth in the preamble hereto which is hereby made a part herein, this ordinance is hereby deemed 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.

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**Legislation Number:** 1440-2006

**Drafting Date:** 07/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: For the option to purchase Carbon Dioxide for the Water Division, Department of Public Utilities. The term of the proposed option contract would be through March 31, 2009. The Purchasing Office opened formal bids on July 27, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA002105). Ten bids were solicited (MAJ:10); four (MAJ:4) bids were received. The two apparent low bids (Continental Carbonics and Praxair, Inc.) were determined to be non-responsive as both bids contained exceptions which conflicted with the City's specifications for firm, fixed pricing.

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

BOC Gases.; CC# 131600079 (expires 12/01/06), Carbon Dioxide Items 1 through 3.  
Total Estimated Annual Expenditure: \$550,000.00

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

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 Universal Term Contract Fund. 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 and Management Director to enter into a UTC contract for the option to purchase Carbon Dioxide with BOC Gases to authorize the expenditure of one dollar to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$1.00).

**Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on July 27, 2006 and received four bids; and

WHEREAS, the Purchasing Office selected the lowest, responsive, responsible and best bid; and

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

WHEREAS, in order to ensure Carbon Dioxide is supplied without interruption to provide ph control within potable water, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract(s) for an option to purchase Carbon Dioxide 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 and Management Director be and is hereby authorized and directed to enter into the following UTC contract for an option to purchase Carbon Dioxide in accordance with Solicitation No. SA002105 as follows:

BOC Gases.; CC# 131600079 (expires 12/01/06), Carbon Dioxide Items 1 through 3. Amont \$ 1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-50, Fund: 05-517, Object Level 3: 2270, OCA: 450020, 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.

**City of Columbus  
City Bulletin Report**

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

**Legislation Number:** 1501-2005

**Drafting Date:** 09/06/2005

**Version:** 1

**Current Status:** Defeated

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance updates and clarifies sections of Chapter 3390 of the Zoning Code that regulates the establishment and operation of temporary uses in the city. The operation of certain temporary uses has evolved over time, and today includes temporary storage systems not envisioned when the current codes were promulgated, thus requiring the codes regulating these to be kept updated and modernized.

Over time, public attitude towards temporary uses and approved special events has changed and as these uses have gained acceptance, the community is seeing a greater number of events held every year. The city has a duty and obligation to protect the health, safety, and welfare of the citizens of the neighborhoods in which these events are held by regulating temporary uses. This ordinance will assure that standards for land uses not designed or intended to be permanent in nature are properly addressed and that temporary storage systems are appropriately regulated.

The Columbus Development Commission, at its monthly public meeting held on June 23, 2005, has reviewed this proposed ordinance and subsequently has recommended its approval and submission to City Council for consideration.

**FISCAL IMPACT:** No funding is required for this legislation.

**Title**

To amend Chapter 3390, "Temporary Uses," of the Columbus Zoning Code, Title 33, in order to update definitions and to enhance implementation and enforcement of code standards relating to temporary uses and on-demand, portable storage.

**Body**

**WHEREAS,** the operation of certain temporary uses has evolved over time, and today includes temporary storage systems not envisioned when the current codes were promulgated, thus requiring the codes regulating these to be kept updated and modernized; and

**WHEREAS,** over time, public attitude towards temporary uses and approved special events has changed and as these uses have gained acceptance, the community is seeing a greater number of events held every year; and

**WHEREAS,** the city has a duty and obligation to protect the health, safety, and welfare of the citizens of the neighborhoods in which these events are held by regulating temporary uses; and

**WHEREAS,** this ordinance will assure that standards for land uses not designed or intended to be permanent in nature are properly addressed and that temporary storage systems are appropriately regulated; and

**WHEREAS,** the Columbus Development Commission, at its monthly public meeting held on June 23, 2005, has reviewed this proposed ordinance and subsequently has recommended its approval and submission to City Council for consideration; now, therefore;

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

**Section 1.** That section 3303.16 of the Columbus City Codes, 1959, is hereby amended to include the following definition:

**3303.16 Letter P.**

"Panel antenna" means the combination of a rectangular panel not to exceed two (2) feet wide by six (6) feet tall by six (6) inches deep and any associated support structure used to facilitate wireless radio and telecommunication transmissions.

This definition excludes lattice, guyed, dish or erector-style antennas.

"Parking space" means a rectangular area of not less than nine (9) feet by eighteen (18) feet, exclusive of any driveway or other circulation area, accessible from a street, alley, or maneuvering area and designed for parking a motor vehicle.

"Parking lot" means any off-street area or facility which meets one (1) of the following conditions:

1. Contains one (1) or more parking, loading or stacking space for commercial, institutional or industrial use; or
2. Contains five (5) or more parking spaces for any residential use.

"Pennant" means a flag or banner that is triangular in shape. (See "Banner," "Flag" and "String of pennants.")

Permanent Sign. See "Sign."

"Person" means, without limitation, a natural person, his heirs, executors, administrators, or assigns, and also includes a corporation, partnership, an unincorporated society or association, or any other type of business or association, including respective successors or assigns, recognized now or in the future under the laws of the state or the city.

"Personal assistance" means supervision as required and services including help in walking, bathing, dressing, feeding, or getting in and out of bed.

"Pitch" means the slope of a roof expressed in feet as a ratio of vertical rise to horizontal run.

"Pole cover" means a decorative enclosure that covers the structural support of a sign.

Political Sign. See "Sign."

"Porch" means a roofed platform projecting from a building at an entrance and is separated from the building by the walls of the building, and is partially supported by piers, posts or columns. A porch may be open, enclosed or partially enclosed.

"Open porch" means a porch which is unenclosed (except possibly for screens) by anything higher than thirty-six (36) inches above the floor except for the roof and roof supports.

"Portable building" means any building or vehicle designed with running gear permanently attached for transportation on the public streets and highways under its own power or towed behind another vehicle, arriving at the site, substantially ready for use, whether for residential, office, commercial or manufacturing use. Removal of packing and baffles; interconnection of two (2) or more buildings or vehicles; and connection of or to utilities shall not be considered in determining whether a portable building is substantially ready for use. The towing hitch, wheels, axles, and other running gear may not be removed from a portable building preventing it from being portable.

Portable Sign. See "Sign."

"Portable Storage Container" means a non-permanent, non-habitable, self-contained structure of less than 169 square feet in size and eight (8) feet in height designed for temporary placement on and subsequent removal from a parcel for the purpose of facilitating off-site storage.

"Premises" means land together with the buildings and structures thereon.

"Private access" means driveway as defined and regulated in the parking chapter hereof.

"Private club" means a building and accessory facilities owned and operated by an association, a corporation, or a group of individuals established for the cultural, educational, fraternal, recreational, or social enrichment of its members and not primarily for profit, and whose members pay dues and meet certain prescribed qualifications for membership.

"Private garage" means a building or portion of a building for the housing of motor vehicles as an accessory use permitted in a residential district or an apartment district and in which no service, work, trade, occupation, or business is carried on connected in any way with a motor vehicle as defined by Ohio Revised Code Section 4511.01.

"Private residence" means a place of usual or customary abode.

"Private roadway" means a privately owned and maintained strip of land designed, improved, and intended to be used for vehicular traffic.

Projecting Sign. See "Sign."

Projector Graphic. See "Graphic."

Property Frontage. See "Frontage."

Property Owner. See "Owner."

"Public garage" means any building or portion of a building other than a private garage, for the housing of commercial or

noncommercial motor vehicles.

"Public notice" of a hearing or proceedings means ten (10) days notice of the time and place thereof printed (see "printed" in 101.03 Interpretation) in The City Bulletin.

"Public nuisance" means any structure which is permitted to be or remain in any of the following conditions:

- (A) In a dilapidated, decayed, unsafe or unsanitary condition detrimental to the public health, safety, and welfare, or well being of the surrounding area; or
- (B) A fire hazard; or
- (C) Any vacant building that is not secured and maintained in compliance with Chapter 4513; or
- (D) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used in violation of any division of Section 2925.13, Ohio Revised Code.

"Public nuisance" also means any structure or real property which is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance of the Columbus City Code or Columbus City Health Code, or any real property upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment.

"Public service announcement" means a temporary graphic display for the purpose of informing the public about events or activities involving the arts, or involving community service or not-for-profit organizations.

Public Sign. See "Public graphic" and "Sign."

"Public way" means an alley, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, lane, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk or other way in which a public entity has a proprietary right, or which is dedicated whether or not it has been improved.

**Section 2.** That section 3303.20 of the Columbus City Codes, 1959, is hereby amended to include the following definition:

**3303.20 Letter T.**

Temporary sign. See "Sign."

"Temporary use" means the application of a parcel of land, building, or structure, to a particular purpose intended or designed to be used, or used in a non-permanent manner for a specific limited period of time as prescribed in this Code.

"Tenant panel" means that portion of a ground sign for an institutional, commercial, or manufacturing complex which identifies any one tenant or activity.

"Tenement house" means a house or building all or any portion of which is rented, leased, let or hired out to be occupied or is intended, arranged or designed to be occupied as the home or residence of two (2) or more families living independently of each other and doing their cooking upon the premises, and having a common right in the halls and or stairways, but having no water supplied and drains connected for bath and or washstand within each apartment.

"Through lot" means a lot which has either opposite ends, or opposite sides, each abutting a public street.

"Town house" means one (1) dwelling unit of a row situated on its own lot in a recorded subdivision.

"Town house development" means a residential development of town houses as regulated by Chapter 3333, C.C.

"Trade" embraces such commercial activities as are entailed in interchange, but not including operations of manufacture. Trailer Sign. See "Sign."

"Two-family dwelling" means a residential building consisting of two (2) dwelling units each of which adjoins the other either horizontally or vertically, and is arranged, intended or designed for one (1) family. Each dwelling unit shall have its own separate, private means of ingress and egress. The term "two-family dwelling" shall not include a manufactured home or a mobile home.

**Section 3.** That Chapter 3390 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3390.01 Purpose.**

The purpose of this chapter is to permit certain uses on a temporary basis. This administrative procedure will assure that standards are addressed and that the *temporary use* is limited to a specific period of time.

**3390.02 No Temporary Use Permit required.**

For purposes of the Zoning Code and subject to the provisions of this chapter, the following *temporary uses* are permitted without a Temporary Use Permit when operated or conducted in accordance with the conditions specified.

(A) ~~As~~ A Special Event such as a tent assembly, carnival or a circus is permitted on any lot developed with an existing religious, educational or fraternal organization *building* in any residential district, or on any lot in any commercial or

industrial district for a period not to exceed fifteen (15) calendar days and a maximum of two (2) times a calendar year ~~each year~~. No *structure* or equipment shall be placed within twenty (20) feet of any residential *building* or *structure*.

(B) A ~~Christmas tree sales lot~~ seasonal sales lot is permitted on any parcel lot developed with an existing religious, educational or fraternal organization *building* in any residential or institutional zoning district, or on any parcel lot in any commercial or ~~industrial~~ manufacturing zoning district for a period not to exceed forty-five (45) calendar ~~sixty (60)~~ days and a maximum of two (2) times a calendar year. ~~provided, however, that on any such lot shall be cleared by the first day of January. In a commercial or manufacturing district~~ A temporary *structure* or *portable building* may be used on such parcel lot but only if all applicable permits for the temporary use permit has ~~have~~ been obtained for such *structure* or *portable building*. No structure or equipment shall be placed within twenty (20) feet of any residential building or structure. Off-street parking requirements for subject parcel shall not be enforced during the period that such temporary use complies with this chapter.

(C) A garage or yard sale for the exclusive benefit of the property owner is permitted on any parcel lot ~~in any residential, commercial or industrial district~~ for a maximum of two (2) times each calendar year and a maximum of four (4) consecutive calendar days at a time.

~~(D) An assembly in a tent is permitted on any lot developed with an existing religious, educational or fraternal organization building in any residential district, or on any lot in any commercial or industrial district for a period not to exceed thirty (30) days and a maximum of two (2) times each year. No structure or equipment shall be placed within twenty (20) feet of any residential building or structure. Off street parking requirements for subject lot shall not be enforced during the period that such temporary use complies with this chapter.~~

~~(E) (D) A Temporary Parking Lot for a special event open to the general public is permitted on any parcel lot properly zoned to permit parking for a period not to exceed twenty one (21) forty-five (45) calendar days and a maximum of two (2) one (1) times each calendar year. Parking lot requirements for the subject parcel lot shall not be enforced during the period that such temporary use complies with this chapter.~~

(E) Portable Storage Containers Portable storage containers are a temporary structure designed for storage that are less than 169 square feet in size and eight (8) feet in height that may be delivered onsite by a commercial enterprise then picked up and removed to a commercial storage facility or the customer's destination. Portable storage containers are permitted as a non-permanent accessory use to provide temporary storage for moving and similar short-term purposes.

One (1) portable storage container may be located on any parcel for two non-sequential periods, not exceeding fourteen (14) days for each period, per calendar year. The portable storage container shall be situated on an improved surface when possible and not block any sidewalk. A portable storage container is not permitted as a permanent accessory storage structure regardless of the proposed location of the unit on a parcel.

### **3390.03 Authority to issue.**

The ~~Director administrator~~ is authorized to grant or extend a Temporary Use Permit for a specified temporary use in accordance with the provisions of this chapter.

### **3390.04 Temporary Use Permit required.**

No person shall use any *building*, *structure*, or *parcel premises* or erect any *building* or *structure* for particular uses specified in this section except in compliance with a Temporary Use Permit issued by the ~~Director administrator~~ as provided for in this chapter:

(A) A real estate office is permitted in any residential subdivision actively under construction, as determined by the ~~Director administrator~~, for the purpose of selling lots in such subdivision. A model home may be used as a temporary sales office. A Temporary Use Permit for such use may be issued for one (1) year from date of issuance. At the end of a year, a new Temporary Use Permit valid for one (1) year from the date of issuance may be issued if the ~~Director administrator~~ determines that such subdivision is still actively under construction. A Temporary Use Permit may be issued for a *mobile home* or *portable building* to be used as a temporary sales office to allow earlier sales for new developments pending completion of a furnished model home. Off-street parking requirements for the subject parcel lot shall not be enforced during the term of either permit.

(B) A *mobile home* for emergency housing for the victim of a fire or catastrophic loss is permitted on the parcel lot where such loss occurred. A Temporary Use Permit for such *use* may be issued for ninety (90) calendar days, renewable for an additional maximum term or ninety (90) calendar days.

~~(C) A~~ The temporary use of a *building* for an approved special event ~~seasonal celebrations such as a "haunted house"~~ is permitted in any residential, commercial or industrial zoning district for a period not to exceed forty-five (45) calendar ~~thirty (30)~~ days one (1) time each calendar year.

~~(D) A temporary structure or portable building is permitted on Christmas tree sales lot in a commercial or manufacturing district. A Temporary Use Permit may be issued for a period not to exceed sixty (60) days and shall provide that such structure or building shall be removed by the first day of January.~~

**3390.041 Temporary Use Permit for a Temporary Parking Lot.**

Repealed by Ordinance 1486-95. Any existing Temporary Permit shall expire as heretofore provided but in any event no later than two (2) years after the effective date of Ordinance 1486-95.

**3390.042 Special Permit Temporary Parking Lot.**

Pursuant to Chapter 3389 and in accordance with the conditions therein and imposed thereby, a Special Permit for a *Temporary Parking Lot* may be issued by the Board of Zoning Adjustment for a term of no more than two (2) calendar years.

**3390.05 Use limitations.**

One who engages in a *temporary use* shall insure that:

(a) ~~All Principal and accessory buildings, structures and uses on any parcel lot together with any temporary use~~ comply with all building lines and the side yard setback requirements and front setback provisions of the zoning district in which they are located;

(b) Any *signs* will be erected in compliance with the Graphics Code;

(c) Adequate access as determined by the Administrator, or his or her designee, of the Transportation Division is provided;

(d) The approved Temporary Use Permit, if any, is displayed in a prominent location on the subject parcel premises for easy inspection.

The issuance of a Temporary Use Permit or exclusion from such requirement does not negate the necessity for any other permit or license required by the city or any other governmental agency.

**3390.06 Application.**

An application for a Temporary Use Permit shall contain such information as the Director administrator deems reasonably necessary for a determination of compliance or noncompliance with the Zoning Code and to assist enforcement thereafter. The applicant shall sign the application ~~and each copy thereof~~, attesting to the truth and exactness of the information supplied and to his or her intent to terminate such temporary use within the period set forth therein.

**3390.07 Termination of use.**

A *temporary use* shall cease operation on or before the expiration of the term provided by this chapter, the Temporary Use Permit or any permitted renewal thereof. Upon the termination of a *temporary use*, the parcel site shall be cleared of all graphics associated with such *use*, any temporary *building or structure*, and all debris within six (6) calendar days of the expiration of the Temporary Use Permit.

A *temporary use* which is permitted with or without a Temporary Use Permit by this chapter shall cease operation if found to be in violation of the standards or conditions of this chapter or any other applicable city code.

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

# 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 - August 9, 2006 3:00 pm

SA002093 - DRWP SODIUM HYPOCHLORITE FACILITY

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, Room 4105, 910 Dublin Road, 4th Floor, until 3:00 p.m. local time, on August 9, 2006 and publicly opened and read at the hour and place for DUBLIN ROAD WATER PLANT, DISINFECTION AND MISCELLANEOUS IMPROVEMENTS, SODIUM HYPOCHLORITE FACILITY, CONTRACT NO. 966, PART 2, PROJECT 690379. The work for which proposals are invited consists of a complete new sodium hypochlorite storage and feed facility, demolition of the existing chlorine facilities and miscellaneous improvements to the existing facilities at the City of Columbus Dublin Road Water Plant, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents may be purchased by prospective bidders from Key Companies, 195 East Livingston Avenue, Columbus, Ohio 43215 at (614) 228-3285 or via Plankey at [www.plankey.com](http://www.plankey.com) upon payment of \$190.00 per set and are available there on or after July 3, 2006. No refunds will be made. Checks shall be payable to Malcolm Pirnie, Inc. The Bidding Documents packet will include one full size set of Drawings with printed Project Manual. Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for:

DUBLIN ROAD WATER PLANT, DISINFECTION AND MISCELLANEOUS IMPROVEMENTS,  
SODIUM HYPOCHLORITE FACILITY  
CONTRACT NO. 966, PART 2, PROJECT 690379

CONTACT PERSON

The City of Columbus Contact Person for this project is Miriam Siegfried, P.E. of the Division of Power & Water, Water Supply Group - Technical Support Section (614) 645-7100; email: [mcsiegfried@columbus.gov](mailto:mcsiegfried@columbus.gov).

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad 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.

**SUBSURFACE DATA:**

Subsurface data was obtained for project design purposes. Copies of the report are available upon execution of the subsurface information release form from: Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240. (Phone 614-888-4953) at the costs of reproduction and postage.

**PREBID CONFERENCE**

A pre-bid conference for this project will be held on July 19, 2006 at 9:00 a.m. in the Conference Room of the Dublin Road Water Plant, 940 Dublin Road, Columbus, Ohio 43215. This conference is not mandatory; however, bidders shall comply with and be responsible for the information discussed at the pre-bid conference. A brief tour of the affected plant and site areas will be conducted following the pre-bid conference.

**CITY BULLETIN DATES**

- 1). July 1, 2006
- 2). July 8, 2006
- 3). July 15, 2006

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

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 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.

**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 Franklin County Records 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.

ORIGINAL PUBLISHING DATE: June 23, 2006

SA002104 - Manhole Casting and Lid Replacement

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 4105, until 3:00 p.m., Local Time, on August 9, 2006 and publicly opened and read at that hour and place for the following project:

Manhole Casting and Lid Replacement CIP 650697

The work for which proposals are invited consists of replacement of manhole castings and lids, grade rings and minor brick work as scheduled and required. Detailed design drawings have not been prepared for this work. Work includes preparing maintenance of traffic drawings and obtaining street occupancy permits, and coordinating with effected public utilities for all locations. Copies of the Bidding Documents are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3044, 910 Dublin Road, Columbus, Ohio 43215-9053. The City of Columbus contact person for this project is John Newsome, P.E., of the Division of Sewerage and Drainages Sewer System Engineering Section, (614) 645-8460. Bid packets will be available beginning 07/14/06. Bid packets will be made available in a DVD format. Only electronic bid packets will be made available.

The Bid Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked: Manhole Casting and Lid Replacement CIP 650697

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Packet 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 express the amount of the bond in dollars and cents in order to be considered responsive. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Packet 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 the Bid Packet 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 the Bid Packet. 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,

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

Columbus, Ohio 43215 (614) 645-8290; at the offices of the Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

**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.

**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**

No subsurface investigation was performed for this project.

**CONTRACT COMPLETION**

The work under this contract shall be completed in a manner acceptable to the City within 360 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

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

corporations organized under the laws of any other state.

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Cheryl Roberto

Director of Public Utilities

ORIGINAL PUBLISHING DATE: July 11, 2006

SA002107 - Power/Grounding & Bonding Str. Ltg. Sys.

**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 August 9, 2006 and publicly opened and read at the hour and place for Underground Street Lighting System Rehabilitation and Betterments (Northeast and Northwest Quadrants). The work for which proposals are invited consists of furnishing all labor, material and equipment required to upgrade of existing Division of Power and Water (Power) streetlights with underground wiring, otherwise known as bonding and grounding, to conformance with MIS 178, Scope of Work and Requirements and related drawings or plans and specifications covering proper bonding and grounding, and to test and verify grounding is equal to or below the maximum specified ohmic value. Copies of the Contract Documents and the plans are on file and are available to prospective bidders through the office of the Division of Power and Water (Power), 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 Underground Street Lighting System Rehabilitation and Betterments (Northeast and Northwest Quadrants).

**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, 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

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

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.

**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) July 22, 2006
- 2) July 29, 2006

BID PACKAGES WILL BE AVAILABLE FOR PURCHASING, MONDAY, JULY 24, 2006. IF YOU HAVE QUESTIONS IN REFERENCE TO THE BID DOCUMENT PLEASE CONTACT DUFFY D. MCSWEENEY AT 645-2191 OR EMAIL HIM AT THE FOLLOWING ADDRESS;  
dmcsweeney2@columbus.gov  
ORIGINAL PUBLISHING DATE: July 12, 2006

**BID OPENING DATE - August 10, 2006 11:00 am**

SA002109 - REC & PARKS/24 PASSNGER BUS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope:

It is the intent of the City of Columbus, Ohio Recreation and Parks Department to purchase a diesel powered, 24 passenger light transport vehicle for use in recreation programming. The minimum gross vehicle weight rating (G.V.W.R.) shall be 14,050 pounds. Only those vehicles that meet FMVSS 220 will be considered. The specifications describe a vehicle that shall consist of a body that incorporates steel gage construction built on a heavy duty van cutaway chassis. This coach will be used in front line service for a minimum of seven (7) years. The City of Columbus intends to award a contract as soon as possible after the bid opening.

1.2 Classification:

1.2.1 All bidders shall indicate their compliance with these specifications by writing either "yes" or "no" for each item listed in the specification. All "no" responses must be detailed in a letter attached to this bid proposal.

1.2.2 Bids will be considered on units substantially complying with the specifications herein, provided that each variation is stated in a letter attached to the bid document. Terms and conditions of warranty(s) may be used to determine the lowest and best bid. Warranties requiring the City of Columbus to deal with a third party such as a sub-contractor or component supplier are unacceptable and may be used as a basis for rejection of the bid(s). Bid supplier shall provide the name and address of the company doing warranty work and repair for the bus body.

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: July 18, 2006

SA002114 - PURCHASE OF POLYMER / JACKSON PIKE WASTE

1.1 Scope: This proposal is to provide the City of Columbus, Division of Sewerage & Drainage with a Universal Term Contract (blanket type) to purchase approximately seven hundred thousand pounds (700,000) annually of a cationic water-soluble polymer in emulsion as a sludge conditioner in a sludge dewatering centrifuge process at the Jackson Pike Waste Water Treatment Plant. The proposed contract can potentially be in effect from October 1, 2006 to March 31, 2010.

1.2 Classification: The successful bidder will provide, deliver, and unload bulk quantities of a cationic water - soluble polymer in emulsion. The supplier will also be required to provide specified safety training sessions. Each Bidder is limited to bidding one single product for this specification.

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: July 20, 2006

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - August 15, 2006 11:00 am

SA002120 - Golf-Food Concessions-Airport Golf Cours

<p>THE CITY BULLETIN BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS</p>
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COLUMBUS MUNICIPAL GOLF DIVISION  
COLUMBUS, OHIO  
INVITATION TO BID  
AIRPORT GOLF COURSE FOOD CONCESSION

You are invited to bid on a contract to provide food concession services at Airport Golf Course. This Concession is intended to be of service and benefit to the public for a multi-year period. The successful bidder will be expected to present an attractive menu suited to the needs and demands of the public golfer and provide various catering services.

The successful bidder will be required to maintain regular hours of operation. The City will further require the product line offered and service rendered to be of the highest quality.

The successful Bidder should be prepared to demonstrate how they will cater to daily public play, golf outings and other miscellaneous events requiring food service.

Below is a summary of operations for 1997 through May of 2006:

City of Columbus Food Concession Revenues

YEAR	ABSOLUTE PAYMENTS	MONTHLY SALES	
1997	\$26,000	\$69,416.08	
1998	\$27,000	\$67,685.06	
1999	\$28,000	\$96,093.97	
2000	\$30,000	\$89,264.78	
2001	\$32,000	\$100,153.28	
2002	\$34,000	\$92,313.84	
2003	\$36,000	\$73,134.00	
2004	\$38,000	\$78,120.67	
2005	\$38,000	\$114,450.80	
2006	\$40,000	\$33,436.34	(Y.T.D. through May 2006)

ADVERTISEMENT  
  
FOR  
AIRPORT GOLF COURSE

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

FOOD CONCESSIONS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office - 200 Greenlawn Avenue, - until 11:00 AM on August 15, 2006 publicly opened and read immediately thereafter for:

AIRPORT GOLF COURSE  
FOOD CONCESSIONS

Copies of Bidder Information, Proposal Forms, and Contract Specifications can be obtained at:

Recreation and Parks Office - Golf Section  
200 Greenlawn Avenue, Columbus, Ohio 43223

Proposals shall be submitted with proposal bond forms properly executed in accordance with directions contained in "Information for Bidders" together with the remaining executed proposal documents. Proposals must be submitted on the proposal forms contained in said contract documents and the said contract documents containing such proposal must be submitted in their entirety in sealed envelopes plainly marked:

"BID FOR AIRPORT GOLF COURSE FOOD CONCESSIONS"

The proposals shall be accompanied by a proposal bond, on the form provided in the contract documents, with surety or sureties satisfactory to the Recreation and Parks Commission, or by a certified check on a solvent bank of the City of Columbus, Ohio. Such proposal bond or check shall be in the amount of \$500.00 (five hundred dollars and no cents). If the proposal bond is given by a surety company, proof of authority of the officer or agent signing the bond, together with a recent financial statement of the Surety Company, shall be attached. If a certified check is given, it shall be drawn payable to the order of Wayne A. Roberts, Executive Director of the Department of Recreation and Parks - Columbus, Ohio. The bond or check shall be forfeited if the bidder fails to enter into a contract with the City of Columbus, Ohio, and to furnish the required performance bond within ten (10) days after notice of the acceptance of his proposal, if the award is made to said bidder. The bonds or checks of all except the highest three bidders will be returned as soon as the bids are canvassed. The bonds or checks of these highest three bidders will be held until the execution of the contract and the furnishing of the required performance bond, after which they will be returned on demand.

A performance bond (contract bond) with a satisfactory surety will be required for the faithful performance of the work.

The bidder will be required to state in full detail, on his proposal, his experience in this class of work. Bids from Bidders inexperienced in food service will not be considered.

EQUAL OPPORTUNITY CLAUSE:

"Each responsive bidder shall submit, with its bid, a contract compliance certification number or a

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

completed application for certification. Minority business enterprises and female business enterprises bidding on contracts shall also include a contract compliance 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".

Proposals must be submitted on the Proposal Forms, contained in the Contract Documents and said Contract Documents containing the Proposal must be submitted in their ENTIRETY in sealed envelopes marked "Bids for Airport Golf Course Food Concessions" and addressed to:

RECREATION AND PARKS COMMISSION  
200 GREENLAWN AVENUE  
COLUMBUS, OHIO 43223

The right is reserved by the Executive Director of the Department of Recreation and Parks to reject any or all bids.

Thomas L. Kaplin, President  
Columbus Recreation and Parks Commission

Wayne A. Roberts, Executive Director  
Department of Recreation and Parks

Terri S. Leist, Assistant Director  
Department of Recreation and Parks  
ORIGINAL PUBLISHING DATE: July 26, 2006

BID OPENING DATE - August 17, 2006 11:00 am

SA002098 - Employee Benefits Prof Consultant

Employee Benefits Professional Consultant  
Contract terms are from Feb 1, 2007 through Jan 31, 2010, renewable annually. The contract will be under the 2007 budget.  
ORIGINAL PUBLISHING DATE: July 06, 2006

SA002111 - FIRE/AERIAL LADDER TRUCK

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 It is the intent of these specifications to describe a Custom four door, fully enclosed tilt cab, minimum of 103' steel aerial ladder truck, drawn by a tandem axle tractor for use by the Division of Fire in sufficient detail to secure bids on comparable equipment. All parts not mentioned, which are necessary to provide a complete unit, shall be included in the bid and shall conform in strength and quality of workmanship to what is usually provided to the trade in general. This vehicle must meet or exceed the current edition of NFPA booklet #1901 and any or all DOT regulations and Federal axle load laws at the time of contract signing.

1.2 This Invitation to bid (ITB) includes liquidated damages and a local vendor service requirement.

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: July 18, 2006

SA002112 - REFUSE/KNUCKLEBOOM TRUCK

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of knuckleboom trucks for use by the Refuse Collection Division.

1.2 Classification: City desires bids on cabs and chassis, truck body, or complete unit (cab, chassis and body). There is a local vendor component to this bid.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 18, 2006

SA002124 - FLEET/DUMP BODIES/PLOWS & SPREADERS

**THE CITY BULLETIN**  
**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain formal bids to establish a contract for the purchase and installation of four (4) new custom dump bodies with hoists and accessories on four Ford F-450 cab and chassis provided by the City. Additionally, three (3) detachable snow plow units and three (3) removable salt spreaders are to be provided and installed on three of the units described above.

1.2 Classification: The bid will be for complete delivered units including four new dump bodies that include scissor type hoists, and accessories including three snow plows and three salt spreaders units to be delivered to the City of Columbus Fleet Management Division, 423 Front Street, Columbus, Ohio 43215.

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: August 02, 2006

BID OPENING DATE - August 18, 2006 12:00 pm

SA002115 - FMD- FOOD SERVICES FOR MUNICIPAL COURT

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

City of Columbus - Food Service  
Request for Information (RFI)

We are writing to ascertain your interest in participating in a competitive Request for Proposal (RFP) process for the operation of a cafe/service cart to be located at the MCH Municipal Court Building. Interested parties are asked to submit certain pre-qualification documents as outlined at the close of this document.

About the Municipal Court Building

Located at 375 South High Street, Columbus, Ohio; the building is eighteen (18) floors, totaling in at 345,245 sf.

The Customer Base

The primary customer base for the cafe/service cart will be comprised of the employees and visitors of the Municipal Court building.

Solicitation of Interest

If you are interested in being considered for selection, please provide two copies of the following requirements no later than August 18, 2006 by 12:00 noon EST:

- ?? Statement of interest;
- ?? Concept description, menu and current pricing;
- ?? Number of years in business;
- ?? Number and location of existing operations, including addresses of locations within closest proximity to the Municipal Court;
- ?? If publicly available, average annual sales by location for your last fiscal year;
- ?? Typical peak hourly customer count by location (experience with handling large peak customer volumes will be an important consideration for pre-qualification);
- ?? Anticipated space needs.

This information should be provided to the following address:

Nicole D. Wilson  
City of Columbus  
90 West Broad St., room B-15  
Columbus, OH 43215

Questions/Additional Information

Should you have questions, please contact Nicole D. Wilson at [ndwilson@columbus.gov](mailto:ndwilson@columbus.gov). Clarification, questions and answers, and addenda issued in response to queries for additional information will be provided to all solicitees. Questions regarding the RFI are due in writing no later than August 17, 2006. Thank you for your interest, and we look forward to hearing from you.

ORIGINAL PUBLISHING DATE: July 20, 2006

BID OPENING DATE - August 24, 2006 11:00 am

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA002116 - FINANCE/PURCHASING/AUTOMOBILES

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management/Purchasing Office to obtain formal bids to establish a UNIVERSAL TERM CONTRACT (UTC) for the purchase of AUTOMOBILES for use on a city-wide basis through August 31, 2007 or manufacturer's buildout.

1.2 Classification: Bids will be received on a per item basis with various optional equipment.

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: July 25, 2006

SA002117 - FINANCE/PURCHASING/LIGHT DUTY TRUCKS

1.1 Scope: It is the intent of the City of Columbus, Finance & Management/Purchasing Office to obtain formal bids to establish a Universal Term Contract (UTC) for the purchase of Light Duty Trucks for use by all city agencies through August 24, 2007 or manufacturer's buildout.

1.2 Classification: Bids will be received on a per item basis with options.

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: July 25, 2006

SA002121 - ELECTRIC METERS AND ACCESSORIES UTC/ELEC

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION

1.1 SCOPE. It is the intent of this bid proposal to provide the City of Columbus Department of Public Utilities, Division of Operational Support, a "firm" offer for sale" blanket type contract that will allow for the Purchase of Electric Meters and Accessories that will be used for new installations and to maintain existing customer meters within the City. The proposed contract will be through October 31, 2007. The estimated annual expenditure for these items is \$100,000.00.

1.2. CLASSIFICATION. The Division intends to purchase Solid State Meters, Current and Potential Transformers, and Metering Accessories including Recorders, Testers, Limiters, Relays, Batteries, Couplers, Connectors, Covers, Enclosures, Hubs, Adapters, Seals, Rings, Test Switches, Fifth Terminals, and Mounting Brackets. These items will be purchased through out the contract term to be used for maintenance and new customer installations. Itron shall be the only acceptable mfg for items #1-39 and Power Monitors Inc. shall be the only acceptable mfg for item # 40. There will be no substitutes for these items.

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: July 27, 2006

SA002118 - HARTMAN PONDS SECTION 2

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by Richard Conie of Intrust Land Development Co., at 109 N. Front Street, 3rd Floor, Room 301, 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 August 24, 2006 for Hartman Ponds Section 2. The work for which proposals are invited consists of waterline, streets and street lighting, 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 available after August 1, 2006, at the office of Land Network, Inc., 39 E. Whittier Street, Columbus, OH 43206, (PH: 614-445-8111) and are available to prospective bidders upon payment 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 Bid for Hartman Ponds Section 2.

All materials submitted in response to this advertisement for bids will become the property of the Intrust Land Development Co. 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.

**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.

**CONTRACT COMPLETION**

Intrust will issue a notice to proceed on or about January 1, 2007.

**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

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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.

Intrust Land Development Co., Inc. 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 y Richard Conie of Intrust Land Development Co., Inc. 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 Intrust Land Development Co..

**PLANS ARE AVAILABLE ON:**

August 1, 2006

ORIGINAL PUBLISHING DATE: July 25, 2006

BID OPENING DATE - August 31, 2006 11:00 am

SA002123 - POLICE CRUISER VIDEO SYSTEMS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 Scope and Classification

1.1 Scope: The City of Columbus Division of Police is seeking bids for digital in-car video system for police cruisers. On behalf of Division of Police the Director of the Department of Finance and Management will establish a Universal Term Contract. The initial purchase will be for 26 digital in-car video systems but it is anticipated the estimated expenditure will be at least \$500,000.00 over the next two years.

1.2 Classification: The system shall include digital video recorder, forward-facing, rear-facing cameras, monitor, control center, wireless audio transmitter, video transfer station, video management software and training at our location for officers and related personnel. There shall be a 12 month warranty commencing from the date of the installation for each camera.

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: August 02, 2006

# Public Notices

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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:** PN0021-2006

**Drafting Date:** 01/18/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Brewery District Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Brewery District Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
January 19, 2006	February 2, 2006
February 16, 2006	March 2, 2006
March 23, 2006	April 6, 2006
April 20, 2006	May 4, 2006
May 18, 2006	June 1, 2006
June 22, 2006	July 6, 2006
July 20, 2006	August 3, 2006
August 24, 2006	September 7, 2006
September 21, 2006	October 5, 2006
October 19, 2006	November 2, 2006
November 22, 2006	December 7, 2006
December 21, 2006	January 4, 2007
January 18, 2007	February 1, 2007

**Legislation Number:** PN0022-2006

**Drafting Date:** 01/18/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Victorian Village Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Victorian Village Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation

Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
January 26, 2006	February 9, 2006
February 23, 2006	March 9, 2006
March 30, 2006	April 13, 2006
April 27, 2006	May 11, 2006
May 25, 2006	June 8, 2006
June 29, 2006	July 13, 2006
July 27, 2006	August 10, 2006
August 31, 2006	September 14, 2006
September 28, 2006	October 12, 2006
October 26, 2006	November 9, 2006
November 30, 2006	December 14, 2006
December 28, 2006	January 11, 2007
January 25, 2007	February 8, 2007

**Legislation Number:** PN0023-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Historic Resources Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Historic Resources Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail [bgmoore@columbus.gov](mailto:bgmoore@columbus.gov). A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
February 2, 2006	February 16, 2006
March 2, 2006	March 16, 2006
April 6, 2006	April 20, 2006
May 4, 2006	May 18, 2006
June 1, 2006	June 15, 2006
July 6, 2006	July 20, 2006
August 3, 2006	August 17, 2006
September 7, 2006	September 21, 2006
October 5, 2006	October 19, 2006
November 2, 2006	November 16, 2006
December 7, 2006	December 21, 2006
January 4, 2007	January 18, 2007

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**Legislation Number:** PN0024-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Italian Village Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the Italian Village Commission will be held on the dates listed below at 6:15 p.m. at 109 N. Front Street, Columbus, Ohio 43215, in the ground floor Community Training Center. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
January 3, 2006	January 17, 2006
February 7, 2006	February 21, 2006
March 7, 2006	March 21, 2006
April 4, 2006	April 18, 2006
May 2, 2006	May 16, 2006
June 6, 2006	June 20, 2006
July 3, 2006	July 18, 2006
August 1, 2006	August 15, 2006
September 5, 2006	September 19, 2006
October 3, 2006	October 17, 2006
November 7, 2006	November 21, 2006
December 5, 2006	December 19, 2006
January 2, 2007	January 16, 2007

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**Legislation Number:** PN0025-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** German Village Commission 2006 Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly meetings of the German Village Commission will be held on the dates listed below at 4:00 p.m. the German Village Meeting Haus, 588 S. Third Street, Columbus, Ohio 43215. Copies of the agenda may be obtained by calling 645-8620 or by e-mail at bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

Application Deadlines	Hearing Dates
December 20, 2005	January 3, 2006
January 24, 2006	February 7, 2006
February 21, 2006	March 7, 2006
March 21, 2006	April 4, 2006
April 18, 2006	May 2, 2006
May 23, 2006	June 6, 2006
June 20, 2006	July 11, 2006
July 18, 2006	August 1, 2006
August 22, 2006	September 12, 2006
September 19, 2006	October 3, 2006
October 24, 2006	November 14, 2006
November 21, 2006	December 5, 2006
December 19, 2006	January 9, 2007
January 23, 2007	February 6, 2007

**Legislation Number:** PN0026-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Historic Resources Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the Historic Resources Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

**Business Meeting Dates**

- January 12, 2006
- February 9, 2006
- March 9, 2006
- April 13, 2006
- May 11, 2006
- June 8, 2006
- July 13, 2006
- August 10, 2006
- September 14, 2006
- October 12, 2006
- November 9, 2006
- December 14, 2006

**Legislation Number:** PN0027-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Italian Village Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the Italian Village Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

**Business Meeting Dates**

- January 10, 2006
- February 14, 2006
- March 14, 2006
- April 11, 2006
- May 9, 2006
- June 13, 2006
- July 11, 2006
- August 8, 2006
- September 12, 2006
- October 10, 2006
- November 14, 2006
- December 12, 2006

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**Legislation Number:** PN0028-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Victorian Village Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the Victorian Village Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

**Business Meeting Dates**

- January 5, 2006
- February 2 2006

March 2, 2006  
April 6, 2006  
May 4, 2006  
June 1, 2006  
July 6, 2006  
August 3, 2006  
September 7, 2006  
October 5 2006  
November 2 2006  
December 7, 2006

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**Legislation Number:** PN0029-2006

**Drafting Date:** 01/18/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** German Village Commission 2006 Business Meeting Schedule

**Contact Name:** Brenda Moore

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** bgmoore@columbus.gov

**Body**

The 2006 regular monthly business meetings of the German Village Commission will be held on the dates listed below at 12:00 noon. at 109 N. Front Street, Columbus, Ohio 43215, in the 1st Floor Conference Room. Copies of the agenda may be obtained by calling 645-8620 or by e-mail bgmoore@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-8620 or TDD 645-6802.

**Business Meeting Dates**

January 31, 2006  
February 28, 2006  
March 28, 2006  
April 25, 2006  
May 30, 2006  
June 27, 2006  
July 25, 2006  
August 29, 2006  
September 26, 2006  
October 31 2006  
November 28, 2006  
December 26, 2006

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**Legislation Number:** PN0038-2006

**Drafting Date:** 01/25/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Southwest Area Commission 2006 Meeting Schedule

**Contact Name:** Bonita Lee  
**Contact Telephone Number:** 614-645-7964  
**Contact Email Address:** btleec@columbus.gov

**Body**

The Southwest Area Commission meets on the third Wednesday each month at New Horizons Church, 1663 Harrisburg Pike with the exception that the commission does not meet in December. For more information contact Bonita Lee at btleec@columbus.gov.

2006 Meeting Schedule:

February 15

March 15

April 19

May 17

June 21

July 19

August 16

September 20

October 18

November 15

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**Legislation Number:** PN0039-2006

**Drafting Date:** 01/25/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Greater Hilltop Area Commission 2006 Meeting Schedule

**Contact Name:** Bonita Lee

**Contact Telephone Number:** 614-645-8620

**Contact Email Address:** btleec@columbus.gov

**Body**

The Greater Hilltop Area Commission meets on the first Tuesday of each month at the Hilltop Branch Library, 511 S. Hague Avenue at 7:00 p.m. with the exception of July (Independence Day) and November (Election Day). For more information contact Bonita Lee at btleec@columbus.gov.

February 7

March 7

April 4

May 2

June 6

July 11

August 1

September 5

October 3

November 14

December 5

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**Legislation Number:** PN0060-2005

**Drafting Date:** 02/23/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Published Columbus City Health Code

**Contact Name:** Richard Hicks

**Contact Telephone Number:** 654-6189

**Contact Email Address:** rickh@columbus.gov

**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/>

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**Legislation Number:** PN0156-2006

**Drafting Date:** 07/26/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Property Maintenance Appeals Board August Meeting Agenda

**Contact Name:** Toni Gillum-Boehm

**Contact Telephone Number:** 614-645-5884

**Contact Email Address:** tgboehm@columbus.gov

**Body**

Property Maintenance Appeals Board

Monday, August 14, 2006

1:00 PM - 757 Carolyn Avenue

Hearing Room

1. Approval of prior meeting minutes

2. Case Number PMA-082

Appellant: Phillip R. & Mikki Y. Miller

Property: 64 South Wheatland Avenue

Inspector: James Lee

Order #: 064575-00990, 06440-01118, 06441-00481

3. Case Number PMA-083

Appellant: Lisa A. Callicoat

Property: 5275 Freedom Ridge Drive

Inspector: Greg Davis

Order #: 06440-01750, 06440-01209

4. Case Number PMA-088

Appellant: Pauline E. Bradley Buck

Property: 1467-1469 Atcheson Street

Inspector: Noell Rader

Order #: 06475-05840, 06440-02425, 06450-00140

5. Case Number PMA-089

Appellant: Sheila Lett

Property: 3380 Dillward Drive

Inspector: Kelly Collins

Order #: 06475-06467

6. Case Number PMA-092

Appellant: Rosetta Magwood  
Property: 966 Berkeley Road  
Inspector: Sue Carpenter  
Order #: 06470-02793

7. Case Number PMA-093

Appellant: Lucille Thomas  
Property: Right of Way north of Parcel at 2880 Fairwood Avenue  
Inspector: Paola Turner  
Order #: 06475-06900

8. Case Number PMA-094

Appellant: Glenn Griffiths  
Property: 6330 Turngate Lane  
Inspector: Patty Austin  
Order #: Sidewalk

NOTE: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Regulations 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 Toni Gillum at 645-5884 or TDD 645-3293.

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**Legislation Number:** PN0157-2006

**Drafting Date:** 07/26/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Graphics Commission August Meeting Agenda

**Contact Name:** Toni Gillum-Boehm

**Contact Telephone Number:** 614-645-5884

**Contact Email Address:** tgboehm@columbus.gov

**Body**

Graphics Commission Agenda  
City Of Columbus, Ohio  
August 15, 2006

The City Graphics Commission will hold a public hearing on TUESDAY, AUGUST 15, 2006 at 4:15 p.m. in the First Floor Hearing Room, Building Services Division, 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.: 06320-00029

Location: 2055 ROME-HILLIARD ROAD, 43026, located on the west side of Rome-Hilliard Road, approximately 500 feet north of Tanglewood Park Blvd.

Area Comm./Civic: None

Existing Zoning: LC-2, Limited Commercial

Request: Variance

3377.04, Graphic area, sign height and setback. To install a 148 sq. ft. double faced ground sign

Proposed Use: Office Park

Applicant:

MarcusPohlmann II, LLC

155 Dogwood Court

West Jefferson, Ohio

Property Owner: Same as Applicant

Attorney/Agent:

David L. Hodge

c/o Smith & Hale

37 W. Broad St.

Suite 725

Columbus, Ohio 43215

2. ODS No.: 06320-00030

Location: 1800 EAST FIFTH AVENUE, 43219, located on the north side of E. 5th Ave., at the terminus of Leonard Ave.

Area Comm./Civic: North Central Area Commission

Existing Zoning: M, Manufacturing

Request: Reconsideration of Conditions to Variances. Reconsider condition #2 of case no. 05320-00021 heard October 18, 2005. To modify a condition that does not allow signs with words to replace signs with depictions.

Proposed Use: A door manufacturing plant and sales showroom.

Applicant:

1800 East Fifth Avenue Holdings, L.L.C.

438 Beecher Rd.

Columbus, Ohio 43230

Property Owner: Same as applicant

Attorney/Agent:

Smith & Hale

c/o David L. Hodge  
37 W. Broad St.  
Suite 725  
Columbus, Ohio 43215

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**Legislation Number:** PN0158-2006

**Drafting Date:** 07/31/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**CIVIL SERVICE COMMISSION PUBLIC NOTICE**

**Notice/Advertisement Title:**

Civil Service Commission Public Notice

**Contact Name:**

Lois Washnock

**Contact Telephone Number:**

614.645.7531

**Contact Email Address:** Lwashnock1@columbus.gov

**Body**During its regular meeting held on July 31, 2006, the Civil Service Commission passed a motion to lift the hiring moratorium for the classification Electric Switchboard Operator, revise the specification, extend the probationary period from 270 to 365 days, and amend Rule XI accordingly (Class Code 3588).

During its regular meeting held on July 31, 2006, the Civil Service Commission passed a motion to lift the hiring moratorium for the classification Electric Switchboard Operator Trainee, revise the specification, extend the probationary period from 180 to 365 days, and amend Rule XI accordingly (Class Code 3587).

During its regular meeting held on July 31, 2006, the Civil Service Commission passed a motion to revise the specification for the classification Parking Regulation Attendant Supervisor, retitle it to read Parking Enforcement Supervisor, and amend Rule XI accordingly (Class Code 3023).

During its regular meeting held on July 31, 2006, the Civil Service Commission passed a motion to revise the specification for the classification Parking Regulations Attendant, retitle it to read Parking Enforcement Officer, and amend Rule XI accordingly (Class Code 3022).

Request of the Civil Service Commission staff to abolish the specification for the classification Data Entry Operator and amend Rule XI accordingly (Class Code 0554).

Request of the Civil Service Commission staff to abolish the specification for the classification Payroll Clerk I and amend Rule XI accordingly (Class Code 1290).

Request of the Civil Service Commission staff to abolish the specification for the classification Messenger and amend Rule XI accordingly (Class Code 0450).

Request of the Civil Service Commission staff to abolish the specification for the classification Nutrition Assistant and amend Rule XI accordingly (Class Code 1480).

Request of the Civil Service Commission staff to abolish the specification for the classification Medical Services Reimbursement Specialist and amend Rule XI accordingly (Class Code 0815).

Request of the Civil Service Commission staff to abolish the specification for the classification Development Services Assistant and amend Rule XI accordingly (Class Code 2007).

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**Legislation Number:** PN0159-2006

**Drafting Date:** 08/02/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Communications 08/05/06

**Contact Name:** Kim Taylor

**Contact Telephone Number:** 614-645-8623

**Contact Email Address:** ketaylor@columbus.gov

**Body**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, AUGUST 2, 2006:

Transfer Type: D5  
To: 924 Weber Rd Inc  
DBA Carls Place  
924 E Weber Rd  
Columbus, Ohio 43224  
From: OJM Inc  
DBA Carls Place  
924 E Weber Rd  
Columbus, Ohio 43224  
permit # 6415874

Transfer Type: D5A, D6  
To: Prism Hospitality LP  
DBA Holiday Inn  
175 Hutchison Av & Patio  
Columbus, Worthington, Ohio 43235  
From: H K W Inc  
DBA Holiday Inn  
175 Hutchison Av & Patio  
Columbus, Worthington, Ohio 43235  
permit # 7089395

Transfer Type: D5, D6  
To: James Albert  
5422 N High St  
Columbus, Ohio 43214  
From: Lee Ann Enterprises Inc  
DBA Golden Eight Ball 11th  
222 E 11th Av 1st Fl & Bsmt  
Columbus, Ohio 43201  
permit # 0095876

Transfer Type: C1, C2  
To: Aldi Inc Ohio

DBA Aldi Inc  
2296 Morse Rd  
Columbus, Ohio 43229  
From: Aldi Inc Ohio  
3350 Cleveland Av  
Columbus, Ohio 43224  
permit # 01007780695

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #602  
3970 Morse Rd  
Columbus, Ohio 43219  
From: Convenience Management Services Inc  
DBA CMSI 3087  
3970 Morse Rd  
Columbus, Ohio 43219  
permit # 90739950625

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #604  
8500 N High St  
Lewis Center, Columbus, Ohio 43035  
From: Convenience Management Services Inc  
DBA CMSI 3091  
8500 N High St  
Lewis Center, Columbus, Ohio 43035  
permit # 90739950635

Transfer Type: C1  
To: True North Energy LLC  
DBA True North #601  
777 E Dublin Granville Rd  
Columbus, Ohio 43229  
From: Convenience Management Services Inc  
DBA CMSI 3081  
777 E Dublin Granville Rd  
Columbus, Ohio 43229  
permit # 90739950620

Transfer Type: D5  
To: Sancus 8711 LLC  
8711 Sancus Blvd  
Columbus, Ohio 43240  
From: 3280 RCM Inc  
5720 Scarborough Blvd  
Columbus, Ohio 43232  
Connie Lynn Maxey  
permit # 7730428

Transfer Type: D5A, D6  
To: Marcus Columbus LLC  
DBA Westin Hotel Columbus

310 S High St  
Columbus, Ohio 43215  
From: First Hotel Associates LP  
DBA Westin Hotel Columbus  
310 S High St  
Columbus, Ohio 43215  
permit # 5527341

Advertise 8/05/06  
Return 8/24/06

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**Legislation Number:** PN0160-2006

**Drafting Date:** 08/02/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Columbus Building Commission August Meeting Agenda

**Contact Name:** Barbara Eastman

**Contact Telephone Number:** 614-645-6416

**Contact Email Address:** baeastman@columbus.gov

**Body**

COLUMBUS BUILDING COMMISSION AGENDA  
AUGUST 15, 2006 - 1:00 p.m.  
757 CAROLYN AVENUE  
HEARING ROOM - LOWER LEVEL

1. APPROVAL OF JULY 18, 2006 MEETING MINUTES

Continued from April 18, 2006 Meeting:

2. APPEAL OF BUILDING ORDER #05415-00000-00704

Address: 2384-2386 W. Broad Street

Applicant: Claymore Real Estate Investments, Ltd.; William Joseph Rees, Esq.

3. ITEMS FROM THE FLOOR (as approved by the Board)

4. PROPOSED CODE CHANGE - 2nd PUBLIC HEARING:

“Demolition Debris Recycling”

5. PROPOSED CODE CHANGE - PUBLIC HEARING:

“Medical Gas Permitting and Inspection”

6. ADJUDICATION ORDER: A/O2006-025CB

Request allowance for installation of the Jay R. Smith Figure No. 7140 floodgate backwater valve in existing structures having a 3-inch sewer main (primarily residential structures).

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.

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**Legislation Number:** PN0211-2005

**Drafting Date:** 10/07/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** 2006 Meeting Schedule - 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 2006 are scheduled as follows:

**Monday, February 6, 2006**

**Monday, May 8, 2006**

**Monday, September 25, 2006**

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room (226). They will begin promptly at 10:00 am.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-7293.

Advertise: 10/2005 to 10/2006

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**Legislation Number:** PN0247-2005

**Drafting Date:** 12/07/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title OFFICIAL NOTICE - CIVIL SERVICE COMMISSION**

**Notice/Advertisement Title:** OFFICIAL NOTICE-CIVIL SERVICE COMMISSION

**Contact Name:** Lois Washnock

**Contact Telephone Number:** 614.645.7531

**Contact Email Address:** Lwashnock1@columbus.gov

**Body**

OFFICIAL NOTICE

CIVIL SERVICE COMMISSION

COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. to 4:00 P.M. MONDAY, WEDNESDAY or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at [www.csc.columbus.gov](http://www.csc.columbus.gov) <<http://www.csc.columbus.gov>> and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our website or visit the Commission offices.