

# **Columbus City Bulletin**



**Bulletin #42  
October 21, 2006**

# Proceedings of City Council

Saturday, October 21, 2006



## SIGNING OF LEGISLATION

(With the exception of Ordinance 1864-2006 which was signed by Council President, Matthew D. Habash and Mayor, Michael B. Coleman on the night of the Council meeting, *Monday October 16, 2006* all other legislation listed in this bulletin was signed by Council President Matthew D. Habash , on the night of the Council meeting, Monday, *October 16, 2006*; Mayor, Michael B. Coleman on Wednesday, *October 18, 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.***

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Monday, October 16, 2006

5:00 PM

Columbus City Council

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Columbus City Council

Journal

October 16, 2006

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**REGULAR MEETING NO. 47 OF COLUMBUS CITY COUNCIL, OCTOBER 16, 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

**C0024-2006**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, OCTOBER 11, 2006:

New Type: D3  
To: W2S3 Inc  
5874 Sawmill Rd  
Columbus, Ohio 43017  
permit # 9794804

New Type: D3A  
To: Billy Goat Tavern Ltd  
DBA Billy Goat Tavern  
1st Fl Bsmt Patio Volleyball Court  
5940 New Albany Rd W  
Columbus, Ohio 43054  
permit # 0717798

New Type: C1, C2  
To: Raisin Rack Inc.  
DBA Raisin Rack Natural Food Market  
2545 Schrock Rd  
Columbus, Ohio 43081  
permit # 71774800010

Transfer Type: C1, C2  
To: GMB Convenience Inc  
DBA Henderson Road Sunoco  
2122 W Henderson Road  
Columbus, Ohio 43220  
From: Free Enterprises Inc.  
DBA Henderson Road Sunoco  
2122 W Henderson Road  
Columbus, Ohio 43220  
permit # 3227544

Transfer Type: B  
To: W2S3 Inc  
5874 Sawmill Road  
Columbus, Ohio 43017  
From: Camilles Columbus 1 Ltd  
DBA Camilles Sidewalk Cafes  
1305 W Lane Av  
Columbus, Ohio 43221  
permit # 9794804

Transfer Type: C1, C2, D6  
To: 3912 Cleveland Ave Inc  
DBA Eagle Drive Thru  
3912 Cleveland Ave  
Columbus, Ohio 43224  
From: SST Investments Inc.  
DBA Sunshine Drive Thru  
3912 Cleveland Ave  
Columbus, Ohio 43224  
permit # 8918952

Transfer Type: D1, D3  
To: E M Chung LLC  
DBA Evening Star Cafe  
5060 N High St & Patio  
Columbus, Ohio 43214  
From: Evening Star Cafe LLC  
DBA Gourmet Grinder Cafe  
5060 N High St & Patio  
Columbus, Ohio 43214  
permit # 2503986

Transfer Type: D5  
To: Patricia A May & Michael P May  
DBA Helens Pub N Grub  
2808 Westerville Rd  
Columbus, Ohio 43224  
From: Patricia A May & Michael P May &  
George E Blair  
DBA Helens Pub N Grub

2808 Westerville Rd  
Columbus, Ohio 43224  
permit # 5658638

Transfer Type: D5, D6  
To: Chang & Yee LLC  
DBA Chi Thai  
5577 N Hamilton Rd  
Columbus, Ohio 43230  
From: Central Restaurant Supervision Corp  
DBA Hagens  
Storage & 2 Patios  
460 S Front St Bsmt  
Columbus, Ohio 43215  
David Webster  
permit # 1391388

Transfer Type: D5, D6  
To: G & F Ventures LLC  
482 S Front St & 2 Patios  
Columbus, Ohio 43215  
From: Brewery District Bar LLC  
482 S Front St & 2 Patios  
Columbus, Ohio 43215  
permit # 3160564

Transfer Type: D5, D6  
To: NYOHS Columbus  
DBA NYOHS Columbus  
2871 Olentangy River Rd & Patio  
Columbus, Ohio 43202  
From: Scarlet Horseshoe Tavern Inc  
DBA NYOHS  
2871 Olentangy River Rd & Patio  
Columbus, Ohio 43202  
permit # 6483685

Stock Type: D5, D6  
To: Slapsy Maxies Inc & Patio  
1019-1023 Mediterranean Av  
Columbus, Ohio 43229  
permit # 8225402

Stock Type: D5, D6  
To: Tortoise Inc  
DBA Thirsty Turtle  
2683 Independence Village Center  
Columbus, Reynoldsburg, Ohio 43068  
permit # 90020840010

Type: Liquor Agency Contract  
To: Europa Gourmet Foods LLC

DBA Europia Gourmet Foods  
672 N High St 1st Fl & Bsmt  
Columbus, Ohio 43215  
permit # 2568500

Advertise 10/21/06  
Return 10/27/06

**Read and Filed**

## RESOLUTIONS OF EXPRESSION

### O'SHAUGHNESSY

**0170X-2006** To support Issue 7, to provide funding for the Central Ohio Transit Authority (COTA).

Sponsors: Maryellen O'Shaughnessy

**A motion was made by Ms. O'Shaughnessy, seconded by Ms. Tavares, that this matter be Adopted. 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

### TAVARES

**0164X-2006** To proclaim September 15, 2006 - October 15, 2006 as Hispanic Heritage month in the City of Columbus.

Sponsors: Charleta B. Tavares and Mary Jo Hudson

**A motion was made by Ms. Tavares, seconded by Ms. Hudson, 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

**0174X-2006** To support State Issue 2, a ballot initiative that will raise the minimum wage.

Sponsors: Charleta B. Tavares

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

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

## ADDITIONS OR CORRECTIONS TO THE AGENDA

### 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

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

**1701-2006** **FR** To authorize and direct the Mayor of the City of Columbus to accept a FY2006 DNA Capacity Enhancement Program grant award from the National Institute of Justice, to authorize Crime Lab Manager Jami St. Clair as the official city representative to act in connection with this grant and to

authorize an appropriation of \$72,013.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the FY06 DNA Capacity Enhancement Grant activities and acquisitions. (\$72,013.00)

**Read for the First Time**

- 1702-2006 FR To authorize and direct the Finance and Management Director to sell a 1993 International engine that is of no further value to the Division of Fire, to the City of Jacksonville, Ohio for the sum of \$1.00, and to waive the provisions of the City Code relating to the sale of City-owned property. (\$1.00)

**Read for the First Time**

- 1703-2006 FR To authorize the payment of \$1,163.96 for vacation time and benefits which have been accumulated in excess of the maximum amount established by salary ordinance for Firefighter Larry Smith. (\$1,163.96)

**Read for the First Time**

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

- 1695-2006 FR To designate the Barrett Middle School, 345 East Deshler Avenue, as Listed Property CR 59 on the Columbus Register of Historic Properties.

**Read for the First Time**

- 1706-2006 FR To accept the application (AN06-004) of Laela R. Tague-Behler & Robert A. Behler III for the annexation of certain territory containing 0.74 ± Acres in Perry Township.

**Read for the First Time**

- 1708-2006 FR To accept the application (AN06-005) of Dominic Rotolo, et al. for the annexation of certain territory containing 6.1 ± Acres in Perry Township.

**Read for the First Time**

- 1710-2006 FR To accept the application (AN06-007) of Annis L. Brake for the annexation of certain territory containing 1.4 ± Acres in Jefferson Township.

**Read for the First Time**

- 1717-2006 FR To accept the application (AN06-009) of North East Community Baptist Church for the annexation of certain territory containing 4.8 ± Acres in Plain Township.

**Read for the First Time**

- 1793-2006 FR 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 (3210 V Ave.) held in the Land Bank pursuant to the Land Reutilization Program.

**Read for the First Time**

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

- 1707-2006 FR To authorize the Public Service Director to provide payment to the Director of the Ohio Department of Transportation for the SR315 over Ackerman Road reconstruction project; to authorize the expenditure of \$100,000.00 or so much thereof from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division. (\$100,000.00)

**Read for the First Time**

- 1712-2006 FR To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for the South Hamilton Road over Big Walnut Creek bridge reconstruction project. ( \$0 )

**Read for the First Time**

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

- 1514-2006 FR To authorize the Director of Public Utilities to enter into a contract with Burgess & Niple, Inc., in connection with the Sanitary Sewer System Inflow/Infiltration Remediation-West Fifth Avenue Project; to authorize the appropriation, and expenditure of \$3,389,570.56 from the Ohio Water Pollution Control Loan Fund; for the Division of Sewerage and Drainage. (\$3,389,570.56)

**Read for the First Time**

- 1537-2006 FR To authorize the Director of Public Utilities to enter into a general engineering services agreement with Pomeroy & Associates, Inc., and to authorize the expenditure of \$100,000.00 from the Sanitary System Operating Fund, for the Division of Sewerage and Drainage. (\$100,000.00).

**Read for the First Time**

- 1539-2006 FR To authorize the Director of Public Utilities to enter into an agreement with Woolpert Inc for consulting services for the Enterprise Application Integration for the Division of Operational Support, to authorize the expenditure of \$102,452.22 from the Sewerage System Operating Fund, \$103,887.12 from the Water Operating Fund, \$75,189.02 from the Storm Sewer System Operating Fund and \$5,452.64 from the Electricity Operating Fund . (\$286,981.00)

**Read for the First Time**

- 1652-2006 FR To amend the 2006 Capital Improvements Budget; to authorize the City Auditor to transfer of \$38,404.26 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund; to authorize the City Auditor to allow the Division of Power and Water's capital bond fund to reimburse the operating fund, for labor and equipment costs incurred in the installation of various street lighting projects; and to authorize the expenditure up to an amount not to exceed \$38,585.22. (\$38,585.22)

**Read for the First Time**

- 1657-2006 FR To authorize the Director of Public Utilities to enter into a construction contract with U.S. Utility Contractor Company in the amount of \$66,463.69; to provide for payment of inspection, testing, and prevailing wage coordination services to the Transportation Division in the amount of \$8,936.00; to furnish labor and materials to install alley lighting in the North Linden area; to encumber UIRF funds in the amount of \$8,952.74 to reimburse the Division for adjustment work that AEP had to perform; for the Division of Power and Water (Power); and to authorize the expenditure of \$84,352.43 from the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund. (\$84,352.43)

**Read for the First Time**

- 1759-2006 FR To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Polymer - Jackson Pike Wastewater with Fort Bend Services, Inc., and to authorize the expenditure of \$1.00 to

establish the contract from the Universal Term Contracts Fund. (\$1.00).

**Read for the First Time**

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

- 1646-2006** FR To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Softballs and Baseballs with A. D. Starr and to authorize the expenditure of \$1.00 to establish the contract from the Universal Term Contracts Fund. (\$1.00).

**Read for the First Time**

- 1675-2006** FR To authorize the Executive Director of the Recreation and Parks Department to execute those documents necessary to grant Columbia Gas of Ohio, Inc., gas line utility easements through certain real property owned by the City, and jointly owned with the Franklin County Commissioners, in order to relocate those gas lines which were displaced by the Ohio Department of Transportation's relocation of Powell Road south through Columbus Zoo property.

**Read for the First Time**

**RULES & REFERENCE: HABASH, CHR. MENDEL HUDSON TAVARES**

- 1341-2006** FR To amend various Sections of Chapter 1131, 1133, 1135, 1137, 1139, and 1141 of the Columbus City Codes, 1959, as it relates to changes in Licensing of Sewers, and to repeal all existing sections being amended.

Sponsors: Patsy Thomas

**Read for the First Time**

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

- 1632-2006** FR To amend Ordinance #802-1995, passed April 24, 1995, for property located at 5301 NIKE DRIVE (43026), by amending the limitation overlay text in Section 3 as it pertains to landscaping and mounding requirements along the Hilliard-Rome Road frontage (Z94-115A).

**Read for the First Time**

- 1666-2006** FR To rezone 102 DERRER ROAD (43204), being 0.69± acres located at the northeast corner of Derrer Road and Olive Street, From: C-4, Commercial District, To: R-3, Residential District (Rezoning # Z06-052).

**Read for the First Time**

- 1699-2006** FR To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 Apartment Residential District; 3333.09, Area requirements; 3332.16, Fronting; 3333.22, Maximum side yards required; 3333.23(a), Minimum side yard permitted; 3333.24, Rear yard; 3342.28, Minimum number of parking spaces required, for the property located at 54 WEST SECOND AVENUE (43201), to permit a second single-family dwelling (carriage house) and conform an existing single-family dwelling with reduced development standards on a lot zoned in the ARLD, Apartment Residential District. (Council Variance #CV06-045)

**Read for the First Time**

**CONSENT ACTIONS**

**RESOLUTIONS OF EXPRESSION****HUDSON, TAVARES**

- 0168X-2006 CA To acknowledge the significant achievements of Reverend Leon Troy, Pastor Emeritus of Second Baptist Church and to recognize his commitment and dedication to the Central Ohio community.

Sponsors: Mary Jo Hudson and Charleta B. Tavares

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

- 0169X-2006 CA To celebrate Second Baptist Church's commitment to service, leadership and shelter to its congregation and people in the near eastside community on its 170th Anniversary.

Sponsors: Mary Jo Hudson and Charleta B. Tavares

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

**HUDSON**

- 0172X-2006 CA To recognize The Columbus College of Art and Design during National Design Week, October 15 to October 21, 2006.

Sponsors: Mary Jo Hudson

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

**O'SHAUGHNESSY**

- 0171X-2006 CA To recognize the life and contributions of Ron Shay.

Sponsors: Maryellen O'Shaughnessy

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

**TAVARES**

- 0173X-2006 CA To proclaim October 16th - 20th of 2006 as Medical Assistants Week in the City of Columbus.

Sponsors: Charleta B. Tavares

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

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

- 1655-2006 CA To authorize the Director of the Department of Finance and Management to execute those documents necessary to renew the lease agreement by and between the City of Columbus and Ralston Industries, Inc., an Ohio corporation, for approximately 9,000 square feet of office/warehouse space at 2771-2773 E. Fourth Avenue, as the new location of the City's "Mobile Tool Library Program", to expend \$32,040.00 from the Community Development Block Grant Fund, and to declare an emergency.

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

- 1700-2006 CA To amend Ordinance #1323-2006; to authorize the Finance & Management Director to establish a purchase order, on behalf of the Department of Technology for the Divisions of Building Services and Neighborhood Services, from a pre-established universal term contract with Smart Solutions and a bid state term contract with Software House International for

hardware and software; to authorize the reallocation of \$200,000.00 from an existing Auditor's Certificate (AC026076) associated with the Information Services Bond Fund; to amend the 2006 capital improvements budget in the amount of \$192,292; and to declare an emergency.

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

- 1732-2006 CA To authorize an appropriation of \$66,668.00 from the unappropriated balance of the Urban Development Action Grants Fund, to the Department of Finance and Management, and to authorize the expenditure of \$66,668.00 from the Urban Development Action Grants Fund, to provide for the immediate and long term maintenance of the Ohio Theatre, and to declare an emergency. (\$66,668.00)

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

- 1734-2006 CA To authorize and direct the Finance and Management Director to modify past, present and future purchase orders with Pro-Terra Environmental Contracting to reflect a name change to the company and to declare an emergency.

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

- 1735-2006 CA To authorize and direct the Finance and Management Director to enter into a UTC contract for the option to purchase Protective Footwear with Safety Solutions, Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$1.00).

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

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

- 1554-2006 CA To authorize the Director of Development to amend the Reimbursement Agreement for Northland Park - Phase 2 Design with Columbus Urban Growth Corporation by increasing the dollars allocated to this contract by \$55,000 and by increasing the Scope of Services to include design of Tamarack Boulevard; and to authorize the expenditures of \$20,000 from the Northland and Other Acquisitions Fund and \$35,000 from the Voted 1995, 1999, 2004 Streets and Highways Fund. (\$55,000.00)

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

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

- 1581-2006 CA To authorize and direct the Finance and Management Director to enter into contract with Roy Tailors Uniform Company of Columbus, Inc. to purchase police uniforms for the Division of Police from an existing UTC, to authorize the transfer of funds within the Division of Police's General Fund budget, to authorize the expenditure of \$217,000.00 from the General Fund; and to declare an emergency. (\$217,000.00)

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

- 1638-2006 CA To amend the 2006 Capital Improvements Budget, to authorize the transfer of cash between projects in the Safety Voted Bond Fund, to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Axiom Mechanical Services for the replacement of a compressor in a York chiller at the Fire Training Academy, 3639

Parsons Avenue; to authorize the expenditure of \$26,825.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$26,825.00)

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

- 1662-2006 CA To authorize and direct the City Auditor to establish a new subfund within the Franklin County Municipal Court's special project fund for the receipt of monies related to the Court's dispute resolution program; and to declare an emergency.

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

- 1691-2006 CA To accept Intergovernmental Agreements for each grant period executed between representatives of the City of Columbus and Franklin County as a special condition for receiving State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) sub-grantee awards from the county; and to declare an emergency.

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

- 1694-2006 CA To authorize and direct the Finance & Management Director to enter into a contract with Applera Corporation/Applied BioSystems for purchase of DNA Crime Lab Supplies for the Division of Police; to authorize the expenditure of \$50,000.00 from the DNA - No Suspect Grant Funds; and to declare an emergency. (\$50,000.00)

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

- 1729-2006 CA To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the FY2006 Paul Coverdell National Forensic Sciences Improvement Act via the State of Ohio, Office of Criminal Justice Services, to authorize Jami St. Clair as the official representative to act in connection with the subgrant, to authorize an appropriation of \$24,856.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the FY06 Coverdell Block subgrant project and to declare an emergency. (\$24,856.00)

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

- 1742-2006 CA To authorize the Finance and Management Director to execute those documents necessary for the acquisition of Forward Looking Infra Red Systems for the Division of Polices' Helicopter unit, from FLIR Systems, Inc. utilizing the Homeland Security Grant, and to declare an emergency.

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

- 1754-2006 CA To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Morse Road Reynoldsburg-New Albany Road 36" Water Main Project, and to declare an emergency.

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

- 1761-2006 CA To authorize the Mayor of the City of Columbus to accept a 2006 Anti-Gang Initiative grant award from the Department of Justice, U.S. Attorney's Office via the Ohio Office of Criminal Justice Services, to authorize Columbus Police Commander Jay Evans as the official city representative to act in connection with the grant, to authorize an appropriation of \$84,362.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the 2006 Anti-Gang Initiative grant

project and to declare an emergency. (\$84,362.00)

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

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

**1494-2006** CA To authorize the Finance and Management Director to establish a purchase order to purchase a Rollback Wrecker for the Fleet Management Division, to authorize the expenditure of \$69,925.00 from the Fleet Management Services Fund; and to declare an emergency. (\$69,925.00)

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

**1663-2006** CA To authorize the Public Service Director to enter into a contract with Dynalectric Company of Ohio for construction of the Standby Generator Project, Contract 1 project; to authorize payment of associated construction inspection and permit fee costs; to authorize the expenditure of \$403,143.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division and to declare an emergency. (\$403,143.00)

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

**1668-2006** CA To authorize and direct the Finance and Management Director to enter into three (3) UTC contracts for the option to purchase Standard Auto Parts with NAPA Auto Parts, Transport Specialist, Inc., and Automotive Distributors Co., Inc. to authorize the expenditure of three (3) dollars to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$3.00).

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

**1672-2006** CA To authorize and direct the Finance & Management Director to enter into seven (7) UTC contracts for the option to purchase Vehicle Maintenance Services with McNeilus Truck and Manufacturing, Wilson's Auto Service, Inc., Krieger Ford, Inc., Dick Masheter Ford/Quick Lane, Byers Chevrolet, LLC, Triad Fire Apparatus Service Co., Inc., and Taliaferro Enterprises to authorize the expenditure of seven (7) dollars to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$7.00).

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

**1698-2006** CA To authorize the City Auditor to transfer of \$500,000.00 between projects within the 1995, 1999, 2004 Voted Streets and Highways Fund; to authorize the Public Service Director to modify and increase an existing contract with Decker Construction Company for the Utility Cut and Restoration Project - 2005 for the Transportation Division; to authorize the expenditure of \$500,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$500,000.00)

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

**1709-2006** CA To amend Section 2 within Ordinance 1411-2006 that authorized 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 to change the interest rate germane to the assessment from 4.850 percent to 3.925 percent and to declare an emergency. (\$-0-)

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

- 1743-2006 CA To authorize and direct the Finance and Management Director to modify and extend the citywide contract for the option to purchase Automotive Transmission Repair with American Automatic Transmission Company Inc. and to declare an emergency.

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

- 1771-2006 CA To accept the plat titled Francisco Glen, from Francisco Glen, LLC, an Ohio Limited Liability Company through Savko Bros. Properties III, LLC, Managing Member, Martin L Savko, President; and to declare an emergency.

**A motion was made by President Pro-Tem Mentel, seconded by Mr. Boyce, 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

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

- 1670-2006 CA To authorize the Director of the Department of Development to modify the Chores Program contract with Rebuilding Together Columbus to extend the contract termination date six months.

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

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

- 1501-2006 CA To authorize the Director of Public Utilities to modify the professional engineering services agreement with CH2M Hill, for the Jackson Pike and Southerly Wastewater Treatment Plants' Sludge Holding System Improvements Project; to authorize the transfer of \$138,644.00 within the Sanitary Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; and to authorize the expenditure of \$366,163.00 within the Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage. (\$366,163.00).

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

- 1544-2006 CA To authorize the Director of Public Utilities to enter into a professional services agreement with the Friends of Big Walnut Creek for the Community Watershed Stewardship Program for the Department of Public Utilities and to authorize the expenditure of \$35,092.25 from the Sewerage System Operating Fund. (35,092.25)

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

- 1552-2006 CA To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Sludge Grinder Equipment Repair Parts and Service from a Universal Term Contract with JWC Environmental; to authorize the expenditure of \$20,000.00 from the Sewerage System Operating Fund. (\$20,000.00)

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

- 1558-2006 CA To authorize the Director of Finance and Management to establish blanket

purchase order with AT&T for local telephone services for the Division of Power and Water and to authorize the expenditure of \$45,000.00 from the Water Operating Fund. (\$45,000.00)

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

- 1568-2006** CA To authorize the Director of Public Utilities to enter into a general engineering services agreement with ME Companies, Inc, and to authorize the expenditure of \$100,000.00 from the Sanitary System Operating Fund, for the Division of Sewerage and Drainage. (\$100,000.00).  
**This Matter was Approved on the Consent Agenda.**
- 1577-2006** CA To authorize the Director of Public Utilities to enter into a service agreement with Environmental Systems Corporation for the maintenance and software upgrade for the Emissions Monitoring Systems under the Sole Source provisions of Section 329.07 of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$28,554.00 from the Sewerage System Operating Fund, (\$28,554.00)  
**This Matter was Approved on the Consent Agenda.**
- 1591-2006** CA To authorize and direct the transfer and appropriation of \$201,936.00 from the FEMA Fund to the Storm Sewer Operating Fund to use as reimbursement for goods/services associated with winter storm damage in December 2004. (\$201,936.00)  
**This Matter was Approved on the Consent Agenda.**
- 1596-2006** CA To authorize the Director of Public Utilities to pay the annual Discharge Fees for 2006 to the State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)  
**This Matter was Approved on the Consent Agenda.**
- 1633-2006** CA To authorize the Director of Finance and Management to establish a blanket purchase order to purchase Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets for the Division of Power and Water, in accordance with the terms and conditions of the universal term contract with Becker Electric Supply, to authorize the expenditure of \$50,000.00 from the Electricity Operating Fund, and to declare an emergency. (\$50,000.00)  
**This Matter was Approved on the Consent Agenda.**
- 1636-2006** CA To authorize the Director of Public Utilities to enter into a contract with the Paul Peterson Company to obtain traffic control services for the Division of Power and Water; to authorize the expenditure of \$60,000.00 from the Electricity Operating Fund; and to declare an emergency. (\$60,000.00)  
**This Matter was Approved on the Consent Agenda.**
- 1644-2006** CA To authorize the Public Service Director to modify an existing contract with the Africentric Personal Development Shop (APDS), Incorporated, to abate negative environmental conditions and develop community beautification projects within a target area bounded by Whittier Street, Mooberry Street, Parsons Avenue and Rhoads Avenue for the Refuse Collection Division, Keep Columbus Beautiful Program, consistent with the anti-gang initiative intent of a grant received from the United States Department of Justice by extending the commencement and termination dates of this contract to July

1and November 30, 2006, respectively, and to declare an emergency. (\$-0-)

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

- 1645-2006 CA To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the appropriation, transfer and expenditure of \$63,000.00 from the Voted Sanitary Bond Fund in connection with the Upper Adena Brook Area Sanitary Sewer Improvements Project; and to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$63,000.00)

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

- 1648-2006 CA To authorize the City Auditor to transfer \$18,000.00 in 2006 anti-gang initiative grant appropriation authority within the General Government Grant Fund from the Public Service Department, Refuse Collection Division, to the Public Safety Director's Office; and to declare an emergency. (\$18,000.00)

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

- 1654-2006 CA To authorize the Director of Finance and Management to establish a blanket purchase order with Sprint Solutions for the purchase of Cellular Phone Services for various divisions within the Department of Public Utilities, to authorize the expenditure of \$9,629.52 from the Electricity Operating Fund, \$19,459.78 from the Water Operating Fund, \$28,177.02 from the Sewerage System Operating Fund, \$1,540.34 for the Storm Sewer System Operating Fund and to declare an emergency. (\$58,806.66)

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

- 1669-2006 CA To authorize and direct the City Auditor to transfer of \$20,000.00 within the Storm Sewer Bond Fund; for the purpose of increasing an existing Auditor's Certificate; to authorize an amendment to the 2006 Capital Improvements budget; for the Division of Sewerage and Drainage; to expend \$20,000.00 from the Storm Sewer Bonds Fund; for costs in connection with the Midland/Eakin Stormwater System Improvement Project, and to declare an emergency. (\$20,000.00)

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

- 1684-2006 CA To appropriate \$50,507.93 within the General Government Grant Fund; to authorize the transfer of \$50,507.93 from the General Government Grant Fund to the Street Construction, Maintenance and Repair Fund; to appropriate \$50,507.93 within the Street Construction, Maintenance and Repair Fund, Refuse Collection Division; to authorize the expenditure of \$50,507.93 or so much thereof as may be needed from the Street Construction, Maintenance and Repair Fund for 2006 wage and salary expenses of existing Keep Columbus Beautiful program personnel and allow for close-out of the 2005 "Recycle, Ohio!" grant; and to declare an emergency. (\$50,507.93)

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

- 1687-2006 CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a sanitary easement, located in the vicinity of Neil Avenue and Nationwide Boulevard, at the request of Nationwide Realty Investors, Ltd. in exchange for a replacement easement previously granted to the City of Columbus, Ohio and to declare an

emergency.

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

- 1725-2006 CA To authorize and direct the Finance and Management Director to modify past, present and future purchase orders with Altivia Corporation, to reflect a name change to the company as a result of new ownership; and to declare an emergency.

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

- 1777-2006 CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to release certain sanitary and storm sewer easements and portions thereof, located in the vicinity of South Central Avenue, and West Broad Street, at the request of Columbus Metropolitan Housing Authority, in exchange for a replacement easements previously granted to the City of Columbus, Ohio and to declare an emergency.

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

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

- 1716-2006 CA To authorize and direct the Director of Finance and Management to enter into a contract with Acorn Farms. Inc., for trees for the Recreation and Parks Department, to authorize the expenditure of \$32,701.00 from the Recreation and Parks Tree Replacement Fund, and to declare an emergency.

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

### **Passed The Consent Agenda**

**A motion was made by President Pro-Tem Mentel, seconded by Mr. Boyce, 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. MENTEL HUDSON HABASH**

- 1682-2006 To authorize the Director of the Office of Education to accept and appropriate a grant in the amount of \$636,832.94 from Franklin County Department of Job and Family Services; to enter into contract with TECH CORPS Ohio and COWIC for the purpose of preparing youth with education in the computer science field and placement into a summer internship for 200 students ages 14 to 18 who are TANF eligible; to expend \$636,832.94 in conjunction with these contracts; and to declare an emergency.

**A motion was made by President Pro-Tem Mentel, seconded by Ms. Hudson, that this matter be Tabled to Certain Date TABLED UNTIL 10/23/06 The motion carried by the following vote:**

Abstained: 1 - Mr. Boyce

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

- 1792-2006 To amend Ordinance No. 2944-1999, as amended, by enacting Section 5(E) -C479, the classification of Construction Manager; and to declare an

emergency.

**A motion was made by Mr. Boyce, 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

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

**1864-2006**      LA    To authorize the Director of Development to enter into an agreement, in substantially the form on file with the City Clerk, with Campus Partners for Community Urban Redevelopment for the purchase of the former Columbus Coated Fabric site and the resale of the site to Campus Partners for Community Urban Redevelopment; to authorize the expenditure of \$390,000 from the Special Income Tax Fund; and to declare an emergency.  
(\$390,000)

**A motion was made by Ms. Hudson, seconded by Ms. O'Shaughnessy, 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

**1704-2006**      To authorize the transfer of \$100,000 within the CDBG Fund; to authorize the Director of the Department of Development to enter into a contract with the Economic and Community Development Institute for administration of the Microenterprise Revolving Loan Program; to authorize the expenditure of \$100,000 from the CDBG Fund; and to declare an emergency.  
(\$100,000.00)

**A motion was made by Ms. Hudson, seconded by Ms. O'Shaughnessy, 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

**1731-2006**      To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Boeheinger Ingelheim Roxane, Inc. to eliminate the requirement for inventory investment, the exemption on inventory, and the annual reporting requirements that relate to inventory; and to declare an emergency.

**A motion was made by Ms. Hudson, seconded by Ms. O'Shaughnessy, 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

**1733-2006**      To dissolve the Commodity Logistics and CIVFI-OH1BO1, LLC Enterprise Zone Agreement and direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

**A motion was made by Ms. Hudson, seconded by Ms. O'Shaughnessy, 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

1736-2006

To dissolve the Enterprise Zone Agreement with Hood Dialysis, LLC if the company does not pay delinquent real property taxes and satisfy its job creation requirement by October 31, 2006, or to amend the Enterprise Zone Agreement if by October 31, 2006 the property is leased or purchased by another company that agrees to create by June 30, 2007 the 30 jobs called for in the Enterprise Zone Agreement; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

**A motion was made by President Habash, seconded by President Pro-Tem Mentel, 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

1738-2006

To dissolve the Mohawk Carpet Distribution LP Enterprise Zone Agreement; to rescind Ordinance 0396-2006; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

**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

1744-2006

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Weiler-Bowen Ltd. to reduce the job requirement from 150 to 86 and the payroll requirement from \$5 million to \$2.9 million, eliminate personal property tax investment goal and reporting requirements and to emphasize the importance of annual reporting on tenant jobs and payroll; and to declare an emergency.

**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:**

Abstained: 1 - Mr. Boyce

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

1749-2006

To amend Ordinance 0959-06, passed on June 5, 2006, to reflect a reduction in the new job creation requirement in the Enterprise Zone Agreement with Meritex Columbus, LLC; and to declare an emergency.

**A motion was made by Ms. Hudson, seconded by Ms. O'Shaughnessy, 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

- 1781-2006** To authorize the Director of the Department of Development to amend the Enterprise Agreement with the Columbus Urban Growth Corporation (the "EZA") to add a property owner and two anchor tenants, to clarify job creation requirements for the parcels and tenants and to provide for the option of eliminating a parcel from the EZA if at least 75% of the job creation requirement for the parcel is not attained by June 30, 2007; and to declare an emergency.
- A motion was made by Ms. Hudson, seconded by Mr. Boyce, 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
- 1782-2006** To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with COMTEX to reduce the goal for annual payroll creation to \$1.35 million and to allow the jobs of subcontracted drivers and facility maintenance workers to be counted towards the job and payroll goals provided that the jobs are full-time to serve the COMTEX facility and providing that COMTEX provides the City with detailed annual information on the jobs, earnings and City income tax withheld; and to declare an emergency.
- A motion was made by Ms. O'Shaughnessy, seconded by Ms. Thomas, that this matter be Amended to 30 day. The motion carried by the following vote:**
- Abstained: 2 - Ms. Hudson and President Habash  
Affirmative: 5 - Mr. Boyce, Ms. O'Shaughnessy, Ms. Tavares, Ms. Thomas and President Pro-Tem Mentel
- 1783-2006** To authorize the Director of the Department of Development to seek the recovery of a percentage of the 2005 personal property taxes exempted under the Roanoke Furniture Enterprise Zone Agreement in proportion to the deficit in the number of jobs retained by Roanoke Furniture at the project site as of December 31, 2005; and to declare an emergency.
- A motion was made by President Habash, seconded by President Pro-Tem Mentel, 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
- 1785-2006** To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Superior Production Partnership to reduce the job creation goal and extend the period for the job creation, to acknowledge that the project investment has been larger and taken more time than initially anticipated and to extend the investment period and make the investment eligible for the abatement; and to declare an emergency.
- 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

- 1786-2006** To reduce the rate of tax exemption under the Océ Imagistics Enterprise Zone Agreement to 50% as of the 2007 tax year unless the planned conversion of temporary jobs to permanent jobs occurs as Océ Imagistics reports it anticipates, such that the EZA job goals are met by December 31, 2006; and to declare an emergency.
- 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
- 1788-2006** To dissolve the Enterprise Zone Agreement with Safety Today, Inc. and Meritex Columbus, LLC (the "EZA") as of December 31, 2006, with 2006 as the final tax year for the exemptions on real and personal property under the EZA, unless the tenant at the project facility, Kumho Tire USA, converts eight (8) of its temporary jobs to full-time permanent jobs, with the conversion accomplished or imminent by October 7, 2006; and to declare an emergency.
- A motion was made by President Habash, seconded by President Pro-Tem Mentel, 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
- 1789-2006** To authorize the Director of the Department of Development to amend the Community Reinvestment Area Agreement with Schmidt Development LLC (the "CRA Agreement") to modify the real property investment requirement and the job creation and retention requirements and to allow jobs at 515 E. Main Street to count toward the CRA Agreement to the extent they are not needed for compliance with the 515 Partners, LLC Enterprise Zone Agreement; and to declare an emergency.
- 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
- 1791-2006** To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with The Trane Company and Millennium Court II LLC to allow the jobs of the other tenant in the facility to be counted towards the job goal and to require that if the project does not attain at least 75% of the job creation requirement as of December 31, 2007, the project's real property tax savings from tax years 2006 and 2007 will be repaid and the EZA will be dissolved and the 2007 tax year will be the final year of abatement; and to declare an emergency.
- 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

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

**1592-2006** To authorize the City Attorney to settle a claim from Mrs. Kathy Elson against the Department of Public Utilities, Division of Water to authorize the expenditure of Eleven Thousand One Hundred Dollars (\$11,100.00) for personal injury due to an auto accident and to declare an emergency. (\$11,100.00).

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

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

**1803-2006** To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title in and to real estate necessary for the Milo-Grogan Recreation Center Expansion Project and to declare an emergency.

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

Abstained: 1 - President Pro-Tem Mentel

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

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

**1682-2006** To authorize the Director of the Office of Education to accept and appropriate a grant in the amount of \$636,832.94 from Franklin County Department of Job and Family Services; to enter into contract with TECH CORPS Ohio and COWIC for the purpose of preparing youth with education in the computer science field and placement into a summer internship for 200 students ages 14 to 18 who are TANF eligible; to expend \$636,832.94 in conjunction with these contracts; and to declare an emergency.

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

Abstained: 2 - Mr. Boyce and Ms. Tavares

Affirmative: 5 - Ms. Hudson, Ms. O'Shaughnessy, 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 Tabled to Certain Date TABLED UNTIL 10/23/06 The motion carried by the following vote:**

Abstained: 2 - Mr. Boyce and Ms. Tavares

Affirmative: 5 - Ms. Hudson, Ms. O'Shaughnessy, Ms. Thomas, President Pro-Tem Mentel and President Habash

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

**1468-2006** To authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement pursuant to Section 186 of the Columbus City Charter with the Capital Crossroads Special Improvement District for the implementation of the pedestrian and parking components of the Downtown Wayfinding Signage Program for the Transportation Division; to waive the

formal competitive bidding requirements of the City Code, 1959, and to authorize the expenditure of \$250,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund. (\$250,000.00)

**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

1627-2006

To rename that portion of Northgate Lane, an alley west of Sunbury Rd, from Leonard Avenue to Woodward Avenue as Horace Perkins Way in honor of Mr. Horace Perkins, a community leader and a pioneer in radio broadcasting.

**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

1640-2006

To appropriate \$91,596.16 within the Short North Special Improvement District Fund; to authorize the City Auditor to transfer \$91,596.16 between projects within the Short North Special Improvement District Fund; to authorize the Public Service Director to enter into an agreement with the Short North Special Improvement District of Columbus, Incorporated, for funding a portion of the design, fabrication and construction expense of the Short North Arch project; to authorize the Public Service Director to modify and increase an existing construction contract with the Righter Company; to authorize the expenditure of \$1,255.18 to the Power and Water Division; to authorize the expenditure of \$277,595.16 for this purpose from the Short North Special Improvement District Fund (\$91,596.16); the 1995, 1999, 2004 Voted Streets and Highways Fund (\$132,928.00); and the Development Limited Bond Fund (\$53,071.00); and to declare an emergency. (\$277,595.16)

**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

1653-2006

To authorize the Public Service Director to accept a \$105,000.00 grant from Battelle Memorial Institute for construction of the Fifth Avenue and King Avenue gateway medians on behalf of the Public Service Department, Transportation Division; to authorize the Public Service Director to enter into an agreement with Battelle to memorialize both parties' responsibilities for Spring Sandusky Interchange Overall Traffic Management Plan traffic mitigation efforts and to declare an emergency. (\$105,000.00)

**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

1715-2006

To authorize the Director of the Public Service Department to execute those documents required to transfer that property identified as a fifteen foot wide strip of right-of-way off the west side of North Third Street, between Chestnut Street and Locust Street, to 78 Chestnut Street LLC at no charge as recommended by the Land Review Commission; to authorize the Director of the Public Service Department to execute a maintenance agreement assigning the long term maintenance responsibilities for a public pedestrian walkway area being developed adjacent to this fifteen foot wide strip to 78 Chestnut Street LLC; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

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

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

1753-2006

To authorize the Director of the Public Service Department to execute those documents required to transfer the first alley east of Douglass Street from Oak Street to the alley north of Oak Street to Fabulous Real Estate Investments, LLC at no charge as recommended by the Land Review Commission; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

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

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

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

1748-2006

To adopt the 2007 Action Plan Budget which implements year three of the five year "Consolidated Plan" for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) programs; to authorize the filing of the plan application with the U. S. Department of Housing and Urban Development; and to declare an emergency

**A motion was made by Ms. Tavares, seconded by Ms. Thomas, that this matter be Tabled to Certain Date TABLED UNTIL 11/20/06 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. MENTEL O'SHAUGHNESSY HABASH**

1637-2006

To authorize the City Treasurer to modify contract with Fifth Third Processing Solutions for Credit Card Processing banking services on the behalf of the Department of Public Utilities; to authorize the expenditure of up to \$180,000.00 from the Water Operating and Sewer Operating-Sanitary

Funds; and to waive competitive bidding in accordance with Section 329.07 (e) of the Columbus City Code; and to declare an emergency (\$180,000.00).

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

Abstained: 1 - Ms. Hudson

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

1446-2006

To authorize the Director of Public Utilities to execute a construction contract with Nickolas Savko & Sons, Inc. in the amount of \$2,537,214.31; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$382,000.00; for the Wilson Rd. Drainage Improvements Project; to authorize the transfer of \$211,714.31 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 \$2,919,214.31 within the Storm Sewer Bond Fund. (\$2,919,214.31)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

1579-2006

To authorize the Director of Public Utilities to enter into a contract with Danis Industrial Construction Company, Inc., for the Dublin Road Water Plant, Disinfection & Miscellaneous Improvements - Sodium Hypochlorite Facility, for the Division of Power and Water (pka the Division of Water), to authorize the expenditure of \$8,389,500.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$8,389,500.00)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

1587-2006

To Authorize the Director of Public Utilities to enter into contract with the Righter Company, in the amount of \$1,917,452.50, for the construction of the Manhole Casting and Lid Replacement Project, to authorize the transfer of \$515,434.50 and the expenditure of \$1,605,434.50 from the Voted Sanitary Bond Fund; the transfer and expenditure of \$312,018.00 from Storm Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,917,452.50)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

1599-2006

To authorize the Director of Public Utilities to enter into a contract with Burgess & Niple, Inc. for the Hap Cremean Water Plant Disinfection

By-Products and Treatment Improvements Master Plan, for the Division of Power and Water, to authorize the expenditure of \$3,490,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2006 C.I.B., and to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$3,490,000.00)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

**1673-2006**

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Brown & Caldwell Ohio, in connection with the Jackson Pike Wastewater Treatment Plant A-Plant Wet Weather Hydraulic Improvements Project; to authorize the transfer of \$511,000.00; and the expenditure of \$1,300,00.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,300,000.00)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

**1676-2006**

To authorize the Director of Public Utilities to enter into a professional engineering services contract with CH2M Hill, Inc., in connection with the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project; to authorize the transfer of \$192,000.00; and the expenditure of \$1,400,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,400,000.00)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

**1677-2006**

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Ribway Engineering Group, Inc., in connection with the Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit Project, to authorize the transfer of \$64,000.00; and the expenditure of \$2,800,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$2,800,000.00)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

**1678-2006**

To authorize the Director of Public Utilities to enter into a professional

engineering services contract with Camp, Dresser and McKee, Inc., in connection with the Southerly Wastewater Treatment Plant Headworks Part 2 Project; to authorize the transfer of \$171,000; and the expenditure of \$1,900,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,900,000.00)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

**1679-2006**

To authorize the Director of Public Utilities to enter into a professional engineering services contract with Burgess & Niple, Inc., in connection with the Southerly Wastewater Treatment Plant Final Clarifier Additions and Improvements Project; to authorize the expenditure of \$4,700,000.00 from the Voted Sanitary Bond Fund; for the Division of Sewerage and Drainage; and to declare an emergency (\$4,700,000.00).

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

Absent@vote: 1 - President Pro-Tem Mentel

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

**1680-2006**

To authorize the Director of Public Utilities to enter into a professional engineering services contract with URS Corporation-Ohio, Inc., in connection with the Southerly Wastewater Treatment Plant Primary and Aeration Tank Improvements Project; to authorize the transfer and expenditure of \$4,500,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$4,500,000.00).

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

Absent@vote: 1 - President Pro-Tem Mentel

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

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

**1689-2006**

To authorize a supplemental appropriation in the amount of \$10,993,273.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the operation of various grant programs administered by the Central Ohio Area Agency on Aging, and to declare an emergency. (\$10,993,273.00)

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

Absent@vote: 1 - President Pro-Tem Mentel

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

#### **ADJOURNMENT**

**A motion was made by Ms. Thomas, seconded by Ms. Hudson, to adjourn this Regular Meeting ADJOURNED 6:50 P.M. 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



# City of Columbus

## Journal - Final

### Zoning Committee

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

*Michael C. Mentel\*, Chair*  
*All Members*

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Monday, October 16, 2006

6:30 PM

Zoning Committee

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Zoning Committee

Journal

October 16, 2006

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**REGULAR MEETING NO. 48 OF CITY COUNCIL (ZONING), OCTOBER 16, 2006 AT  
6:30 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

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

**READING AND DISPOSAL OF THE JOURNAL**

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

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

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

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

**1441-2006**

To grant a Variance from the provisions of Sections 3332.039, R-4,  
Residential District use; and 3332.19, Fronting on a public street; of the  
Columbus City codes, for the property located at 1123 NEIL AVENUE  
(43201), to permit a second single-family dwelling (a carriage house) on a  
lot developed with a single-family dwelling in the R-4, Residential District  
(Council Variance CV06-035).

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

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

**A motion was made by Chair Mentel, seconded by Hudson, that this  
matter be Tabled to Certain Date TABLED UNTIL 10/23/06 The motion  
carried by the following vote:**

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

**1498-2006**

To rezone 745 GEORGESVILLE ROAD (43228), being 1.1± acres located

on the west side of Georgesville Road, 133± feet south Sullivant Avenue,  
From: R-1, Residential District, To: L-C-4, Limited Commercial District.  
(Rezoning # Z05-078)

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

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

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

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

1502-2006

To rezone 1497 SOUTH FOURTH STREET (43207), being 0.31± acres located at the northwest corner of South Fourth Street and East Markison Avenue, From: R-2F, Residential District, To: L-P-1, Limited Parking District. (Rezoning # Z06-044)

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

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

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

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

1275-2006

To grant a Variance from the provisions of Sections 3332.029 3332.039, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D) Basis of computing area; 3332.21, Building lines; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3332.30, Vision clearance; 3342.28(A)(6) Minimum number of parking spaces required, for the property located at 773 DENNISON AVENUE (43215), to permit a second single-family dwelling (carriage house) and conform an existing single-family dwelling with reduced development standards on a lot zoned in the R-4, Residential District. (Council Variance #CV06-020)

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

Abstained: Ms. Hudson

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

**A motion was made by Chair Mentel, seconded by Boyce, that this matter be Amended as submitted to the Clerk. The motion carried by the following vote:**

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

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

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

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

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

1470-2006

To rezone 4871 WARNER ROAD (43081), being 43.73± acres located on the south side of Warner Road, 1400± feet east of Ulry Road, From: PUD-8, Planned Unit Development District, To: PUD-6, Planned Unit Development District (Rezoning # Z06-049).

**A motion was made by Habash, seconded by Thomas, that this matter be Taken from the Table. The motion carried by the following vote:**

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

**A motion was made by Habash, seconded by Thomas, that this matter be Tabled to Certain Date TABLED UNTIL 11/06/06 The motion carried by the following vote:**

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

**A motion was made by Boyce, seconded by Hudson, to adjourn this Regular Meeting ADJOURNED 6:55 P.M. The motion carried by the following vote:**

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

# Ordinances and Resolutions

**City of Columbus  
City Bulletin Report**

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

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**Legislation Number:** 0164X-2006

**Drafting Date:** 09/29/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ceremonial Resolution

**Title**

To proclaim September 15, 2006 - October 15, 2006 as Hispanic Heritage month in the City of Columbus.

**Body**

**WHEREAS**, The United States currently has an estimated Hispanic population of 42.7 million thus making people of Hispanic origin the nation's largest ethnic or race minority. Hispanics constitute 14% of the nation's total population; and

**WHEREAS**, in September 1968, Congress authorized President Lyndon B. Johnson to proclaim National Hispanic Heritage Week. The observance was expanded in 1988 to a month-long celebration (September 15 - October 15); and

**WHEREAS**, America celebrates the culture and traditions of U.S. residents who trace their roots to Spain, Mexico and the Spanish-speaking nations of Central America, South America and the Caribbean; and

**WHEREAS**, September 15th was chosen as the starting point for the celebration because it is the anniversary of independence for five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. In addition, Mexico and Chile celebrate their independence days on Sept. 16 and Sept. 18, respectively; now, therefore

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

That this Council does hereby proclaim September 15, 2006 - October 15, 2006 as Hispanic Heritage month in the City of Columbus and we encourage the community to learn more about the various cultures and contributions of our Hispanic residents.

---

**Legislation Number:** 0168X-2006

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

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Explanation**

**Title**

To acknowledge the significant achievements of Reverend Leon Troy, Pastor Emeritus of Second Baptist Church and to recognize his commitment and dedication to the Central Ohio community.

**Body**

**WHEREAS**, Reverend Leon L. Troy was born in Cleveland, Ohio and attended schools in Toledo, graduating from Scott High School. He received his B.A. degree from the University of Toledo, his B.D. from Oberlin Graduate School of Theology and his M.D. from Vanderbilt University, Nashville, Tennessee; and

**WHEREAS**, Rev. Troy has held four pastorates in the State of Ohio. The First Baptist Church, in Oxford, Ohio; the Ebenezer Baptist Church in Sandusky, Ohio; the Second Baptist Church, in Warren, Ohio and the historical Second Baptist Church, in Columbus, Ohio, celebrating 170 years of Christian Service; and

**WHEREAS**, In August 14, 1975, he became Pastor of the historical Second Baptist Church, 186 N. 17th Street, Columbus, Ohio 43203 and served for 20 years. He continues to serve as Pastor Emeritus of Second Baptist Church; and

**WHEREAS**, Rev. Troy has received numerous accolades and awards since relocating to Columbus including: Doctorate of Humane Letters - Ohio Dominican College, Doctorate of Community Leadership - Franklin University, Temple Israel, Humanitarian of the Year, Soldier of Faith Award, African American Man of Faith Award, The Warren Area Jaycees Man of the Year, Greater Columbus Habitat for Humanity Community Builders Award, and the Southeastern Christian Academy Tribute to Black Men, Distinguished Service Award for Education; now, therefore,

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

That this Council does hereby congratulate Rev. Leon L. Troy, Sr., a community leader who teaches us that community is about more than simply where we live - it is about making an effort on another's behalf; about working not just on today, but towards tomorrow.

---

**Legislation Number:** 0169X-2006

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

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Explanation**

**Title**

To celebrate Second Baptist Church's commitment to service, leadership and shelter to its congregation and people in the near eastside community on its 170th Anniversary.

**Body**

**WHEREAS**, This year marks the 170th anniversary of the establishment of Second Baptist Church of Columbus, Ohio; and

**WHEREAS**, Founded in 1847, Second Baptist strives to be an articulate and enthusiastic voice for harmony within the Central Ohio community; and

**WHEREAS**, Since its establishment, Second Baptist Church has expanded to include a million dollar education wing, and created the Second Baptist Housing Corporation for which the congregation received a Section 202 HUD Project Grant of \$1,750,000 to erect a 45 unit housing complex for the elderly; and

**WHEREAS**, Second Baptist recognizes that much more gets done through partnerships and has developed initiatives with local agencies and churches to identify and address needs in the Central Ohio community like: "Operation Potato," a partnership with New Salem Baptist church which provided 475,000 pounds of potatoes to the needy in 2005, and a joint ministry with the Neighborhood House to provide food and clothing to families; now, therefore,

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

That this Council does hereby congratulate Second Baptist Church on its 170th Anniversary. The Central Ohio area is honored to be in your embrace, and we look forward to the next 170 years of service, leadership and shelter.

---

**Legislation Number:** 0170X-2006

**Drafting Date:** 10/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

**Explanation**

**Title**

To support Issue 7, to provide funding for the Central Ohio Transit Authority (COTA).

**Body**

**WHEREAS**, the Central Ohio Transit Authority (COTA) manages Central Ohio's public transportation system, operating 234 buses covering more than 500 square miles of routes, resulting in 14.6 million rides last year; and

**WHEREAS**, each week, the Central Ohio Transit Authority provides more than 3000 rides to persons with disabilities, providing transportation options and greater freedom of movement for countless citizens; and

**WHEREAS**, COTA bolsters the region's economy, providing vital transportation services for workers throughout the region; and

**WHEREAS** Issue 7 would provide more service to the fastest growing areas of our community, and for second and third shift workers; and

**WHEREAS** COTA buses operate on an environmentally friendly bio-diesel fuel blend, reducing greenhouse gases and improving air quality throughout central Ohio; and

**WHEREAS** over the last ten years, Americans have increased their use of public transit by more than 25%, taking more than 9.7 billion transit trips; and

**WHEREAS**, a ten-year sales and use tax, if approved by the voters at the November 7, 2006 general election, will provide funding from April 1, 2007 through March 31, 2017; now, therefore

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

That this Council supports the Central Ohio Transit Authority and its work to expand bus service in Central Ohio.

**BE IT FURTHER RESOLVED**, that this Council encourages citizens to vote YES on Issue 7 on November 7, 2006.

---

**Legislation Number:** 0171X-2006

**Drafting Date:** 10/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

## Explanation

### Title

To recognize the life and contributions of Ron Shay.

### Body

WHEREAS, Ron Shay, beloved Bishop Watterson High School teacher, coach, and development director left this world to join his God on Sunday, October 8, 2006, and

WHEREAS, Mr. Shay spent 46 years of his life teaching, coaching and mentoring Watterson High School students in his quiet, confident and steadfast manner, and

WHEREAS, Mr. Shay was an athlete in his own right, joining the Watterson family after successes as captain of The Ohio State University baseball team and as a professional baseball player and

WHEREAS, Mr. Shay wore many hats in his four-decade career, including English teacher, baseball, basketball and football coach, dean of boys, athletic director, development director and director of alumni relations, and

WHEREAS, as head coach of the Watterson Eagles football team for 15 years, he accumulated a record of 109-36-4 with a winning average of 74.4 percent including the 1972 Ohio State Championship, and

WHEREAS, as alumni director, Mr. Shay founded many of Watterson's popular alumni events and fundraising activities including the alumni association, the Eagle Auction, the holiday alumni basketball tournaments, the annual fund phone-a-thon, the EagleWalk and coupon book sales for tuition assistance as well as coordinating the school's first capital campaign launched in 1990, and

WHEREAS, in recent years as alumni consultant to the Advancement/Alumni Office, Mr. Shay coordinated events for the fall annual fund phone-a-thon, including rounding up volunteer alumni with contacts just days before his death, and

WHEREAS, On Friday night, October 6, Mr. Shay held court for what would be the last time in the end zone at Hagely Field, visiting with his legions of former students and players, as he has for every home game since leaving coaching, and

WHEREAS, That night more than 6,000 fans packed the stadium to watch the Bishop Watterson Eagles defeat the St. Francis DeSales Stallions in one of the greatest victories in this historic football rivalry, and

WHEREAS, the Bishop Watterson High School family will never forget Mr. Shay's tireless and unending interest in the welfare and success of those he served, and his true reflection of the Watterson motto, to "Be all things in Christ," now, therefore

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

That this Council recognizes Ron Shay's contributions to Columbus through his work with the students of Bishop Watterson High School and sends sincere condolences to his wife, Charlotte, his four children and all who knew and loved him.

---

**Legislation Number:** 0172X-2006

**Drafting Date:** 10/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

Explanation

Title

To recognize The Columbus College of Art and Design during National Design Week, October 15 to October 21, 2006.

**WHEREAS**, National Design Week provides the community with an opportunity to honor the projects and people who demonstrate the power of design to shape communities and affect positive change for our world, and to encourage future generations to think more critically about their world and how they can use design to improve it; and

**WHEREAS**, The Columbus College of Art and Design is one of the largest and oldest private art colleges in the United States, and is recognized as a leader in visual arts and design education and as a resource for artists and the Central Ohio community; and

**WHEREAS**, Industrial Designers use innovation, imagination and technical skills to make many things in our world better; and

**WHEREAS**, Interior Designers create the environments where we work, live and play; and

**WHEREAS**, Fashion Designers work to achieve a balance of trend setting innovation and an intelligent sense of style; and

**WHEREAS**, Advertising & Graphic Designers are sensitive to contemporary images, alert to design history, and able to create work that is clear, aesthetically appealing and persuasive; and

**WHEREAS**, More than 1300 students from 40 states and 30 foreign countries are enrolled in CCAD's four-year programs of study that includes majors in Industrial Design, Interior Design, Fashion Design and Advertising and Graphic Design.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

That this Council does hereby recognize Columbus College of Art and Design - a creative force in Central Ohio and the world - as CCAD, and its faculty, staff and students celebrate National Design Week 2006 and continue to make Columbus one of the most beautiful places in the world to live.

---

**Legislation Number:** 0173X-2006

**Drafting Date:** 10/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

### Explanation

#### Title

To proclaim October 16th - 20th of 2006 as Medical Assistants Week in the City of Columbus.

#### Body

**WHEREAS**, The Ohio Institute of Health Careers located at 1880 E. Dublin Granville Rd. Columbus, OH is playing an integral part in the training and development of future Medical Assistants; and

**WHEREAS**, Medical Assistants are multi-skilled allied health professionals who perform a wide range of administrative and clinical roles with skill, dedication and loyalty; and

**WHEREAS**, Medical Assistants are the central figures in promoting and maintaining cooperative and successful relationships between patients and physicians; and

**WHEREAS**, Medical Assistants are vital members of the health care delivery system; and

**WHEREAS**, Medical Assistants make substantial contribution to the quality of health care in the United States; now, therefore

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

That this Council does hereby proclaim October 16th - 20th of 2006, to be Medical Assistants recognition week in the City of Columbus.

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**Legislation Number:** 0174X-2006

**Drafting Date:** 10/12/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Resolution

## Explanation

### Title

To support State Issue 2, a ballot initiative that will raise the minimum wage.

### Body

**WHEREAS**, it is important to the health and welfare of all residents of the City of Columbus that working people are paid a wage that enables them to lift their families out of poverty; and

**WHEREAS**, the buying power of the federal and state minimum wage of \$5.15 an hour is at its lowest point in the last 50 years because it has not kept pace with the rising costs of living; and

**WHEREAS**, many working families in Columbus live at or below the poverty line; and

**WHEREAS**, raising the minimum wage to \$6.85 an hour would raise wages for about 720,000 workers or about 14% of Ohio's workforce; and

**WHEREAS**, on average, these workers provide half of their families' weekly earnings and nearly three-quarters are adults over twenty; and

**WHEREAS**, experience and research from the 22 states that have already raised their minimum wage shows that raising the minimum wage substantially helps families without hurting the economy; and

**WHEREAS**, productivity of Ohio workers has risen sharply but wages have remained stagnant while U.S. corporate profits have increased by 50% between 2001 - 2005; and

**WHEREAS**, increasing wages will increase the ability of Columbus residents to attain self-sufficiency decrease economic hardship in the City, and reduce the need for the taxpayers to fund social services in order to provide supplemental support for the employees of local businesses; and

**WHEREAS**, Ohioans for a Fair Minimum Wage, a broad coalition of community, labor and faith-based organizations and individuals across the state, have gathered over 700,000 signatures from Ohio citizens and qualified Issue 2 for the November 2006 ballot; now, therefore,

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

That this Council supports an increase in the state minimum wage from \$5.15 to \$6.85 an hour and we encourage voters to approve State Issue 2 on November 7, 2006.

---

**Legislation Number:** 1275-2006

**Drafting Date:**

**Current Status:** Passed

**Version:** 4

**Matter Type:** Ordinance

### Explanation

**Council Variance Application: CV06-020**

**APPLICANT:** Jeffrey J. Smith; c/o Chris Shea; 54 West Third Avenue; Columbus, Ohio 43201.

**PROPOSED USE:** Second single-family dwelling (carriage house) on one lot.

**VICTORIAN VILLAGE COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** ~~Disapproval.~~ **Approval.** The site is developed with a single-family dwelling in the R-4, Residential District. The applicant proposes to build a carriage house above a two car garage on the rear of the property. A variance is necessary because the R-4 district does not permit more than one dwelling on the same lot. In addition to the use variance, requested variances include reductions to lot size, lot width, required side yard, rear yard, vision clearance and in the number of parking spaces from four (4) to two (2) and an increase in lot coverage. ~~The building is proposed to be located five (5) feet from a 16" water line which runs under Hunter Avenue that was installed in 1888. Staff initially recommended approval, with the condition that the applicant negotiate a hold harmless cause for any damage to the proposed structure resulting from water line failure, repair, or replacement. The applicant is not willing to move the proposed structure away from the water line or to agree to a hold harmless cause, therefore, staff recommends disapproval.~~ **The building is proposed to be located five (5) feet east of the rear property line and approximately ten (10) feet from the water line which runs under Hunter Avenue.** Staff supports the proposed use, which will not add a new or incompatible use to the area.

**Title**

To grant a Variance from the provisions of Sections ~~3332.029~~ **3332.039**, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D) Basis of computing area; **3332.21, Building lines**; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3332.30, Vision clearance; 3342.28(A)(6) Minimum number of parking spaces required, for the property located at **773 DENNISON AVENUE (43215)**, to permit a second single-family dwelling (carriage house) and conform an existing single-family dwelling with reduced development standards on a lot zoned in the R-4, Residential District **and to declare an emergency.** (Council Variance #CV06-020)

**Body**

**WHEREAS**, by application No. ~~CV06-021~~ **CV06-020** , the owner of property at **773 DENNISON AVENUE (43215)**, is requesting a Council Variance to permit a second single-family dwelling (carriage house) and to conform an existing single-family dwelling on a lot with reduced development standards in the R-4, Residential District; and

**WHEREAS**, Section ~~3332.029~~ **3332.039**, R-4, Residential District, prohibits two single-family dwellings on one lot, while the applicant proposes to build a second single-family dwelling and conform an existing single-family dwelling on one lot; and

**WHEREAS**, **an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, Section 3332.05, Area district lot width requirements, requires a lot no less than 50 feet wide, while the applicant proposes to maintain the existing single-family dwelling and construct a second single-family dwelling (carriage house) on a 27-foot wide lot; and

**WHEREAS**, Section 3332.15, R-4, area district requirements, requires a lot of no less than 5,000 square feet for a single-family dwelling, while the applicant proposes to maintain the existing single-family dwelling and construct a second single-family dwelling (carriage house) on a 4,331.6 square foot lot; and

**WHEREAS**, Section 3332.18(D), Basis of computing area, requires that no dwelling, alone or together with any other building, shall occupy greater than 50 percent of the lot area, while the applicant proposes lot coverage of 54 percent; and

**WHEREAS**, Section **3332.21, Building lines**, requires a minimum distance from the street property line for the existing single-family dwelling and the second single-family dwelling of **ten (10) feet**, while the applicant proposes a building line of **0.5 feet and zero (0) feet, respectively; and**

**WHEREAS**, Section 3332.25, Maximum side yards required, requires the sum of the widths of the side yards to be 5.4 feet, while the applicant proposes to maintain the existing single-family dwelling with a 0.67 feet side yard; and

**WHEREAS**, Section 3332.26, Minimum side yard permitted, requires a minimum ~~five (5)~~ **three (3)** foot side yard along the north property, while the applicant proposes to maintain the existing single-family dwelling with a 0.67 feet side yard; and

**WHEREAS**, Section 3332.27, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes **a rear yard of 15.2% for the existing single-family dwelling** and no rear yard for the second single-family dwelling; and

**WHEREAS**, Section 3332.30, Vision clearance, requires a clear vision triangle at intersections, while the applicant proposes to maintain no clear vision triangle for the carriage house at the intersection of Buttles and Hunter Avenue; and

**WHEREAS**, Section 3342.28(A)(6), Minimum number of parking spaces required, requires two (2) parking spaces for each dwelling unit for a total of four (4) required parking spaces, while the applicant proposes a total of two (2) parking spaces; and

**WHEREAS**, the Victorian Village Commission recommends approval; and

**WHEREAS**, City Departments recommend ~~disapproval~~ **approval** because the requested carriage house ~~is located to close to a water line~~ **will not add a new or incompatible use to the area.** The site is developed with a single-family residence in the R-4, Residential District. The applicant proposes to build a carriage house above a two car garage on the rear of the property. A variance is necessary because the R-4 district does not permit more than one dwelling on the same lot. In addition to the use variance, requested variances include reductions to lot size, lot width, required side yard, rear yard, vision clearance and in the number of parking spaces from four (4) to two (2) and an increase in lot coverage. ~~The building is proposed to be located five (5) feet from a 16" water line which runs under Hunter Avenue that was installed in 1888. Staff initially recommended approval, with the condition that the applicant negotiate a hold harmless cause for any damage to the proposed structure resulting from water line failure, repair, or replacement. The applicant is not willing to move the proposed structure away from the water line or to agree to a hold harmless cause, therefore, staff recommends disapproval. Staff supports the proposed use, which will not add a new or incompatible use to the area~~ **The building is proposed to be located five (5) feet east of the rear property line and approximately ten (10) feet from the water line which runs under Hunter Avenue;** and

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

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

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

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **773 DENNISON AVENUE (43215)**, in using said property as desired; now, therefore:

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

**SECTION 1.** That a variance from the provisions of Sections ~~3332.029~~ **3332.039**, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.15, R-4, area district requirements; 3332.18(D), Basis of computing area; **3332.21, Building lines**; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3332.30, Vision clearance; 3342.28(A)(6), Minimum number of parking spaces required, for the property located at **773 DENNISON AVENUE (43215)**, insofar as said sections prohibit two single-family dwellings on a 4,331.6 square foot lot that is 27-feet wide, with lot coverage of 54%, **building lines of 0.5 feet for the existing single-family dwelling**

and zero (0) feet for the carriage house, a maximum side yard of 0.67 feet, a minimum side yard of 0.67 feet, a rear yard of 15.2% for the existing single-family dwelling and no rear yard for the carriage house, no vision clearance at the intersection of Buttles and Hunter Avenues and a reduction in required parking spaces from four (4) to two (2) parking spaces; said property being more particularly described as follows:

773 DENNISON AVENUE (43215), being 0.10± acres located at the northwest corner of Dennison and Buttles Avenues, and being more particularly described as follows:

**Legal Description of Subject Property**

**Council Variance Application**

**773 Dennison Avenue, Columbus, Ohio 43215**

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

Being a part of Lot Number Sixty-five (65) in NEIL PLACE ADDITION as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, Page 362, Recorder's Office, Franklin County, Ohio, and more particularly bounded and described as follows:

Beginning at a point, the southeast corner of said Lot No. 65, being also the point of intersection of west line of Dennison Avenue, with the north line of Buttles Avenue; thence west along the north line of Buttles, being the south line of said Lot No. 65, 150 feet to the west line of said Lot No. 65; thence north on the west line of said Lot No. 65, 30 feet 2 inches to a point; thence east on a line parallel with the south line of said lot; 88 feet 10 inches to a point; thence southwardly at right angles to said line, 3 feet 2 inches to a point; thence easterly on a line parallel with the north and south lines of said Lot No. 65, 61 feet 2 inches to the east line of said Lot No. 65; being the west line of Dennison Avenue; thence southwardly along the east line of said Lot 27 feet to the place of beginning, and being that part of Lot No. 65 now heretofore conveyed by deed recorded in Deed Book 215, page 55.

Parcel No.: 010-015362

Property Address: 773 Dennison Avenue, Columbus, OH 43215

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a second single-family dwelling (a carriage house) on the rear of a lot developed with a single-family dwelling, or those uses permitted in the R-4, Residential District.

**SECTION 3.** That this ordinance is further conditioned to be consistent with the site plan and elevations titled, "SITE PLAN," signed by Chris Shea, Attorney for the Applicant, and dated ~~July 11~~ **August 17, 2006**. Any slight adjustment to the drawing shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

**SECTION 5.** ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**

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**Legislation Number:** 1446-2006

**Drafting Date:** 08/03/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Nickolas Savko & Sons, Inc., in the amount of \$2,537,214.31; to encumber funds with the Transportation Division for inspection, testing and prevailing wage coordination services in the amount of \$382,000.00; to authorize the City Auditor to transfer a total of \$211,714.31 within the Storm Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; all in connection with the Wilson Rd. Drainage Improvements Project.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened eight bids on July 19, 2006. Bids were received from: Nickolas Savko & Sons - \$2,537,214.31; George J. Igel & Co. - \$2,829,306.00; Double Z Construction - \$2,915,382.00; Trucco Construction - \$2,990,355.36; Complete General Construction - \$3,236,769.00; John Eramo & Sons - \$3,285,665.17; Shelly & Sands - \$3,559,842.60; and Kokosing Construction - \$3,804,201.60.

The lowest and best bid was from Nickolas Savko & Sons, Inc. in the amount of \$2,537,214.31. Their Contract Compliance Number is 31-0907362. 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 Nickolas Savko & Sons, Inc. in the amount of \$2,537,214.31; to provide for payment of inspection, material testing and related services to the Transportation Division in the amount of \$382,000.00; for the Wilson Rd. Drainage Improvements Project; to authorize the transfer of \$211,714.31 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 \$2,919,214.31 within the Storm Sewer Bond Fund. (\$2,919,214.31)

**Body**

WHEREAS, eight bids were received and publicly opened in the offices of the Director of Public Utilities on July 19, 2006, for construction of the Wilson Rd. Drainage Improvements Project; 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 Wilson Rd. Drainage Improvements Project; 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 Wilson Rd. Drainage Improvements Project, for the preservation of the public health, peace, property and safety; now therefore,

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

SECTION 1. That the City Auditor is hereby authorized to transfer \$211,714.31 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: 610748 - Oakland Park Ave. SSI's  
OCA Code - 685748

TRANSFER TO: 610940 - Wilson Rd. Drainage Imp's  
OCA Code - 685940

SECTION 2. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Wilson Rd. Drainage Improvements Project; with the lowest and best bidder, Nickolas Savko & Sons, Inc.; 4636 Shuster Rd.; Columbus, Ohio, 43214; in the amount of \$2,537,214.31; 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 \$382,000.00; for a grand legislative total of \$2,919,214.31.

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 610940, Object Level One 06, Object Level Three 6621, OCA Code 685940, Amount \$2,919,214.31.

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:

610748 - Oakland Park Ave. SSI's - \$500,000  
610940 - Wilson Rd. Drainage Imp's - \$2,710,000

AMENDED TO:

610748 - Oakland Park Ave. SSI's - \$288,285 (-\$211,715)  
610940 - Wilson Rd. Drainage Imp's - \$2,921,715 (+211,715)

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:** 1468-2006

**Drafting Date:** 08/11/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

Explanation Ordinance 0763-2004, passed by City Council May 17, 2004, provided funding for the design phase of the Downtown Wayfinding Signage Program. This was jointly funded by Capitol South, the Capital Crossroads Special Improvement District, the Columbus Downtown Development Corporation and Experience Columbus.

This legislation authorizes the Public Service Director to enter into a \$250,000.00 Guaranteed Maximum Cost Agreement with the Capital Crossroads Special Improvement District for implementation of the pedestrian and parking components of the Downtown Wayfinding Signage Program within the City's downtown district.

This contract will provide funding for the fabrication and installation of pedestrian map directories in sidewalk kiosks, public parking identification signs and parking directional signs. The City and the Capital Crossroads have jointly filed an application for Federal Highway Funding for the vehicular directional sign components of the wayfinding program. In addition, Capital Crossroads has secured the services of a project manager for the duration of the implementation of the

wayfinding program. Capital Crossroads will establish a maintenance fund and, through a combination of Capital Crossroads staff and contracts with licensed sign erectors maintain all wayfinding signs throughout the downtown at no cost to the City.

The Development Department has identified and negotiated this Agreement and the Public Service Department will enter into contract and administer the Agreement. The formal competitive bidding requirements of City Code Chapter 329 are being waived for the procurement of engineering and construction services pursuant to this Guaranteed Maximum Cost Agreement.

**Fiscal Impact:** This expense is budgeted within the Transportation Division's 2006 Capital Improvement Budget in the 1995, 1999, 2004 Voted Streets and Highways Fund, Downtown Streetscapes project.

TitleTo authorize the Public Service Director to enter into a Guaranteed Maximum Cost Agreement pursuant to Section 186 of the Columbus City Charter with the Capital Crossroads Special Improvement District for the implementation of the pedestrian and parking components of the Downtown Wayfinding Signage Program for the Transportation Division; to waive the formal competitive bidding requirements of the City Code, 1959, and to authorize the expenditure of \$250,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund. (\$250,000.00)

Body**WHEREAS**, the need exists to enter into a Guaranteed Maximum Cost Agreement for implementation of the pedestrian and parking components of the Downtown Wayfinding Program; and

**WHEREAS**, the City, Capitol South, the Capital Crossroads Special Improvement District, the Columbus Downtown Development Corporation and Experience Columbus funded the design development of the Downtown Wayfinding Signage Program; and

**WHEREAS**, the Capital Crossroads Special Improvement District has secured the services of a project manager for the duration of the implementation of the Wayfinding program; and

**WHEREAS**, the Capital Crossroads Special Improvement District will establish a maintenance fund and, through a combination of Capital Crossroads staff and contracts with licensed sign erectors maintain all wayfinding signs throughout the downtown at no cost to the City; and

**WHEREAS**, it is in the best interest of the city to waive the formal competitive bidding requirements of the City Code, 1959, and that this agreement be awarded in accordance with Section 186 of the City Charter; 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 Guaranteed Maximum Cost Agreement with Capital Crossroads Special Improvement District for implementation of the pedestrian and parking components of the Downtown Wayfinding Program for the Transportation Division in the amount of \$250,000.00 pursuant to Section 186 of the City Charter.

**SECTION 2.** That in accordance with City Code Section 329.27, City Council has determined that it is in the best interest of the City of Columbus that the formal competitive bidding requirements of Chapter 329 be and hereby are waived for the procurement of engineering and construction services pursuant to this Guaranteed Maximum Cost Agreement.

**SECTION 3.** That the expenditure of \$250,000.00, or so much thereof as may be necessary 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 6631, OCA Code 644385 and Project 530801.

**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:** 1494-2006

**Drafting Date:** 08/17/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** The Department of Public Service, Fleet Management Division needs to replace a wrecker vehicle that has high mileage and excessive maintenance costs. The Fleet Management Division utilizes a wrecker to tow light city vehicles that become inoperable on roadways. The Division has two wreckers. Solicitation SA002081 for a Rollback Wrecker was advertised for bid on June 12, 2006. The following bids were received:

<u>Vendor</u>	<u>Bid Amount</u>	<u>Status</u>
White-Allen, Dayton, OH:	\$64,900	Majority
Byers Chevrolet, Columbus, OH	\$69,925	Majority
Fyda Freightliner, Columbus, OH	\$70,518	Majority
Center City, Columbus, OH	\$81,105	Majority

A rollback wrecker enables towing of mowing and other off road equipment that cannot be towed by conventional wrecker. It also provides for safer towing of light vehicles, especially automobiles. After review of the bids the Fleet Management Division recommends acceptance of the lowest responsive, responsible and best bid submitted by Byers Chevrolet, CC #31-4139860. White-Allen's bid was deemed non-responsive because it was not signed nor did it meet the specifications for painting and fuel tank capacity.

**FISCAL IMPACT:** The Fleet Management Division budgeted \$130,000 in the 2006 operating budget for the purchase of vehicles. No funds for the purchase of Fleet Management vehicles have been expended to date. This ordinance authorizes an expenditure of \$69,925.00.

**Emergency legislation** is requested so that the vehicle may be ordered and received and put into use as soon as possible so that an old wrecker can be disposed of and associated maintenance costs avoided.

### Title

To authorize the Finance and Management Director to establish a purchase order to purchase a Rollback Wrecker for the Fleet Management Division, to authorize the expenditure of \$69,925.00 from the Fleet Management Services Fund; and to declare an emergency. (\$69,925.00)

### Body

**WHEREAS**, The Department of Public Service, Fleet Management Division, needs to replace a wrecker that has high mileage and excessive maintenance costs, and

**WHEREAS**, the Fleet Management Division has funds budgeted for replacement of the wrecker, and

**WHEREAS**, formal bids for a rollback wrecker were advertised and received on July 13, 2006, and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Fleet Management Division, in that it is immediately necessary to authorize the Finance and Management Director to issue a purchase order for the purchase of a Rollback Wrecker for the Fleet Management Division, 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 and directed to issue a purchase

order to Byers Chevrolet for the purchase of a Rollback Wrecker for the Fleet Management Division in accordance with Solicitation SA002081.

**Section 2.** That the expenditure of \$69,925.00 or so much thereof as may be necessary, be and is hereby authorized from the Fleet Management Division; Department 59-05; Fund 513; OCA Code 591263; OL3 Code 6652.

**Section 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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:** 1498-2006

**Drafting Date:** 08/23/2006

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

### **Explanation**

#### **Rezoning Application Z05-078**

**APPLICANT:** Hugh D. Campbell, Trustee; c/o Christopher A. Rinehart, Atty., Carlile, Patchen and Murphy, LLP; 366 East Broad Street; Columbus, Ohio 43215.

**PROPOSED USE:** Retail commercial development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on August 10, 2006.

**GREATER HILLTOP AREA COMMISSION RECOMMENDATION:** Approval.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-C-4, Limited Commercial District would permit commercial development compatible with established zoning and development patterns of the area.

### **Title**

To rezone **745 GEORGESVILLE ROAD (43228)**, being 1.1± acres located on the west side of Georgesville Road, 133± feet south Sullivant Avenue, **From:** R-1, Residential District, **To:** L-C-4, Limited Commercial District **and to declare an emergency.** (Rezoning # Z05-078)

### **Body**

**WHEREAS**, application #Z05-078 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.1± acres from R-1, Residential District to L-C-4, Commercial District; and

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

**WHEREAS**, **an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and**

**WHEREAS**, the Greater Hilltop Area Commission recommends approval of said zoning change; and

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-C-4, Limited Commercial District would permit commercial development compatible with established zoning and development patterns

of the area; now, therefore:

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

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

**745 GEORGESVILLE ROAD (43228,** being 1.1± acres located on the west side of Georgesville Road, 133± feet south Sullivant Avenue, and being more particularly described as follows:

**LEGAL DESCRIPTION:**

**PARCEL I:**

Real Estate situated in the Township of Franklin, County of Franklin, in the State of Ohio, bounded and described as follows:

Beginning at a point in the center line of the Georgesville Road, at the southeast corner of the Charles G. and Margaret Weber 1.132 acre tract; thence along the center line of said Road, South 11 deg. 21' West, 140.55 feet to a railroad spike; thence north 78 deg. 20' West, passing an iron pipe at 30 feet, 281.2 feet to an iron pipe in the east line of the Erma Clime tract; thence along the east lines of said tract and the east line of Grace and Clifford Chandler Trust, North 96 feet to an iron pipe in the southwest corner of the J.S. White tract; thence along the south lines of J.S. White, Leo and Ethel Hulls and Charles G. and Margaret Weber, south 87 deg. 16' East, passing an iron pipe at 273.56 feet, 303.9 feet to the place of beginning, containing .788 acres, more or less, subject to all legal highways or rights of way.

Being the premises known as: 745 Georgesville Road, Columbus, OH 43228

**PARCEL II:**

Real Estate situated in the Township of Franklin, County of Franklin, in the State of Ohio, bounded and described as follows:

Beginning at a railroad spike in the center line of Georgesville Road, which is South 11 deg., 21' West, 140.55 feet from a point at the south east corner of the Charles G. and Margaret Weber 1.132 acre tract; thence along the center line of said Road South 11 deg. 21' West, 50 feet to a railroad spike; thence North 78 deg. 19' West, passing an iron pipe at 30 feet, 271.8 feet to an iron pipe in the east line of Erma Clime tract; thence along the east line of said tract North 50 feet to an iron pipe which is south 96 feet from an iron pipe at the southwest corner of the J.S. White one half acre tract; thence South 79 deg. 29' East, passing an iron pipe at 251.5 feet, 281.5 feet to the place of beginning, containing .315 acres, more or less, subject to all legal highways or rights of way.

Being the premises known as: 759 Georgesville Road, Columbus, OH 43228

**To Rezone From:** R-1, Residential District,

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

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-C-4, Commercial District on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby, authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-4, Limited Commercial District among the records of the Building Services Division as required by the Columbus City Codes; said text being titled, "**DEVELOPMENT TEXT L-C-4, LIMITED COMMERCIAL 1.103 +/- ACRES**", dated September 21, 2006, and signed by Christopher A. Rinehart, Attorney for Applicant, and the text reading

as follows:

**DEVELOPMENT TEXT**

**L-C-4, LIMITED COMMERCIAL**

**1.103 ACRES +/-**

**EXISTING DISTRICT:** R-1, Residential

**PROPOSED DISTRICT:** L-C-4, Limited Commercial

**PROPERTY ADDRESS:** (1) 745 Georgesville Road, Columbus, Ohio, 43228  
(2) 759 Georgesville Road, Columbus, Ohio, 43228

**OWNER/APPLICANT:** Hugh D. Campbell, Trustee  
Sue A. Campbell, Trustee  
Regulator Properties  
P.O. Box 9086  
San Rafael, CA 94912

c/o Christopher A. Rinehart  
Carlile Patchen & Murphy LLP  
366 East Broad Street  
Columbus, Ohio 43215

**DATE OF TEXT:** September 21, 2006

**APPLICATION NUMBER:** Z05-078

**INTRODUCTION:**

The subject properties consist of two parcels totaling 1.103 +/- acres on the west side of Georgesville Road ("Site"). Existing zoning is R-1, Residential. The existing zoning is inappropriate given the lack of residential zoning and the existing commercial zoning surrounding the Site. Application proposes to rezone the Site to L-C-4, Limited Commercial, for general commercial use with appropriate development standards.

1. **PERMITTED USES:** All uses permitted in Columbus City Code Chapter 3356.03, C-4.
2. **DEVELOPMENT STANDARDS:** The applicable development standards shall be as specified in Chapter 3356, C-4, Commercial District, except as specifically set forth herein.

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

1. **Building Setbacks:** The minimum building setback from Georgesville Road shall be sixty (60) feet from the property line.
2. **Parking Setbacks:** The minimum parking and pavement setback from Georgesville Road shall be ten (10) feet.
3. **Lot Coverage for all buildings and pavement shall not exceed eighty percent (80%).**

**B. Access, Loading, parking and/or Other Traffic Related Commitments.**

1. Any and all traffic-related commitments shall be designated and located to the specifications of the City of Columbus Transportation Division.
2. Curb cuts shall be approved by the City of Columbus Transportation Division. Access to and from the Site is proposed to be provided from the adjacent parcel located at the southwest corner of Sullivant Avenue and Georgesville Road and from Georgesville Road.
3. Sidewalks shall be provided along Georgesville Road.

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

1. Street trees shall be planted at 40-foot intervals along the Georgesville Road frontage.
2. All trees and landscaping shall be well maintained. Dead items shall be replaced within six (6) months or the next planting season, whichever occurs first.
3. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 5 feet in height. The minimum size of shrubs shall be two (2) gallons. Caliper shall be measured 6 inches above grade.
4. Loading/service areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings, used individually or in combination.

**D. Building Design and/or Interior-Exterior Treatment Commitments.**

1. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to light the exterior of the building.
2. Building materials shall be traditional and natural in appearance, using materials such as wood; brick; natural or synthetic stone; natural or synthetic stucco; split concrete block; steel; textured or colored metal; marble; smooth, textured concrete; EIFS and/or glass, or a combination thereof. Buildings featuring an exterior finish consisting entirely of glass and the use of reflective or mirrored glass, are not permitted.

**E. Dumpsters, Lighting, Outdoor Display Areas and/or Other Environmental Commitments.**

1. All parking lot or ground-mounted lighting shall use fully shielded cutoff fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to ensure aesthetic compatibility.
3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lot shall not exceed eighteen (18) feet in height.
4. Building-mounted area lighting within the parcels shall utilize fully shielded cutoff style fixtures and be designed in such a way to minimize any off-site light spillage.
5. Any new or relocated utility lines shall be installed underground unless the applicable utility company directs or requires otherwise.
6. All lighting shall be positioned as to not be directed toward any residential area.

7. All outdoor dumpsters shall be screened from view.

**F. Graphics and Signage Commitments.**

All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

**G. Miscellaneous.**

1. The Parkland Dedication Ordinance, Chapter 3318 of the Columbus City Code, shall apply to the above-referenced property.

**SECTION 4. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.~~**

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**Legislation Number:** 1501-2006

**Drafting Date:** 08/24/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with CH2M Hill, for the Jackson Pike and Southerly Wastewater Treatment Plants' Sludge Holding Systems Improvements Project for the Division of Sewerage and Drainage. The original contract was signed with BBS Corporation which has been acquired by CH2M Hill.

This modification provides engineering services for the project improvements at the City's two wastewater treatment plants. This project provides for construction of sludge storage and sludge truck loading facilities at both plants, and improvements to the Jackson Pike Wastewater Treatment Plant's flushing water, dilution water and potable water systems. This legislation will additionally transfer cash between projects within the Sanitary Sewer Bond Fund; amend the 2006 Capital Improvements Budget and authorize the expenditure of \$366,163.00 within the Sanitary Sewer Bond Fund.

2. PROPOSED CONTRACT MODIFICATION - \$366,163.00: This modification will provide funding for the following: Additional costs for technical and field services during construction, including continuation of these services through a 24 month period beyond the original schedule; additional engineering tasks; training for plant operations personnel on the constructed facilities; estimated increased costs for producing record drawings and manuals for facility operation.

3. FISCAL IMPACT: Monies for these projects were included in the recent bond sale and sufficient authority is in the 2006 Capital Improvements Budget. The transfer and amendment is needed to place the amounts in the correct project.

**Title**

To authorize the Director of Public Utilities to modify the professional engineering services agreement with CH2M Hill, for the Jackson Pike and Southerly Wastewater Treatment Plants' Sludge Holding System Improvements Project; to authorize the transfer of \$138,644.00 within the Sanitary Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; and to authorize the expenditure of \$366,163.00 within the Sanitary Sewer Bond Fund for the Division of Sewerage and Drainage. (\$366,163.00).

**Body**

WHEREAS, the original contract was signed with BBS Corporation which has been acquired by CH2M Hill; and

WHEREAS, Contract No. EL900349 for \$3,087,443.00 was authorized by Ordinance No. 2854-98, as passed by Columbus City Council on November 16, 1998 for the purpose of providing preliminary (Step 1) and detailed (Step 2)

design professional engineering services for the Jackson Pike and Southerly Wastewater Treatment Plants' Sludge Holding System Improvements Project for the Division of Sewerage and Drainage; and

WHEREAS, Modification No. 1 authorized by Ordinance No. 2150-2000, as passed by Columbus City Council on September 25, 2000 changed design tasks that were realized to be necessary as the design process progressed and with no additional funding needed; and

WHEREAS, Modification No. 2, Contract No. EL001725 for \$1,284,700.00 was authorized by Ordinance No. 1742-2001, as passed by Columbus City Council on October 22, 2001 funded Step 3 - Services During Construction for both plants; and

WHEREAS, The Division of Sewerage and Drainage engineering personnel have determined it necessary to request Modification No. 3 to modify the professional engineering services agreement with CH2M Hill in order to provide the additional engineering services that are needed to complete Step 3 Services in connection with the project construction performed under a separate contract; and

WHEREAS, it is necessary to authorize the transfer of monies within the Sanitary Sewer Bond Fund to provide sufficient funding for the aforementioned project expenditure; and

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

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the professional engineering agreement for professional engineering services for the Jackson Pike and Southerly Wastewater Treatment Plants' Sludge Holding System Improvements Project at the earliest practical date; now, therefore,

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

Section 1. That the City Auditor is hereby authorized to transfer \$138,644.00 within the Sanitary Sewer Bond Fund, Fund 664, Object Level One-06, Object Level Three-6678, Division of Sewerage and Drainage, Division 60-05, FROM: Project Name JPWWTP Sludge Holding System, Project No. 650243, OCA 642918; TO: Project Name SWWTP Sludge Holding System Improvements, Project No. 650356, OCA 642918.

Section 2. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

Section 3. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to modify Contract No. EL001725 with CH2M Hill Inc., 1103 Schrock Road, Suite 400, Columbus, Ohio 43229 for professional engineering services for the Jackson Pike and Southerly Wastewater Treatment Plants' Sludge Holding System Improvements Projects in order to provide for payment of additional technical engineering services in accordance with the terms and conditions as shown in the contract on file in the office of the Division of Sewerage and Drainage.

Section 5. That for the purpose of paying the cost of the professional engineering services contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05; Fund 664; Project-Jackson Pike Wastewater Treatment Plant Sludge Holding System Improvements, Project No. 650243; Object Level Three 6678; OCA Code 642918; Amount \$227,519.00.

Section 6. That for the purpose of paying the cost of the professional engineering services contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division

60-05; Fund 664; Project-Southerly Wastewater Treatment Plant Sludge Holding System Improvements, Project No. 650356; Object Level Three 6678; OCA Code 642918; Amount \$138,644.00.

Section 7. 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 cost agreement increase stated in Sections 5 and 6 herein:

**CURRENT:**

650243: JPWWTP Sludge Holding System - \$366,163.00  
650356: SWWTP Sludge Holding System Improvements- \$0.00

**AMENDED:**

650243: JPWWTP Sludge Holding System - \$227,519.00 (-\$138,644.00)  
650356: SWWTP Sludge Holding System Improvements - \$138,644.00 (+\$138,644.00)

Section 8. 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:** 1502-2006

**Drafting Date:** 08/24/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Rezoning Application Z06-044**

**APPLICANT:** Michael L. Carl; 6539 Outville Road; Pataskala, OH 43026.

**PROPOSED USE:** Parking lot.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (4-0) on August 10, 2006.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested L-P-1, Limited Parking District would provide required off-street parking for a nearby church. This request is consistent with the established zoning and development patterns of the area. The proposed development standards ensure that the parking lot will be adequately screened from the adjacent residence. The addition of this parking lot would decrease the need for parishioners to park on the surrounding streets in the neighborhood.

**Title**

To rezone **1497 SOUTH FOURTH STREET (43207)**, being 0.31± acres located at the northwest corner of South Fourth Street and East Markison Avenue, **From:** R-2F, Residential District, **To:** L-P-1, Limited Parking District. (Rezoning # Z06-044)

**Body**

**WHEREAS**, application #Z06-044 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.31± acres From: R-2F, Residential District, To: L-P-1, Limited Parking District; and

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

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested L-P-1, Limited Parking District would provide required off-street parking for a nearby church. This request is consistent with the established zoning and development patterns of the area. The proposed development standards ensure that the parking lot

will be adequately screened from the adjacent residence. The addition of this parking lot would decrease the need for parishioners to park on the surrounding streets in the neighborhood, now, therefore:

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

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

**1497 SOUTH FOURTH STREET (43207)**, being 0.31± acres located at the northwest corner of South Fourth Street and East Markison Avenue, and being more particularly described as follows:

**DESCRIPTION OF A 0.313 ACRE TRACT OF LAND**

June 20, 2006

Situated in the State of Ohio, County of Franklin, City of Columbus, Half Section 42, Township 5, Range 22, Refugee Lands, Lot No. 6 of N. Merion's Subdivision of record in Plat Book 1, Page 194, Recorder's Office, Franklin County, Ohio and being all of the following three (3) parcels conveyed to Emmanuel Evangelical Lutheran Congregation, 1501 South Fourth Street, P.I.D. No. 010-055054, Official Record 34545, Pg. B20, 1505 South Fourth Street, P.I.D. No. 010-043378, Instrument No. 199710030110375 and 1509/1511 South Fourth Street, P.I.D. No. 010-004007, Instrument No. 199808130205409, all of the above records being of record in the Auditor's Office and Recorder's Office, Franklin County, Ohio, said three (3) parcels being more particularly described as one (1) tract of land containing 0.313 acres as follows:

**Beginning**, at a point at the intersection of the westerly right-of-way line of South Fourth Street (50' R/W) and the northerly right-of-way line of Markison Avenue (60' R/W) said beginning point also being the southeasterly corner of 1509/1511 South Fourth Street; thence

**North 86°01'58" West**, a distance of **121.04 feet** along the northerly right-of-way line of said Markison Avenue and the southerly line of 1509/1511 South Fourth Street to a point in the easterly right-of-way line of an alley (10' R/W) and being the southwesterly corner of 1509/1511 South Fourth Street; thence

**North 03°07'32" East** a distance of **112.33 feet** along the easterly right-of-way line of said alley and along the westerly lines of said 1509/1511, 1505 and 1501 South Fourth Street to a point being the northwesterly corner of said 1501 South Fourth Street and the southwesterly corner of a parcel (P.I.D. No. 010-050111) conveyed to Emmanuel Evangelical Lutheran Congregation on July 11, 1975 by deed of record in Deed Book 3473, Page 478, Recorder's Office, Franklin County, Ohio; thence

**South 86°01'56" East** a distance of **121.80 feet** along the northerly line of said 1501 South Fourth Street and the southerly line of said parcel number 010-050111 to a point in the westerly right-of-way line of said South Fourth Street being the northeasterly corner of said 1501 South Fourth Street and the southeasterly corner of said parcel number 010-050111; thence

**South 03°30'57" West** a distance of **112.32 feet** along the westerly right-of-way line of said South Fourth Street and the easterly lines of said 1501, 1505 and 1509/1511 South Fourth Street to the **Place of Beginning** and containing 0.313 acres of land, more or less. Subject however to all legal rights-of-way, easements and restrictions of record. The above description was prepared by Richard W. Conrad, P.S. #5041 on June 19, 2006.

The **Basis of Bearings** used in this description were established from a GPS survey based on the NAD 83 Ohio State Plane Coordinate System, South Zone, 1986 adjustment

**To Rezone From:** R-2F Residential District,

**To:** L-P-1, Limited Parking District

**SECTION 2.** That a Height District of thirty-five (35) feet is hereby established on the L-P-1, Limited Parking District on this property.

**SECTION 3.** That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-P-1, Limited Parking District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled, "**FINAL AMENDED L-P-1 SITE PLAN**," signed by Mike Carl, Applicant, dated August 22, 2006, and said text being titled, "**FINAL TEXT FOR L-P-1 PRIVATE PARKING DISTRICT**," signed by Mike Carl, Applicant, dated September 23, 2006, and the text reading as follows:

FINAL TEXT FOR L-P-1  
PRIVATE PARKING DISTRICT  
PROPOSED DISTRICT: L-P-1 Private parking  
PROPERTY ADDRESS: 1497 South Fourth Street (43207)  
OWNER: Emmanuel Lutheran Church  
APPLICANT: Michael L. Carl / President  
DATE OF TEXT: 09/23/2006  
APPLICATION NUMBER: Z06-044

1. INTRODUCTION:

The subject property (Property) consists of 0.310 +/- acres located at the Northwest corner of South Fourth Street and East Markison Avenue.

Applicant desires to rezone the Property from R-2F, Residential District to L-P-1 Private Parking District.

2. PERMITTED USES:

Parking Lot

3. DEVELOPMENT STANDARDS:

A. Density, height, lot, and/or Setback commitments.

B. The Subject site shall be developed in accordance with the ColumbusCity code and the submitted site plan.

C. A minimum of ten (10) foot parking set back shall be established along East Markison Ave. and on South Fourth Street.

4. ACCESS, LOADING, PARKING, and/or traffic related commitments.

A. The design and location of access points will be from an alley located beside the Church and parking lot. subject to review and approval of City of Columbus, Division of Transportation.

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

A. The ten (10) foot setback along East Markison and South Fourth Street will have hedges , trees , and shrubs.

B. Trees may be grouped or evenly spaced and shall consist of any combination of trees set forth in 3. c.

C. Trees could be deciduous type and ornamental type tree every ( 20 ) to ( 25 ) feet.

Shrubs could be every

( 5 ) feet and hedges every ( 3 ) feet around outside of black top area.

6. On the North end of the parking lot is a wood fence that will be maintained.

7. All trees and landscaping shall be maintained in a healthy condition. Dead materials

Shall be replaced with new landscaping that meets the size requirements of this text

Within six (6) months or next planting season whichever, occurs first.

8. All trees shall meet the following minimum size requirements at the time of planting.

A. Deciduous trees 2 1/2 caliper

B. Ornamental trees 1 1/2 caliper

C. Shrubs: 3 ft. minimum height.

9. Lighting:

A. All outdoor lighting shall be cutoff fixtures (down-lighting) and shall be designed to prevent off site spillage.

B. Light poles in parking lot shall not exceed fifteen (15) feet in height.

10. Signage Commitments:

A. All signage shall conform to the Columbus City Code as it applies to P-1 Parking District.

**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:** 1544-2006

**Drafting Date:** 08/30/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** The purpose of this legislation is to enable the Director of the Department of Public Utilities (DPU) to enter into a professional services agreement to acquire professional services for public education to promote and improve watershed health with the Friends of Big Walnut Creek. These services will engage local community and watershed protection groups as partners in resource protection and will support the Department's mission as well as many of its land and water resource protection goals.

The services will support the Department of Public Utilities Erosion and Sediment Control and Inflow and Infiltration Program as well as public education and outreach activities relative to the City's authorization to discharge storm water under the anticipated Ohio Environmental Protection Agency NPDES Municipal Separate Storm Sewer System (MS4) permit. The total project amount is \$35,092.25. Two bids were received and five city employees served on the evaluation committee. A full evaluation is attached. Final completion of the projected is anticipated to be September 2007.

**FISCAL IMPACT:** \$35,092.25 is needed for this project

**SUPPLIER:** Friends of Big Walnut Creek (05-0527637)

**Title**

To authorize the Director of Public Utilities to enter into a professional services agreement with the Friends of Big Walnut Creek for the Community Watershed Stewardship Program for the Department of Public Utilities and to authorize the expenditure of \$35,092.25 from the Sewerage System Operating Fund. (35,092.25)

**Body**

WHEREAS, the Director of Public Utilities received proposals on May 16, 2006 and two (2) bids were received, and

WHEREAS, these services will engage local community and watershed protection groups as partners in resource protection and will support the Department's mission as well as many of its land and water resource protection goals, and

WHEREAS, the services will support the DPU Erosion and Sediment Control and Inflow and Infiltration Program as well as public education and outreach activities relative to the City's authorization to discharge storm water under the anticipated Ohio Environmental Protection Agency NPDES Municipal Separate Storm Sewer System (MS4) permit, and

WHEREAS, the Director of Public Utilities wishes to enter into an agreement with the Friends of Big Walnut Creek for said services, 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 professional service agreement with the Friends of Big Walnut Creek for Community Watershed Stewardship Program.

Section 2. That the expenditure of \$35,092.25 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650, OCA 605006, Object Level 1: 03, Object Level 03: 3336

Section 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:** 1552-2006

**Drafting Date:** 08/31/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Title**

To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Sludge Grinder Equipment Repair Parts and Service from a Universal Term Contract with JWC Environmental; to authorize the expenditure of \$20,000.00 from the Sewerage System Operating Fund. (\$20,000.00)

**Body**

WHEREAS, the Purchasing Office established a Universal Term Contract for the option to obtain Sludge Grinder Equipment Repair Parts from JWC Environmental, FL000739 and,

WHEREAS, this legislation is for the service portion of the contract only, and

WHEREAS, the services are to be on sludge grinders located throughout the City of Columbus that are maintained by the Sewer Maintenance Operations Center, and

WHEREAS, the Division of Sewerage and Drainage has certified the maximum amount of dollars allowed by the Columbus City Code on Universal Term Contracts, and

WHEREAS, the Division of Sewerage and Drainage desires to establish a Blanket Purchase Order in accordance with the existing Universal Term Contract, for use by the Division of Sewerage and Drainage; now, therefore,

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

Section 1. That this Council finds it in the best interest of the City to authorize the Director of Finance and Management to establish a Blanket Purchase Order for the purchase of Sludge Grinder Equipment Repair Parts from Universal Term Contract, FL000739 on file with the Purchasing Office with JWC Environmental, for use in the Division of Sewerage and Drainage, Department of Public Utilities, contract expiration date of May 31, 2007.

Section 2. That the expenditure of \$20,000.00, or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating Fund, Fund No. 650, as follows: OCA 605089, Object Level 1: 03, Object Level 3:3375.

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:** 1554-2006

**Drafting Date:** 09/01/2006

**Current Status:** Passed

**Explanation**

**Background:** The Director of the Department of Development entered into a Reimbursement Agreement (DL010702) with Columbus Urban Growth Corporation (CUGC) in April 2005 to oversee the design of the remaining roadways in Northland Park. At that time, the cost of design services was estimated at \$450,000. Now that Home Depot will not be occupying the site, engineering documents for the Tamarack Boulevard extension need to be produced. Partially completed designs were purchased from Home Depot as a shortcut to producing final engineering documents. This unforeseen expense requires a modification in the dollars allocated to the design phase.

**Fiscal Impact:** \$55,000 is available in the 2006 Capital Improvement Budget in the Northland and Other Acquisitions Fund and the Voted 1995, 1999, 2004 Streets and Highways Fund.

**Title**

To authorize the Director of Development to amend the Reimbursement Agreement for Northland Park - Phase 2 Design with Columbus Urban Growth Corporation by increasing the dollars allocated to this contract by \$55,000 and by increasing the Scope of Services to include design of Tamarack Boulevard; and to authorize the expenditures of \$20,000 from the Northland and Other Acquisitions Fund and \$35,000 from the Voted 1995, 1999, 2004 Streets and Highways Fund. (\$55,000.00)

**Body**

**WHEREAS**, the Director of the Department of Development entered into a Reimbursement Agreement (DL010702) with Columbus Urban Growth Corporation (CUGC) in April 2005 to oversee the design of Northland roadways; and

**WHEREAS**, development plans for the site have changed with Home Depot's decision not to occupy the site in that an additional set of engineering drawings must be produced in order to construct the extension to Tamarack Boulevard; and

**WHEREAS**, only partially-completed plans were purchased from Home Depot which require further design to become final engineering documents; and

**WHEREAS**, the additional expenses of purchasing the plans and enlisting further engineering requires additional dollars; **now, therefore,**

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

**Section 1.** That the Director of Development is hereby authorized and directed to amend DL010702 with the Columbus Urban Growth Corporation by increasing the dollars allocated by \$55,000.00 and by increasing the Scope of Services to include the production of engineering drawings for the construction of Tamarack Boulevard extension.

**Section 2.** That for the purpose stated in Section 1, the expenditure of up to \$20,000.00 from the Development Department, Division No. 44-01, Northland and Other Acquisitions Fund No. 735, Project No. 441735 Northland Mall Project, OCA Code 441735, Object Level Three 6682 and the expenditure of up to \$35,000.00 from the Public Service Department, Transportation Division, Voted 1995, 1999, 2004 Streets and Highways Fund No. 704, Project No. 530294 Northland Area Improvements, OCA Code 644385, Object Level Three 6682 are hereby authorized.

**Section 3.** That it is further agreed that in all other aspects, this contract remains unchanged.

**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:** 1558-2006

**Drafting Date:** 09/05/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this ordinance is to authorize the Director of Finance and Management to establish a blanket purchase order for the Division of Power and Water for local telephone service with AT&T.

The Purchasing Office has established a City-wide Universal Term Contract (UTC #CT09759) for the purchase of local telephone services. The telephone services will be purchased in accordance with the terms and conditions of the UTC, which expires December 31, 2006. This funding request will cover charges for service through the 2006 fiscal year.

**Supplier:** AT&T (36-3258076)

**Fiscal Impact:** \$45,000.00 is required and budgeted from the Division of Power and Water Operating Fund.

**Title**

To authorize the Director of Finance and Management to establish blanket purchase order with AT&T for local telephone services for the Division of Power and Water and to authorize the expenditure of \$45,000.00 from the Water Operating Fund. (\$45,000.00)

**Body**

**WHEREAS**, the Division of Power and Water wishes to purchase local telephone services from an established Universal Term Contract with AT&T; and

WHEREAS, the Universal Term contract expires December 31, 2006 and the funding from this legislation is to cover the cost of telephone services for fiscal year 2006, and

**WHEREAS**, the local telephone services will be purchased in accordance with the Citywide contract established by the Purchasing Office; now, therefore,

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

**Section 1.** That the Director of Finance and Management be and he is hereby authorized and directed to enter into a purchase order with AT&T, for local telephone services for the Division of Power and Water in accordance with the terms and conditions of the Citywide Universal Term Contract on file in the Purchasing Office.

**Section 2.** That the expenditure of \$45,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Water Operating Fund, 650 as follows to pay the cost thereof.

**Administration**

OCA: 601849

Object Level 3/4: 3320

Amount: \$3000.00

**Customer Service**

OCA: 600209  
Object Level 3/4: 3320  
Amount: \$14,000.00

**Vehicle Maintenance**

OCA: 600209  
Object Level 3/4: 3320  
Amount: \$6500.00

**Supply**

OCA: 602359  
Object Level 3/4: 3320  
Amount: \$13,000.00

**Distribution**

OCA: 602599  
Object Level 3/4: 3320  
Amount: \$8500.00

**TOTAL AMOUNT REQUESTED: \$45,000.00**

**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:** 1568-2006

**Drafting Date:** 09/06/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**EXPLANATION**

This legislation authorizes the Director of Public Utilities to enter into a general engineering services contract with ME Companies, Inc. The Division of Sewerage and Drainage has reviewed proposals from fourteen local firms, and is requesting City Council to authorize the award of two contracts to the two highest ranking firms. These awards will establish two "blanket" type of service contracts to augment existing engineering personnel within the Sewer System Engineering Section (SSES) of the Division of Sewerage and Drainage on an as-authorized, as needed basis.

This contract establishes fixed direct labor, overhead and fixed fee rates for the period of 2006 through 2009. This ordinance will authorize the expenditure of \$100,000.00 of capital improvements funds for the estimated needs of the Division's SSES during 2006. The Division anticipates requesting additional appropriations to this contract during the 2007, 2008 and 2009 fiscal periods to fulfill its planned needs in these years. Under the terms of this contract, the City has the right to contract for additional services to fulfill emergency capital improvements related needs subject to the approval of a contract modification by City Council. The rates established within this contract will remain in force throughout the life of the contract.

**2. PROCUREMENT INFORMATION:**

The basis for selection of the chosen professional engineering services firm: The Division advertised a Request for Proposals (RFP's) for the subject services in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality and feasibility. After careful consideration, the committee recommended that the Pomeroy & Associates, Ltd., and ME Companies, Inc. be selected to provide the general engineering services for the Sewer System

Engineering Section, for which the Director of Public Utilities has concurred.

TitleTo authorize the Director of Public Utilities to enter into a general engineering services agreement with ME Companies, Inc, and to authorize the expenditure of \$100,000.00 from the Sanitary System Operating Fund, for the Division of Sewerage and Drainage. (\$100,000.00).

BodyWHEREAS, the Sewer System Engineering Section of the Division of Sewerage and Drainage have a consistent and immediate demand for professional engineering, survey and technical services in order to replace, rehabilitate or expand existing sanitary and combined sewer infrastructure under both emergency and expedited circumstances; and

WHEREAS, the Division did undertake a successful Request for Proposal process in accordance with Section 329.14 of the Columbus City Codes in an effort to find two firms to provide an ongoing source of technical personnel to supplement existing city engineering personnel that are required to protect its customers investment in its sanitary sewer infrastructure; and

WHEREAS, based upon an evaluation of the fourteen proposals received for the two general engineering contracts to be awarded for the years of 2006-2009, utilizing a predetermined criteria, a selection committee determined that ME Companies, Inc., and Pomeroy & Associates, Ltd. to be the highest ranking firms capable of providing the required services; and

WHEREAS, it is necessary for this City Council to authorize the Director of Public Utilities to enter into contract for with ME Companies, Inc, for the general engineering services required for the proper maintenance and rehabilitation of its sanitary and combined sewer infrastructure, at the earliest practicable date, now, therefore,

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with ME Companies, Inc., 635 Brooksedge Boulevard, Westerville, Ohio 43081, that will provide general engineering engineering design services in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

Section 2. That the said engineering firm shall conduct the work to the satisfaction of the Director of Public Utilities, the Administrator of the Division of Sewerage and Drainage, and the Division of Sewerage and Drainage's Sewer System Engineering Manager.

Section 3. That the expenditure of \$100,000.00, or as much thereof as may be needed, be and the same hereby is authorized from the Sanitary Sewer Operating Fund No. 650650| Div. No. 60-05| Object Level Three 3339| OCA Code 605113| \$100,000.00

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:** 1577-2006

**Drafting Date:** 09/07/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

This ordinance authorizes the Director of Public Utilities to enter into a service agreement with Environmental Systems Corporation for maintenance, unlimited telephone support, repairs, software enhancements as needed, and data system controller upgrades as needed for the Incinerator Continuous Emissions Monitoring Systems (CEMS) at the Southerly and Jackson Pike Wastewater Treatment Plant. This agreement is being entered into under the Sole Source provisions provided under Section 329.07 of Columbus City Code. The service agreement period cover the period from December 1, 2006 to and including November 30, 2007.

CEMS provides continuous regulatory stack emissions monitoring as required by state and federal regulations 40CFR75. Environmental Systems Corporation installed the original systems, including all hardware and software and is the sole provider of the software, maintenance, and licenses for this upgrade.

**Sole Source Supplier:** Environmental Systems Corporation (62-0807987)

**FISCAL IMPACT:** \$28,554.00 is needed for this agreement.

\$39,955.00 was spent in 2005

**Title**

To authorize the Director of Public Utilities to enter into a service agreement with Environmental Systems Corporation for the maintenance and software upgrade for the Emissions Monitoring Systems under the Sole Source provisions of Section 329.07 of the Columbus City Code for the Division of Sewerage and Drainage, and to authorize the expenditure of \$28,554.00 from the Sewerage System Operating Fund, (\$28,554.00)

**Body**

WHEREAS the Incinerator Continuous Emissions Monitoring Systems at the Southerly and Jackson Pike Wastewater Treatment Plant provides continuous regulatory stack emissions monitoring as required by state and federal regulations 40CFR75 and

WHEREAS, the service agreement period cover the period from December 1, 2006 to and including November 30, 2007, and

WHEREAS, Environmental Systems Corporation is the original installer of the systems and is the sole provider of the maintenance, software and licenses for the systems, and

WHEREAS, this agreement is being established under the Sole Source provisions provided in Section 329.07 of the Columbus City Code, 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 Environmental Systems Corporation for the maintenance and software upgrade for the Emissions Monitoring Systems for the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$28,554.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows

**Southerly Wastewater Treatment Plant**

OCA: 605055  
Object Level 1: 03  
Object Level 3: 3369  
Amount \$14,777.00

**Jackson Pike Wastewater Treatment Plant**

OCA: 605022  
Object Level 1: 03  
Object Level 3: 3369  
Amount \$13,777.00

Section 3. That the service agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

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:** 1579-2006

**Drafting Date:** 09/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Division of Power and Water evaluated the use of sodium hypochlorite in lieu of gaseous chlorine as a disinfection alternative at the Dublin Road Water Plant, and determined that switching to sodium hypochlorite was the best alternative. This project 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.

The procurement of this contract was conducted in accordance with Section 329.09 of the Columbus City Code.

Competitive bids were received and opened at the office of the Director of Public Utilities on August 9, 2006. Of the five (5) bids received, the lowest responsive and responsible and best bidder was Danis Industrial Construction Company.

<u>BIDDER</u>	<u>AMOUNT</u>
Danis Industrial Construction Company	\$8,389,500.00
Reynolds, Inc	\$8,570,100.00
Shook, Inc., Northern Division	\$8,610,420.00
PAE & Associates, Inc.	\$9,114,000.00
Kokosing Construction Company, Inc	\$9,368,100.00

**FISCAL IMPACT:** \$8,235,000 is included in the 2006 CIB for this project. The deficit of \$154,500 will be transferred from other projects in order to fund this project.

**CONTRACT COMPLIANCE NUMBER:** 31-1807991

**Title**

To authorize the Director of Public Utilities to enter into a contract with Danis Industrial Construction Company, Inc., for the Dublin Road Water Plant, Disinfection & Miscellaneous Improvements - Sodium Hypochlorite Facility, for the Division of Power and Water (pka the Division of Water), to authorize the expenditure of \$8,389,500.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, and to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$8,389,500.00)

**Body**

WHEREAS, the Director of Public Utilities did receive and open bids on August 9, 2006 for the Dublin Road Water Plant, Disinfection & Miscellaneous Improvements - Sodium Hypochlorite Facility for the Division of Power and Water (pka the Division of Water), Department of Public Utilities; and

WHEREAS, a satisfactory low bid has been received; and

WHEREAS, the Division of Power and Water evaluated the use of sodium hypochlorite in lieu of gaseous chlorine as a disinfection alternative at the Dublin Road Water Plant, and determined that switching to sodium hypochlorite was the best alternative; and

WHEREAS, this project 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

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a contract with Danis Industrial Construction Company, for the Dublin Road Water Plant, Disinfection & Miscellaneous Improvements - Sodium Hypochlorite Facility, for the Division of Power and Water (pka the Division of Water), for the preservation of public health, peace, property and safety, now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

**SECTION 1.** That the Director of Public Utilities be and is hereby authorized to enter into a contract with Danis Industrial Construction Company, in the amount of \$8,389,500.00, for the Dublin Road Water Plant, Disinfection & Miscellaneous Improvements - Sodium Hypochlorite Facility, for the Division of Power and Water (pka the Division of Water), Department of Public Utilities, Contract No. 966, Part 2, Project 690379, on the basis of the lowest responsive and responsible and best bid received on August 9, 2006.

**SECTION 2.** That for the purpose of paying the cost thereof, the expenditure of \$8,389,500.00 is hereby authorized from Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Power and Water (pka the Division of Water), Dept./Div No. 60-09, Object Level Three 6623, Project No. 690379, OCA Code 606379.

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

**SECTION 4.** The City Auditor is hereby authorized and directed to appropriate and transfer funds from within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Power and Water (pka the Division of Water), as follows:

FROM:	690428	DRWP Treatment Capacity Increase	\$154,500
		OCA Code 606428	
TO:	690379	Disinfection & Miscellaneous Improvements	
		- Sodium Hypochlorite Facility	\$154,500
		OCA Code 606379	

**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:** 1581-2006

**Drafting Date:** 09/07/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

Need: The City of Columbus, Ohio and FOP Lodge No. 9, as well as AFSCME Local 1632, have collective bargaining agreements which require the City to provide uniforms to all bargaining unit members at no cost to the employee. This ordinance will enable the division to contract to outfit the new recruit class with uniforms that are to be hired in December

2006 and to replenish funds on the contract for the thirty recruits that were hired in June 2006.

Additional Need: Funds need to be transferred within the General Fund budget of the Division of Police from Object Level (1) 10 to Object Level (1) 02 in order to purchase these uniforms.

Bid Information: The Purchasing Office has set up an universal term contract FL002795 for the purchase of uniforms. This UTC was made in response of bid # SA001674DRM.

Contract Compliance No.: 31-1261664 - Roy Tailors Uniforms of Columbus, Inc.

Emergency Designation: Emergency legislation is requested so funds can be made available in order to set up the contract to purchase the needed uniforms for the recruits and to order any uniforms that might be needed on an emergency type need.

FISCAL IMPACT:

Funds are available to transfer within the Division's budget for this contract.

**Title**To authorize and direct the Finance and Management Director to enter into contract with Roy Tailors Uniform Company of Columbus, Inc. to purchase police uniforms for the Division of Police from an existing UTC, to authorize the transfer of funds within the Division of Police's General Fund budget, to authorize the expenditure of \$217,000.00 from the General Fund; and to declare an emergency. (\$217,000.00)

**Body**WHEREAS, the Purchasing Office has an existing Universal Term Contract FL002795 for the purchase of uniforms; and

WHEREAS, the Division of Police has a need for uniforms and uniform parts for the new recruit class; and

WHEREAS, funds are needed to be transferred within the Division of Police's General Fund budget; 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 a contract with Roy Tailors Uniform Company of Columbus, Inc. and to transfer funds for the preservation of the public health, peace, property, safety, 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 contract with Roy Tailors Uniform Company of Columbus, Inc. for the purchase of police uniforms for the Division of Police on the basis of UTC # FL002795.

Section 2. That funds in the Police's General Fund budget be transferred as follows:

From:

OBJ LEVEL (1) 10 | OBJECT LEVEL (3) 5501 | OCA # 900076 | AMOUNT \$217,000.00.

To:

OBJ LEVEL (1) 02 | OBJECT LEVEL (3) 2221 | OCA # 300327 | AMOUNT \$217,000.00.

Section 3. That the expenditure of \$217,000.00 or so much thereof as may be needed is hereby authorized as follows:

DIV 30-03 | FUND 010 | OBJ LEVEL (1) 02 | OBJECT LEVEL (3) 2221 | OCA # 300327 | AMOUNT \$217,000.00.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the

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

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**Legislation Number:** 1587-2006

**Drafting Date:** 09/08/2006

**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 the Righter Company, Inc. in connection with the Division of Sewerage and Drainage's Manhole Casting and Lid Replacement Project.

This contract will provide for the replacement of over 600 manhole castings and lids; grade rings; brick rehabilitation and pavement replacement. The infrastructure that will be replaced will be identified by division engineering personnel, during the duration of this contract.

The engineer's estimate for this project was \$1,090,000.00. The difference between this estimate and the proposed contract award is due to perceived localized difficulties not apparent in the bidding documents and therefore uncertainty of the extent of work. Because the work is so spread out, the usual economies, scheduling, and cost estimating do not apply and therefore accurate cost estimates are even more difficult. Division engineering personnel required the contractor to obtain maintenance of traffic (MOT) permits rather than providing for the design of MOT staging, and this may have contributed to the higher costs.

2. FISCAL IMPACT:

The Division is funding this contract with funds from the Voted Sanitary Bond for the estimated rehabilitation costs of the sanitary infrastructure; and funds from the Storm Sewer Bond Fund for purposes of funding the estimated rehabilitation costs of the stormwater infrastructure. The Division has sufficient spending authority within the proposed 2006 Capital Improvements Budget to fund this project.

3. EMERGENCY DESIGNATION:

The Division is requesting that this ordinance be declared an emergency measure so that the contract work can begin at once, in order to that several manholes with structural damage can be immediately rehabilitated to ensure the continued operation of this vital sanitary and stormwater infrastructure.

**Title**To Authorize the Director of Public Utilities to enter into contract with the Righter Company, in the amount of \$1,917,452.50, for the construction of the Manhole Casting and Lid Replacement Project, to authorize the transfer of \$515,434.50 and the expenditure of \$1,605,434.50 from the Voted Sanitary Bond Fund; the transfer and expenditure of \$312,018.00 from Storm Sewer Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,917,452.50)

**Body**WHEREAS, two competitive bids for the construction of the Manhole Casting and Lid Replacement Project, that were received on August 9, 2006; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately 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 Manhole Casting and Lid Replacement Project. so that the contract work can begin at once, in order to that several manholes with structural damage can be immediately rehabilitated to ensure the continued operation of this vital sanitary and stormwater infrastructure; and to authorize the transfer of the required funds within the Voted Sanitary Bond Fund and the Voted Storm Sewer Bond Fund; for the preservation of the public health, peace, property and safety; now, therefore,

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

Section 1. That the City Auditor is hereby authorized and directed to transfer \$515,434.50 from within the Voted Sanitary Bond Fund No. 664, for the Division of Sewerage and Drainage as follows:

FROM:

650014-Sanitary Sewer Construction| OCA 642918| \$500,000.00  
650100-Sanitary Sewer Contingency| OCA 642918| \$15,434.50

TO:

650697-Manhole Casting and Lid Replacement| OCA 664697| \$515,434.50

Section 2. That the City Auditor is hereby authorized and directed to transfer \$312,018.00 from within the Voted Storm Sewer Bond Fund No. 685, for the Division of Sewerage and Drainage as follows:

FROM:

610994| McDannald Subdivision| OCA 685994| \$312,018.00

TO:

611001| Downtown Manhole Replacement| OCA 681001| \$312,018.00

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

Section 4. That the Director of Public Utilities be, and hereby is, authorized to enter into contract with the Righter Company, 2424 Harrison Rd., Columbus, Ohio 43204; and to pay up to a maximum amount of \$1,917,452.50, for sewer manhole casting and lid 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 \$1,917,452.50, is hereby authorized as follows:

Fund No. 664| Project 650697| OCA Code 664697| OL3 No. 6630| \$1,605,434.50  
Fund No. 685| Project 611001| OCA Code 681001| OL3 No. 6630| \$312,018.00

Section 6. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the execution of the construction contract award as referenced in the preamble hereto:

CURRENT:

650014| Sanitary Sewer Construction - \$500,000.00 (Voted)  
650100| Sanitary Sewer Contingency - \$315,000.00 (Voted)  
650697| San. Manhole Casting & Lid Repl. - \$1,090,000.00 (Voted)  
611011| Storm Manhole Casting & Lid Repl. - \$0.00 (Voted)  
610994| McDannald Estates Storm - \$2,430,000.00 (Voted)

AMENDED TO:

650014| Sanitary Sewer Construction - \$0.00 (Voted) (-\$500,000.00)  
650100| Sanitary Sewer Contingency - \$299,565.50 (Voted) (-\$15,434.50)  
650697| San. Manhole Casting & Lid Repl. - \$1,605,434.50 (Voted) (+\$515,434.50)  
611011| Storm Manhole Casting & Lid Repl. - \$312,018.00 (Voted) (+\$312,018.00)  
610994| McDannald Estates Storm - \$2,117,982.00 (Voted) (-\$312,018.00)

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby

declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1591-2006

**Drafting Date:** 09/08/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

This legislation will authorize the transfer and appropriation of \$201,936.00 from FEMA funds to the Storm Sewer Operating Fund to have monies in the proper accounts for reimbursement for goods/services expenditures associated with winter storm damage occurring in December 2004.

**FISCAL IMPACT:** 201,936.00 is being transferred and appropriated from the FEMA Fund to the Storm Sewer Operating Fund as shown in Section 1 and 2 of this ordinance.

**Title**

To authorize and direct the transfer and appropriation of \$201,936.00 from the FEMA Fund to the Storm Sewer Operating Fund to use as reimbursement for goods/services associated with winter storm damage in December 2004. (\$201,936.00)

**Body**

WHEREAS, funds from reimbursable expenses of FEMA Funds are being transferred to be used as reimbursement for goods/services expenditures associated with winter storm damage in December 2004; now, therefore,

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

**SECTION 1.** That the amount of \$201,936.00 is hereby transferred from the FEMA Fund to the Storm Sewer Operating Fund, as follows:

**FROM:**

Fund Type: FEMA  
Grant Number: 454001  
Fund: 220  
OCA: 454607  
Amount: \$201,936.00

**TO:**

Fund Type: Operating  
Div. No. 60-15  
Fund: 675  
Object Level 3: 0886

OCA: 675002

**SECTION 2.** That \$201,936.00 is hereby appropriated to the Storm Sewer Operating Fund, as follows:

Fund Type: Operating  
Div No. 60-15  
Fund: 675  
Object Level 3: 6624  
OCA Code: 675002  
Amount: \$206,936.00

**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:** 1592-2006

**Drafting Date:** 09/08/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

This ordinance will authorize the City Attorney to settle a claim on behalf of the Department of Public Utilities, Division of Water. On September 24, 2005 Mr. Harold Elson and Mrs. Kathy Elson were involved in an accident at the intersection of Emerald Parkway and Tuttle Crossing Blvd. with a vehicle owned by the City of Columbus and operated by an employee of the Division of Water. The driver of the City owned vehicle was cited for "changing lanes without safety" by a Columbus Police Officer at the accident scene. As a result of this accident Mr. Elson has been paid \$18,000.00 in settlement for his damage claims. Mrs. Kathy Elson subsequently made a separate claim for her injuries and a settlement in the amount of \$11,100.00 has been agreed upon.

**Title**

To authorize the City Attorney to settle a claim from Mrs. Kathy Elson against the Department of Public Utilities, Division of Water to authorize the expenditure of Eleven Thousand One Hundred Dollars (\$11,100.00) for personal injury due to an auto accident and to declare an emergency. (\$11,100.00).

**Body**

WHEREAS, following investigation and evaluation of the claim, the parties have reached an agreement to settle this matter for the total amount of Eleven Thousand One Hundred Dollars (\$11,100.00) in exchange for a release of the City and its employees from any further liability, and

WHEREAS, an emergency exists in the usual daily operation of the City in that settlement of this matter was deemed to be acceptable by the Department of Public Utilities, and that it is immediately necessary to appropriate and expend funds to pay this settlement so the Department of Public Utilities can meet its obligation to the injured party 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. That the City Attorney be, and hereby is, authorized and directed to settle all claims against the City of Columbus, its officers, agents and employees brought against it by Mrs. Kathy Elson as a result of an accident involving

City property on September 24, 2005, by payment of Eleven Thousand One Hundred Dollars and No Cents (\$11,100.00) as a reasonable and fair amount and in the best interest of the City of Columbus.

Section 2. That for the purpose of paying this settlement, there be and hereby is authorized to be expended from the Department of Public Utilities, Division of Water Operating Fund No. 600, OCA 601849, Object Level Three 5562 the sum of Eight Thousand Eight Hundred Ninty Three Dollars and Eighty One Cents (\$8,893.81) and Operating Fund No. 601849 and Object Level Three 5563 the sum of Two Thousand Two Hundred and Six Dollars and Nineteen Cents (\$2,206.19).

Section 3. That the City Auditor be and is hereby authorized to draw a warrant upon the City Treasurer upon receipt of a voucher and release approved by the City Attorney in the amount of \$11,100.00 payable to Kathy Elson and her attorney Richard F. Marquardt Co., LPA.

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:** 1596-2006

**Drafting Date:** 09/08/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this legislation is to authorize the payment of the annual Ohio EPA Discharge Fees for the Jackson Pike and Southerly Wastewater Treatment Plants for 2006. The fees for calendar year 2006 are based upon the average volume of wastewater discharged by each facility during the previous year (2005) between May 1 and October 31. During this period, The Jackson Pike Wastewater Treatment Plant averaged 72.4393 MGD and the Southerly Wastewater Treatment Plant averaged 82.0266 MGD.

House Bill 152 became law in July 1993. This law created a series of fees which provides financial support of the Ohio Environmental Protection Agency. Included in these fees is an annual Wastewater Treatment Plant Discharges Fee which are to be paid by holders of NPDES permits. The Division of Sewerage and Drainage holds two such permits, **Jackson Pike Permit Number 4PF00000, Southerly Permit Number 4PF00001**. The Jackson Pike Wastewater Treatment Plant has discharge fees of \$41,400.00 and Southerly Wastewater Treatment Plants has discharge fees of \$41,400.00, payment is due on January 31, 2007. A ten percent (10%) penalty is accessed if payment is not received on or before January 31, 2006 by the Ohio EPA.

SUPPLIER: State of Ohio, Ohio Environmental Protection Agency (31-6402047-090)

FISCAL IMPACT: \$82,800.00 is needed and budgeted.

\$82,800.00 was spent in 2006

\$103,500.00 was spent in 2005

**Title**

To authorize the Director of Public Utilities to pay the annual Discharge Fees for 2006 to the State of Ohio, Ohio Environmental Protection Agency for the Division of Sewerage and Drainage; and to authorize the expenditure of \$82,800.00 from the Sewerage System Operating Fund. (\$82,800.00)

**Body**

WHEREAS, the annual Discharge Wastewater Treatment Plant Fees are due on January 31, 2007; and,

WHEREAS, these fees were first paid in January 1994, and have been paid each year thereafter, and have been budgeted for the 2006 payments; and,

WHEREAS, House Bill 152 became law in July 1993 and created a series of fees which provide financial support to the State of Ohio, Ohio Environmental Protection Agency; and,

WHEREAS, included in these fees is an annual Wastewater Treatment Plant Discharger Fee to be paid by holders of NPDES permits; and,

WHEREAS, the Division of Sewerage and Drainage holds two such permits for the Jackson Pike and Southerly Wastewater Treatment Plants; now therefore,

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

Section 1. That the Director of Public Utilities be and is hereby authorized and directed to pay the Ohio Environmental Protection Agency through the Treasurer, State of Ohio, for annual Discharger Fees for 2005 upon receipt of proper invoices.

Section 2. That the expenditure of \$82,800.00, or so much thereof as may be needed, is hereby authorized from the Sewerage System Operating Fund 650, as follows:

**Jackson Pike Wastewater Treatment Plant**

OCA 605022  
Object Level One 03  
Object Level Three 3401  
Amount \$41,400.00

**Southerly Wastewater Treatment Plant**

OCA 605055  
Object Level One 03  
Object Level Three 3401  
Amount \$41,400.00

**Total Amount: \$82,800.00**

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:** 1599-2006

**Drafting Date:** 09/08/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

ExplanationThe treatment processes at the HCWP are subject to the State 2 Disinfectants and Disinfection Byproducts Rule (DBPR). The DBPR is part of the final phase of the Stage 2 Microbial and Disinfection Byproducts Rules as affirmed by Congress in the 1996 Drinking Water Act Amendments. This project shall provide engineering services necessary for and incident to addressing the issues of the DBPR as affecting the HCWP and take into consideration how

any proposed treatment processes will be affected by other existing and proposed EPA regulatory rules. The selected professional consulting/engineering firm will provide full-service assistance to the City for the development of a production study to evaluate changes required to the treatment processes at Hap Cremean Water Plant (HCWP) to control disinfection by-products and make treatment improvements for compliance with existing and future regulatory requirements. The selected professional service firm will prepare technical reports of evaluation findings and make recommendations for improvements and/or alterations to the physical facilities and treatment processes.

A total of six (6) statements were received October 20, 2005 in response to the advertised Request for Statements of Qualifications (RFQ). None of the responses were from MBE/FBE firms; five of the six submitting firms had MBE/FBE firms as part of their project team. A five (5) member evaluation committee, in accordance with Section 329.13, evaluated the proposals and ranked the offerors based upon the evaluation criteria specified in the RFQ: qualifications of staff, professional qualifications, past performance, meeting schedules and budgets, and location of staff. Three (3) firms were selected to submit complete technical proposals, and to make presentations. Burgess & Niple, Inc. was selected based upon the quality and feasibility of their proposal and their competency to perform based on their assigned personnel. Burgess & Niple, Inc. has MBE and FBE sub-consultants as part of their design team.

**FISCAL IMPACT:** This project is included in the 2006 CIB and \$1,500,000.00 is budgeted. Funds are also being transferred within the CIB to fund the contract.

**CONTRACT COMPLIANCE NUMBER:** 31-0885550

Title

To authorize the Director of Public Utilities to enter into a contract with Burgess & Niple, Inc. for the Hap Cremean Water Plant Disinfection By-Products and Treatment Improvements Master Plan, for the Division of Power and Water, to authorize the expenditure of \$3,490,000.00 from the Waterworks Enlargement Voted 1991 Bonds Fund, to amend the 2006 C.I.B., and to authorize the City Auditor to transfer funds within the Waterworks Enlargement Voted 1991 Bonds Fund. (\$3,490,000.00)

Body

WHEREAS, The treatment processes at the HCWP are subject to the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR). The DBPR is part of the final phase of the Stage 2 Microbial and Disinfection Byproducts Rules as affirmed by Congress in the 1996 Safe Drinking Water Act Amendments. This project shall provide engineering services necessary for and incident to addressing the issues of the DBPR as affecting the HCWP and take into consideration how any proposed treatment processes will affect other existing and proposed EPA regulatory rules, and

WHEREAS, The selected professional consulting/engineering firm will provide full-service assistance to the City for the development of a production study to evaluate changes required to the treatment processes at Hap Cremean Water Plant (HCWP), to control disinfection by-products and also study treatment improvements for compliance with existing and future regulatory requirements, and

WHEREAS, The selected professional service firm will prepare technical reports of evaluation findings and make recommendations for improvements and/or alterations to the physical facilities and treatment processes, and

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into a contract with Burgess & Niple, Inc. for Professional Engineering Services necessary for the Hap Cremean Water Plant Disinfection By-Products and Treatment Improvements Master Plan, 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 contract with Burgess & Niple, Inc. in the amount of \$3,490,000.00 for Professional Engineering Services necessary for Hap Cremean Water Plant Disinfection By-Products and Treatment Improvements Master Plan for the Division of Power and Water, Department of Public Utilities.

Section 2. That for the purpose of paying the cost thereof, the expenditure of \$3,490,000.00 is hereby authorized from Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Power and Water, Dept./Division No. 60-09, Object Level Three 6682, Project No. 690430, OCA Code 606430.

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

Section 4. The City Auditor is hereby authorized and directed to appropriate and transfer funds from within the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Power and Water, as follows:

FROM:	690331	HCWP Lagoons #1,2 & 3, Sludge Removal OCA Code 606331	\$92,136.15
	690359	South Wellfield Expansion OCA Code 642900	\$4,009.11
	690384	Watershed Road Improvements OCA Code 690384	\$150,000.00
	690479	Security Enhancements OCA Code 606479	\$1,743,854.74
TO:	690430	HCWP Disinfection By-Products and Treatment Improvements OCA Code 606430	\$1,990,000.00

Section 5. That Section 1, Public Utilities/Water 60-09 of Ordinance 1108-2006 is hereby amended as follows:

PROJECT NUMBER	PROJECT NAME	TOTAL	BUDGET
690430	HCWP Disinfection By-Products and Treatment Improvements	\$3,490,000	*(1)*
690331	HCWP Lagoons #1,2 & 3, Sludge Removal	\$0	*(2)*
690359	South Wellfield Expansion	\$390,492	*(3)*
690384	Watershed Road Improvements	\$0	*(4)*
690479	Security Enhancements	\$277,381	*(5)*

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

	2006 Original Budget	2006 Amended Budget	Comments
*(1)*	\$1,500,000	\$3,490,000	Authority Increased
*(2)*	\$92,137	\$0	Authority Reduced
*(3)*	\$394,501	\$390,492	Authority Reduced
*(4)*	\$150,000	\$0	Authority Reduced
*(5)*	\$2,021,235	\$277,381	Authority Reduced

**Legislation Number:** 1627-2006

**Drafting Date:** 09/13/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The Public Service Department, Transportation Division, recently received a request from Ms. Adria Fields, on behalf of the Perkins Family, to rename a portion of Northgate Lane, an alley west of Sunbury Road, from Leonard Avenue to Woodward Avenue as Horace Perkins Way, in honor of Horace Perkins, their patriarch. Mr. Horace Perkins lived at 1039 Sunbury Road from 1968 until his death in 2004. He devoted many years of service to his neighborhood and the community. He was a pioneer in radio broadcasting, having worked for many year at WVKO radio station and later founding his own station at WCKX 107.5 FM. After a review it has been determined there are no houses addressed off of Northgate Lane and the renaming of this alley in honor of Mr. Horace Perkins will have no impact on the adjacent properties.

**Title**

To rename that portion of Northgate Lane, an alley west of Sunbury Rd, from Leonard Avenue to Woodward Avenue as Horace Perkins Way in honor of Mr. Horace Perkins, a community leader and a pioneer in radio broadcasting.

**Body**

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, recently received a request from Ms. Adria Fields, on behalf of the Perkins Family, to rename that portion of Northgate Lane, an alley west of Sunbury Road, from Leonard Avenue to Woodward Avenue, in honor of Mr. Horace Perkins, their family patriarch; and

**WHEREAS**, Mr. Horace Perkins was a community leader and a pioneer in radio broadcasting; and

**WHEREAS**, after review it has been determined there are no houses addressed off this alley; and

**WHEREAS**, the naming of this alley in honor of Mr. Perkins will have no impact on the adjacent properties; and

**WHEREAS**, the Transportation Division would like to request that Northgate Lane be renamed Horace Perkins Way; now, therefore

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

**Section 1.** That the portion of Northgate Lane, an alley west of Sunbury Road from Leonard Avenue to Woodward Avenue be renamed as Horace Perkins Way, in honor of Mr. Perkins, community leader and pioneer in radio broadcasting.

**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:** 1633-2006

**Drafting Date:** 09/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** This legislation authorizes the Director of Finance and Management to establish a purchase order for Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets needed to maintain the City's street lighting system. The material will be obtained in accordance with the terms and conditions of the universal term contract FL002885 with Becker Electric Supply. Their contract compliance number is 310553243.

Emergency action is requested due to an above-average number of poles damaged in traffic accidents and anticipated need for winter replacements making it necessary to order additional poles and bases prior to the expiration of the existing universal term contract.

**Fiscal Impact:** \$110,000 was budgeted for the purchase of Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets. However, it has become necessary to request this additional \$50,000 due to a greater than anticipated need for replacement poles and bases. The additional funds will be made available through the deferment of other purchases in Object Level One 06. Approximately \$75,000 was spent in 2004 and \$90,000 was spent in 2005 for the purchase of Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets.

### **Title**

To authorize the Director of Finance and Management to establish a blanket purchase order to purchase Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets for the Division of Power and Water, in accordance with the terms and conditions of the universal term contract with Becker Electric Supply, to authorize the expenditure of \$50,000.00 from the Electricity Operating Fund, and to declare an emergency. (\$50,000.00)

### **Body**

WHEREAS, the Division of Power and Water requires Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets for maintenance of the City's street lighting system; and

WHEREAS, the Purchasing Office has established a universal term contract with Becker Electric Supply for the option to obtain Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets based upon the bids received and opened on September 1, 2005 (SA001728); and

Whereas, a greater than anticipated need for replacement poles, bases and brackets required for the maintenance of the City's street lighting system has created an emergency situation in the Department of Public Utilities, Division of Power and Water; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to purchase Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets 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 Finance and Mangement be and is hereby authorized to enter into a blanket purchase order, in the amount of \$50,000.00, for the purchase of Aluminum, Fiberglass and Cast Iron Poles and Aluminum Bases and Brackets for the Division of Power and Water, in accordance with the terms and conditions of the universal term contract FL002885 with Becker Electric Supply.

SECTION 2. That to pay the cost of the aforesaid purchase order, the expenditure of \$50,000.00, or so much thereof as may be needed, is hereby authorized from the Division of Power and Water, Division No. 60-07, Electricity Operating Fund No. 550, OCA Code 606723, Object Level Three 6621.

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

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**Legislation Number:** 1636-2006

**Drafting Date:** 09/14/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** The Department of Public Utilities, Division of Power and Water (Power) maintains the freeway lighting within the City of Columbus and requires traffic control services to provide single lane closures on the median lanes in both directions on the freeway system to allow for City employees to replace lighting equipment. Formal bids for traffic control services were solicited in the City Bulletin, SA002084, and one bid was received and opened by the Director of Public Utilities on July 12, 2006.

The bid has been evaluated and a recommendation has been made to award a contract to Paul Peterson Company based upon their responsive and responsible bid. The bid was based upon the cost per occurrence for weekday and weekend closures. It is requested that an amount of \$60,000 be awarded at this time based upon the funding available in the current budget for these services. Upon approval of Columbus City Council, the contract will be increased in 2007.

Paul Peterson Company is a majority-owned business and their contract compliance number is 310868875.

Emergency action is necessary in order that the contract may be executed as soon as possible to allow the work to begin prior to winter weather restrictions.

**FISCAL IMPACT:** There is sufficient budget authority in Object Level One 03 within the Electricity Operating Fund for this expenditure. \$20,000 was spent in 2004 and \$25,000 was spent in 2005 for these services.

### Title

To authorize the Director of Public Utilities to enter into a contract with the Paul Peterson Company to obtain traffic control services for the Division of Power and Water; to authorize the expenditure of \$60,000.00 from the Electricity Operating Fund; and to declare an emergency. (\$60,000.00)

### Body

WHEREAS, the Division of Power and Water (Power) maintains freeway lighting within the City of Columbus and requires traffic control services for lane closures on the freeway system while City employees replace lighting equipment; and

WHEREAS, one bid was received and opened by the Director of Public Utilities on July 12, 2006, SA002084, and

WHEREAS, the bid received from Paul Peterson Company has been determined to be responsive and responsible and a contract award is recommended; and

WHEREAS, emergency action is necessary so that the service may begin as soon as possible to allow needed freeway lighting maintenance to be performed prior to winter weather restrictions; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to obtain traffic control services for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized to enter into a contract with Paul Peterson Company, in the amount of \$60,000.00, to obtain traffic control services for the Division of Power and Water.

SECTION 2. That to pay the cost of the aforesaid contract, the expenditure of \$60,000.00, or so much thereof as may be needed is hereby authorized from the Division of Power and Water, Division No. 60-07, Electricity Operating Fund No. 550, OCA Code 606723, 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 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:** 1637-2006

**Drafting Date:** 09/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

It is necessary for the Columbus City Treasurer to modify its existing contract with Fifth Third Bank for the provision of credit card services required for the processing of water bill payments over the Internet. Such services currently may only be provided by Fifth Third Bank as the software running the payment engine maintained by the Division of Water was written specifically for Fifth Third Bank and its gateway, Verisign. The Department of Public Utilities anticipates the creation of a new payment engine in 2008 that will facilitate the processing of payments through First Data, which currently processes other credit card payments for the City of Columbus through a contract with Huntington Merchant Services. Accordingly, a request for the waving of competitive bidding under Section 329.07 (e) Sole Source Procurement is hereby requested.

### **Title**

To authorize the City Treasurer to modify contract with Fifth Third Processing Solutions for Credit Card Processing banking services on the behalf of the Department of Public Utilities; to authorize the expenditure of up to \$180,000.00 from the Water Operating and Sewer Operating-Sanitary Funds; and to waive competitive bidding in accordance with Section 329.07 (e) of the Columbus City Code; and to declare an emergency (\$180,000.00).

### **Body**

Whereas, the City Treasurer wishes to extend the contract for credit card processing banking services with Fifth Third Processing Solutions to facilitate the processing of payments over the Internet, and

Whereas, as an emergency exists in the usual daily operation of the Department of Public Utilities, as it is immediately necessary to extend the existing contract cited below, providing banking services necessary for the daily operation of normal business activities of the City of Columbus; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. The City Treasurer is hereby authorized to modify the existing contract with Fifth Third Processing Solutions for the provision of credit card processing services by extending the ending date of the contract to September 30, 2007 and to authorize the expenditure of \$180,000.00, or so much thereof as may be necessary as follows:

from the Water Operating Fund 600, Department 60-09, as follows:

<u>OCA Code</u>	<u>Object Level 1</u>	<u>Object Level 3</u>	<u>Purpose</u>	<u>Amount</u>
602995	03	3369	Banking Services	\$79,200.00

from the Sanitary Operating Fund 650, Department 60-05, as follows:

<u>OCA Code</u>	<u>Object Level 1</u>	<u>Object Level 3</u>	<u>Purpose</u>	<u>Amount</u>
600205	03	3348	Banking Services	\$100,800.00

Section 2. That for the reasons previously stated, competitive bidding is hereby waived in accordance with Chapter 329.07 (e) of the Columbus City Code.

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

**Legislation Number:** 1638-2006

**Drafting Date:** 09/15/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** This legislation authorizes the Finance and Management Director to enter into contract for the Facilities Management Division with Axiom Mechanical Services to replace a compressor for a York Chiller at the Fire Training Academy, 3639 Parsons Avenue. The current compressor is beyond repair. There are four compressors operating in this building. With the loss of this compressor, the air conditioning unit is operating below full capacity. If another compressor were to fail, the potential for air conditioning failure exists.

Formal proposals were solicited on July 13, 2006. Three firms submitted proposals on July 20, 2006 as follows: (0 MBE, 1 FBE).

Axiom Mechanical Services	\$26,825.00
*General Temperature Control, Inc.	\$27,365.00
Pete Miller, Inc.	\$30,100.00

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

**Emergency action** is requested in order to ensure that air conditioning service is not interrupted to the Fire Training Academy, 3639 Parsons Avenue.

**Fiscal Impact:** Funds are available within the Safety Voted Bond Fund. The total cost of the contract is \$26,825.00. Kirk Williams Services Company, LLC d.b.a. Axiom Mechanical Services Contract Compliance Number 55-0829335, expiration 10/08/2006.

Title

To amend the 2006 Capital Improvements Budget, to authorize the transfer of cash between projects in the Safety Voted Bond Fund, to authorize the Finance and Management Director to enter into contract for the Facilities Management Division with Axiom Mechanical Services for the replacement of a compressor in a York chiller at the Fire Training Academy, 3639 Parsons Avenue; to authorize the expenditure of \$26,825.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$26,825.00)

Body

**WHEREAS**, a compressor in a York chiller at the Fire Training Academy, 3639 Parsons Avenue, is broken beyond repair, and

**WHEREAS**, it is necessary to replace said compressor in order to ensure that air conditioning service continues at this location, and

**WHEREAS**, the Facilities Management Division recommends acceptance of the bid submitted by Axiom Mechanical Services as the most responsive and responsible bid, 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 enter into contract with Axiom Mechanical Services for the replacement of a compressor in a York chiller at the Fire Training Academy, 3639 Parsons Avenue, 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 Improvement Budget is hereby amended as follows:

**CURRENT CIB:**

Dept/Div: 30-04|Fund: 701|Project Number 340103|Project Name - Fire Facility Renovation|Amount \$544,675.00

**REVISED CIB:**

Dept/Div: 30-04|Fund: 701|Project Number 340103|Project Name - Fire Facility Renovation|Amount \$571,500.00

**SECTION 2.** That the City Auditor is hereby authorized and directed to transfer funds within the Safety Voted Bond Fund as follows:

**FROM:**

Dept/Div: 30-04|Fund: 701|Project Number 340113|Project Name - Fire Station #35 Waggoner Rd|Amount \$26,825.00

**TO:**

Dept/Div: 30-04|Fund: 701|Project Number 340103|Project Name - Fire Facility Renovation|Amount \$26,825.00

**SECTION 3.** That the Finance and Management Director is authorized to enter into contract for the Facilities Management Division with Axiom Mechanical Services for the replacement of a compressor in the York chiller at the Fire Training Academy, 3639 Parsons Avenue.

**SECTION 4.** That the expenditure of \$26,825.00, 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: 30-04  
Fund: 701  
Project: 340103  
OCA Code: 644559  
Object Level 1: 06  
Object Level 3: 6620  
Amount: \$26,825.00

**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:** 1640-2006

**Drafting Date:** 09/15/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe City of Columbus has collaborated with the Short North Special Improvement District of Columbus, Incorporated, (District) to fund a portion of the design, fabrication and construction expense of the Short North Arch project. It has been determined that the recent contract modifications for the arch reconstruction as authorized by Ordinance 1188-2006 passed by City Council July 31, 2006 failed to incorporate architectural up lighting and color changeability to the District's satisfaction. The City previously and presently offered to include these options in the current design and construction if the District provided the appropriate funding. The District has now agreed to do so.

The City receives assessments generated within the District from Franklin County biannually. Sixty-two percent (62%) of the assessment money received by the City is returned to the District to pay its operating costs. Thirty-eight percent (38%) of the assessment received by the City is kept as repayment for the arch construction project.

This legislation allows the Public Service Director to memorialize its funding agreement with the District. This agreement will allow the District to use City funding sources previously earmarked to the District for streetscape and other items to be diverted to the Short North Arch project. This agreement also authorizes the City to advance \$34,595.16 to the project. The repayment of the \$34,595.16 will come from the sixty-two percent that is returned to the District. Prior to forwarding the District's allotment to the District the City will retain \$5,000.00 in both 2007 and 2008 and \$24,595.16 in 2009 as repayment of the \$34,595.16.

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 \$276,339.98 to install new color light-emitting diode (LED) lighting and architectural up lighting on the arches. The project limits are on North High Street from Pearl Street (south limit) to Smith Place (north limit). Pricing for this modification was obtained by negotiations with Righter Company using past project prices for new items. Righter Company, Incorporated's, contract compliance number is 31-0889208; this expires May 30, 2007.

Finally, this legislation provides for payment to the Power and Water Division for the installation of two power transformers in the amount of \$1,255.18.

**Fiscal Impact:** The original contract amount was for \$1,547,354.76. The total of all prior modifications is \$1,880,589.35. The amount of this modification is \$276,339.98. The total contract amount including all modifications is \$3,704,284.09; however, \$1,235,000.00 of this total comes from the settlement authorized by Ordinance 2168-2005, passed December 12, 2005 wherein the City received monies from the architect and engineer who designed the fiber optic lighting system for the Short North Arches project and the manufacturer who supplied the lighting system.

Monies for this modification are available within three (3) Funds. \$91,596.16 is available within the Short North Special Improvement District Fund. \$132,928.00 is available within the 1995, 1999, 2004 Voted Streets and Highways Fund in two District-oriented Urban Infrastructure projects. \$53,071.00 is available within the Development Limited Bond Fund. This ordinance appropriates the former amount; the latter two amounts are already appropriated.

Emergency action is requested to effect the reconstruction of the Short North Arches to include these additional items as soon as possible to keep commitments to affected neighborhood residents, businesses and organizations. The project's

construction completion date is extended to May 31, 2007 with this modification.

TitleTo appropriate \$91,596.16 within the Short North Special Improvement District Fund; to authorize the City Auditor to transfer \$91,596.16 between projects within the Short North Special Improvement District Fund; to authorize the Public Service Director to enter into an agreement with the Short North Special Improvement District of Columbus, Incorporated, for funding a portion of the design, fabrication and construction expense of the Short North Arch project; to authorize the Public Service Director to modify and increase an existing construction contract with the Righter Company; to authorize the expenditure of \$1,255.18 to the Power and Water Division; to authorize the expenditure of \$277,595.16 for this purpose from the Short North Special Improvement District Fund (\$91,596.16); the 1995, 1999, 2004 Voted Streets and Highways Fund (\$132,928.00); and the Development Limited Bond Fund (\$53,071.00); and to declare an emergency. (\$277,595.16)

BodyWHEREAS, the City of Columbus has collaborated with the Short North Special Improvement District of Columbus, Incorporated, (SID) to fund a portion of the design, fabrication and construction expense of the Short North Arch project; and

WHEREAS, the recent contract modification did not incorporate architectural up lighting and color changeability to the District's satisfaction; and

WHEREAS, the City previously and presently offered to include these options in the current design and construction if the District provided the appropriate funding and the District has agreed to do so; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to modify the existing construction contract and authorize the expenditure of funds in connection with the reconstruction of the Short North Arch project to keep this project on schedule and 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 sum of \$91,596.16 be and hereby is appropriated from the unappropriated balance of Fund 716, the Short North Special Improvement District 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. 44-02, Development Department, Object Level One Code 06, Object Level Three Code 6625 and OCA Code 048611.

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

**SECTION 3.** That the City Auditor be and hereby is authorized to transfer \$91,596.16 between projects within Fund 716, the Short North Special Improvement District Fund, as follows:

TRANSFER FROM

Project / Department No. / Object Level One/Object Level Three Codes / OCA Code  
Undesignated / 44-02 / 06/6625 / 048611

Total Transfer From: \$91,596.16

TRANSFER TO

Project # / Project / Department No. / Object Level One/Object Level Three Codes / OCA Code  
440110 / Short North SID / 44-02 / 06/6625 / 471841

Total Transfer To: \$91,596.16

**SECTION 4.** That the Public Service Director be and hereby is authorized to enter into an agreement with the Short North Special Improvement District of Columbus, Incorporated for cooperation, financial participation, and expectations of the Short North Arch Project, including architectural up lighting and color changeability.

**SECTION 5.** That the Public Service Director be and hereby is authorized to modify and increase the existing construction contract with the Righter Company the amount of \$276,339.98 to install the new color light-emitting diode (LED) lighting system and architectural up lighting system on the arches and extend the project's construction completion date to May 31, 2007.

**SECTION 6.** That the Public Service Director be and hereby is authorized to render payment in the amount of \$1,255.18 or so much thereof as may be needed to the Power and Water Division for the installation of two power transformers.

**SECTION 7.** That the expenditure of \$277,595.16 or so much thereof as may be needed for the purpose detailed within Sections 4 and 5 above be and hereby is authorized as follows:

Fund # / Fund / Department No. / Object Level One/Three Codes / OCA Code / Project / Amount  
704 / '95, '99, '04 Voted Streets and Highways Fund / 59-09 / 06/6625 / 644385 / 440005 / \$108,028.00  
704 / '95, '99, '04 Voted Streets and Highways Fund / 59-09 / 06/6625 / 644385 / 530021 / \$24,900.00  
716 / Short North Special Improvement District Fund / 44-02 / 06/6625 / 471841 / 440110 / \$91,596.16  
742 / Development Limited Bond Fund / 44-01 / 06/6625 / 643106 / 440104 / \$53,071.00

**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 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:** 1644-2006

**Drafting Date:** 09/18/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe City of Columbus has been awarded a \$296,168.00 grant by the United States Department of Justice to bolster anti-gang activity. This grant was authorized for acceptance and funds appropriated within the General Government Grant Fund by Ordinance 0356-2006 passed by City Council March 6, 2006. Anti-gang initiatives are being pursued by the Public Safety Director's Office and the Public Service Department, Refuse Collection Division, Keep Columbus Beautiful program. That ordinance appropriated \$220,168.00 to the Safety Director's Office and \$76,000.00 to the Refuse Collection Division based on the preliminary grant budget.

Ordinance 0840-2006E passed by Council May 22, 2006 authorized the Refuse Collection Division, Keep Columbus Beautiful program to enter into a contract with the Africentric Personal Development Shop (APDS), Incorporated, to abate negative environmental conditions and develop community beautification projects within a target area bounded by Whittier Street, Mooberry Street, Parsons Avenue and Rhoads Avenue. These activities primarily consist of litter collection and graffiti removal.

The original dates of this contract must be modified to reflect a time extension for the Edward Byrne Memorial Grant that has been sanctioned by the Department of Justice. The effective dates of the APDS contract are being changed to July 1, 2006 (contract commencement date) and November 30, 2006 (contract termination date). All other existing terms and conditions of this contract will remain unchanged.

**Fiscal Impact:** None.

Emergency action is requested to allow this contract to more closely mirror the effective dates of the Edward Byrne Memorial Grant that provides its funding.

TitleTo authorize the Public Service Director to modify an existing contract with the Africentric Personal Development Shop (APDS), Incorporated, to abate negative environmental conditions and develop community beautification projects within a target area bounded by Whittier Street, Mooberry Street, Parsons Avenue and Rhoads Avenue for the Refuse Collection Division, Keep Columbus Beautiful Program, consistent with the anti-gang initiative intent of a grant received from the United States Department of Justice by extending the commencement and termination dates of this contract to July 1 and November 30, 2006, respectively, and to declare an emergency. (\$-0-)

Body**WHEREAS**, the City of Columbus has been awarded a \$296,168.00 grant by the United States Department of Justice to bolster anti-gang activity; and

**WHEREAS**, this grant was authorized for acceptance and funds appropriated within the General Government Grant Fund by Ordinance 0356-2006 passed by City Council March 6, 2006; and

**WHEREAS**, anti-gang initiatives are being pursued by the Public Safety Director's Office and the Public Service Department, Refuse Collection Division, Keep Columbus Beautiful program; and

**WHEREAS**, Ordinance 0840-2006E passed by Council May 22, 2006 authorized the Division to enter into a contract with the Africentric Personal Development Shop (APDS), Incorporated, to abate negative environmental conditions and develop community beautification projects within a target area bounded by Whittier Street, Mooberry Street, Parsons Avenue and Rhoads Avenue; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Refuse Collection Division, Keep Columbus Beautiful program in that it is immediately necessary to modify and extend said contract to change its effective dates with all other contract terms and conditions remaining intact, 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 extend an existing \$23,500.00 contract with the Africentric Personal Development Shop (APDS), Incorporated, to abate negative environmental conditions and develop community beautification projects within a target area bounded by Whittier Street, Mooberry Street, Parsons Avenue and Rhoads Avenue for the Refuse Collection Division, Keep Columbus Beautiful Program, consistent with the anti-gang initiative intent of a grant received from the United States Department of Justice and that the effective commencement and termination dates of said contract be and hereby are extended to July 1 and November 30, 2006, respectively, with no other changes in existing contract terms and conditions.

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

**Legislation Number:** 1645-2006

**Drafting Date:** 09/18/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**1. BACKGROUND:

This ordinance is necessary to provide the City Attorney with an additional \$63,000.00 for the cost of the easements that are necessary to successfully construct the Upper Adena Brook Area Sanitary Sewer Improvements Project.

2. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to consider this ordinance an emergency measure. This project is among a list of projects that the Division is required to be completed in accordance with the provisions of an existing consent order between the City and the Ohio Attorney General's Office. Failure to adhere to the project schedule contained within the consent order will make the City liable for stipulated fines.

**Title**To authorize the City Attorney to acquire fee simple title and lesser interests; to contract for professional services; to authorize the appropriation, transfer and expenditure of \$63,000.00 from the Voted Sanitary Bond Fund in connection with the Upper Adena Brook Area Sanitary Sewer Improvements Project; and to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$63,000.00)

**Body**WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, has developed construction plans and specifications for the sanitary sewer improvement projects known as the Upper Adena Brook Area Sanitary Sewer Improvements Project; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the transfer and expenditure of funds within the Voted Sanitary Bond Fund that is necessary to allow for the easement acquisition services necessary to construct the Upper Adena Brook Area Sanitary Sewer Improvements Project which is required as a result of the Consent Order entered into between the City of Columbus and the Ohio Attorney General for purposes of addressing wet weather overflow issues; and to amend the 2006 Capital Improvements; 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. The amount of \$63,000.00 is hereby appropriated within the Voted Sanitary Bond Fund No. 664| OCA 651489| Obj. Level Three No. 6601| Project 650489| \$63,000.00.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$63,000.00 from within the Voted Sanitary Bond Fund No. 664, for the Division of Sewerage and Drainage as follows:

FROM:

650489-Big Run San. Subt.-South of Alkire| OCA: 651489| Amount: \$63,000.00

TO:

650673-Upper Adena Brook Area.| OCA: 664673| Amount: \$63,000.00

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

Section 4. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Upper Adena Brook Area Sanitary Sewer Improvements Project.

Section 5. That the City Attorney be and hereby is authorized to expend additional \$63,000.00, or so much thereof as may be necessary, in order to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary, from the Voted Sanitary Bond Fund No. 664; Division 60-05| MOC 6601 as follows:

Proj. No. 650673| Upper Adena Brook Area San.| OCA Code 664673| \$63,000.00

Section 6. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned easement acquisition services as referenced in the preamble hereto.

**CURRENT:**

650489-Big Run San. Subt. - \$0.00

650673-Upper Adena Brook Area San. - \$0.00 (Voted)

**AMENDED TO:**

650489-Big Run San. Subt. - \$511,221.03 (Voted Carryover - From Cancellation)

650673-Upper Adena Brook Area San. - \$63,000.00 (Voted Carryover)

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

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**Legislation Number:** 1648-2006

**Drafting Date:** 09/18/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe City of Columbus has been awarded a \$296,168.00 grant by the United States Department of Justice to bolster anti-gang activity. This grant was authorized for acceptance and funds appropriated within the General Government Grant Fund by Ordinance 0356-2006 passed by City Council March 6, 2006. Anti-gang initiatives are being pursued by the Public Safety Director's Office and the Public Service Department, Refuse Collection Division, Keep Columbus Beautiful program. That ordinance appropriated \$220,168.00 to the Safety Director's Office and \$76,000.00 to the Refuse Collection Division based on the preliminary grant budget.

Several changes have subsequently been made in the grant budget, all of which have been approved by the Department of Justice. These changes have resulted in two transfer letters that transferred appropriation within the Refuse Collection Division's appropriation authority germane to the grant. Appropriation authority was transferred between major spending categories (Object Level One Codes).

The Refuse Collection Division and the Public Safety Director's Office are desirous of transferring a portion of Refuse's grant money back to the Safety Director's Office to mirror the grant's revised budget for each entity.

**Fiscal Impact:** None.

Emergency action is requested to allow the transfer of appropriation authority to occur as soon as possible to promote expeditious prosecution of the intent and programs of this grant.

Title To authorize the City Auditor to transfer \$18,000.00 in 2006 anti-gang initiative grant appropriation authority within

the General Government Grant Fund from the Public Service Department, Refuse Collection Division, to the Public Safety Director's Office; and to declare an emergency. (\$18,000.00)

Body**WHEREAS**, the City of Columbus has been awarded a \$296,168.00 grant by the United States Department of Justice to bolster anti-gang activity; and

**WHEREAS**, this grant was authorized for acceptance and funds appropriated within the General Government Grant Fund by Ordinance 0356-2006 passed by City Council March 6, 2006; and

**WHEREAS**, grant budget changes that have been approved by the United States Department of Justice require that grant appropriation authority within the General Government Grant Fund be transferred from the Public Service Department, Refuse Collection Division, to the Public Safety Director's Office; and

**WHEREAS**, an emergency exists within the usual daily operations of the Keep Columbus Beautiful program, Refuse Collection Division, Public Service Department, in that it is immediately necessary to transfer said grant appropriation authority to promote expeditious prosecution of the intent and programs of this grant, 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 hereby is authorized to transfer \$18,000.00 in 2006 General Government Grant Fund anti-gang initiative grant appropriation authority from the Public Service Department, Refuse Collection Division, to the Public Safety Director's Office as follows:

TRANSFER FROM:

<u>Dept.</u>	<u>Fund</u>	<u>O.L. 1 Code</u>	<u>O.L. 3 Code</u>	<u>Grant</u>	<u>OCA Code</u>	<u>Amount</u>
59-02	220	02	2200	316001	596001	\$ 8,500.00
59-02	220	03	3336	316001	596001	<u>9,500.00</u>

Total Transfer From: \$18,000.00

TRANSFER TO:

<u>Dept.</u>	<u>Fund</u>	<u>O.L. 1 Code</u>	<u>O.L. 3 Code</u>	<u>Grant</u>	<u>OCA Code</u>	<u>Amount</u>
30-01	220	03	3336	316001	316001	<u>\$18,000.00</u>

Total Transfer To: \$18,000.00

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

**Legislation Number:** 1653-2006

**Drafting Date:** 09/18/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

Explanation

Construction of the Spring Sandusky Interchange (SSI) that was completed by the Ohio Department of Transportation (ODOT) in October 2003 required that the City of Columbus enter into a Memorandum of Agreement (MOA) with ODOT, the Federal Highway Administration (FHWA), the Ohio State Historic Preservation Office (OSHP) and the Advisory Council on Historic Preservation (ACHP). The MOA required that the City of Columbus mitigate traffic impacts created by the construction of SSI on abutting historic neighborhoods as recognized by Section 106 of the National Historic Preservation Act. A multiyear Overall Traffic Management Plan (OTMP) was finalized in 2003 with neighborhood input. This plan detailed the design and installation of traffic mitigation devices throughout neighborhoods east of the Olentangy River that surround the SSI project. The plan is designed to promote neighborhood livability and pedestrian friendliness and calls for construction of gateway features at the perimeter of the neighborhoods and medians, landscaping, pavement and drainage improvements, curb ramps, textured pavement for bike crossings, traffic control signing/stripping, street lighting, new curbs and other improvements.

The construction of gateway medians will be constructed in phases as designs are completed. The Public Service Department budgeted \$400,000.00 within its 2006 capital improvement budget for the initial construction phases of these traffic mitigation features. Phase one established the construction of the Third Avenue and Collins Avenue gateway medians that are to be under construction by the end of the year.

Phase two will construct gateway medians on King Avenue near Battelle Boulevard between Perry Street and Cannon Drive and on Fifth Avenue from Perry Street to the Olentangy River in early 2007 with construction estimated to cost approximately \$265,000.00. The Fifth Avenue median west of Perry Street incorporates a crosswalk from Battelle's parking lot to the Battelle campus. This median will be used as a pedestrian refuge island. Battelle has requested an additional median to be constructed on Fifth Avenue just east of the Olentangy River bridge at the western edge of their campus and has agreed to pay for the construction cost of this additional median that was not specified in the OTMP. Battelle has agreed to use a portion of the funding from their grant to cover the landscaping cost at King Avenue near Battelle Boulevard.

This legislation authorizes the Public Service Director to accept a grant from Battelle Memorial Institute in the amount of \$105,000.00 for the construction of Fifth Avenue and King Avenue Gateway medians required under terms and conditions of the Spring Sandusky Interchange (SSI-OTMP) and authorizes the Director to execute an agreement with Battelle that outlines the responsibilities of each party. Battelle will donate \$50,000.00 in 2006 with the \$55,000.00 balance being donated in early 2007 when the project will be bid for construction.

Fiscal Impact: The City will assume and bear one hundred percent (100%) of the total cost of the project not covered by the Battelle Memorial Institute funding. The City will be the lead agent for this project. No financial participation is required by the City at this time, however; a capital budget line item of \$400,000.00 will be available to cover any additional construction costs not covered by the grant from Battelle at the time the project is bid.

Emergency action is requested to keep this project on schedule and budget.

Title To authorize the Public Service Director to accept a \$105,000.00 grant from Battelle Memorial Institute for construction of the Fifth Avenue and King Avenue gateway medians on behalf of the Public Service Department, Transportation Division; to authorize the Public Service Director to enter into an agreement with Battelle to memorialize both parties' responsibilities for Spring Sandusky Interchange Overall Traffic Management Plan traffic mitigation efforts and to declare an emergency. (\$105,000.00)

Body WHEREAS, the City has identified the need for and proposes the improvement of a portion of public roadway which is described as follows:

Fifth Avenue - Perry Street to Olentangy River and King Avenue between Perry Street and Cannon Drive, with improvements to include medians, landscaping, pavement and drainage improvements, textured pavement for bike crossings, traffic control signing/stripping, street lighting, new curbs and other improvements

with portions of said roadway improvements within the municipal corporation limits being hereinafter referred to as the improvement; and

WHEREAS, the City further desires cooperation from Battelle Memorial Institute in the design and construction of said improvement; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to provide consent for this project so it can proceed according to the established timelines, 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 accept a grant of \$105,000.00 from Battelle Memorial Institute for the Fifth Avenue and King Avenue gateway medians on behalf of the Public Service Department, Transportation Division.

SECTION 2. That the Public Service Director be and hereby is authorized to enter into an agreement with Battelle to memorialize both parties' responsibilities for Spring Sandusky Interchange Overall Traffic Management Plan traffic mitigation efforts.

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

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**Legislation Number:** 1654-2006

**Drafting Date:** 09/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

The purpose of this legislation is to authorize the Director of Finance and Management to establish a blanket purchase order for Cellular Telephone services for various divisions within the Department of Public Utilities with Sprint Solutions.

Cellular phones are used by various personnel within the Department of Public Utilities relative to their job duties. The funding requested from this legislation is being established to pay for charges through the Fiscal Year 2006. All services will be in accordance with an established Universal Term Contract on file in the Purchasing Office with Sprint Solutions (FL003029). The contract expires December 31, 2009.

**Supplier:** Sprint Solutions (47-0882463)

**Fiscal Impact:** \$58,806.66 is needed for the remainder of Fiscal Year 2006 and is being allocated from various funds within the Department of Public Utilities.

Emergency legislation is being requested so that payment can be made for services without causing any of the service to be discontinued.

### **Title**

To authorize the Director of Finance and Management to establish a blanket purchase order with Sprint Solutions for the purchase of Cellular Phone Services for various divisions within the Department of Public Utilities, to authorize the expenditure of \$9,629.52 from the Electricity Operating Fund, \$19,459.78 from the Water Operating Fund, \$28,177.02 from the Sewerage System Operating Fund, \$1,540.34 for the Storm Sewer System Operating Fund and to declare an emergency. (\$58,806.66)

**Body**

WHEREAS, various personnel within the Department of Public Utilities utilize cellular phones as part of their job responsibilities, and

WHEREAS, the Purchasing Office has established a Universal Term Contract with Sprint Solutions for cellular phone services which expires December 31, 2009, and

WHEREAS, the Department of Public Utilities wishes to establish funding for the remainder of the 2006 Fiscal Year to cover cellular phone charges for various divisions within the department, and

WHEREAS, a blanket purchase order will be issued in accordance with the terms and specifications of contact number FL-003029 on file in the Purchasing Office; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to establish a blanket purchase order for Cellular Phone Services so that payment can be made for services without causing any of the service to be discontinued with Sprint Solutions 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 blanket purchase order with Sprint Solutions for the purchase of Cellular Phone Services for various divisions within the Department of Public Utilities, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$58,806.66 or so much thereof as may be needed, be and the same hereby is authorized as follows:

**FUND: 550**

OCA: 600207  
Object Level 3: 3295  
Amount: \$3,080.68

OCA: 600023  
Object Level 3: 3295  
Amount: \$1,765.58

OCA: 600700  
Object Level 3: 3295  
Amount: \$4,783.26

**TOTAL FUND 550 = \$9,629.52**

**FUND: 600**

OCA: 600049  
Object Level 3: 3295  
Amount: \$3,040.73

OCA: 601849  
Object Level 3: 3295

Amount: \$16,419.05

**TOTAL FUND 600 = \$19,459.78**

**FUND: 650**

OCA: 600205  
Object. Level 3: 3295  
Amount: \$7,188.25

OCA: 605006  
Object Level 3: 3295  
Amount: \$20,988.77

**TOTAL FUND 650 = \$28,177.02**

**FUND: 675**

OCA: 600215  
Object. Level 3: 3295  
Amount: \$1,540.34

**TOTAL FUND 675 = \$1,540.34**

**TOTAL FOR ALL FUNDS: \$58,806.66**

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:** 1655-2006

**Drafting Date:** 09/19/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

Background: On November 28, 2005, Ordinance 2046-2005 was passed authorizing the City, ("Lessee"), to enter into a one (1) year lease agreement with Ralston Industries, Inc., an Ohio corporation, ("Lessor"), for the rental of certain real property which included, approximately 9,000 square feet of office/warehouse storage space. The warehouse, located at 2771-2773 East Fourth Avenue, Columbus, Ohio, was chosen as the new location of the Department of Development's "Mobile Tool Library Program". Under the terms of the agreement, the City has the option to renew the lease for up to (4) consecutive additional one (1) year terms, the first of which is to commence on December 1, 2006. The City desires to exercise its option to renew the subject lease therefore; the following legislation authorizes the Director of the Department of Finance and Management to execute those documents necessary to renew the one (1) year lease agreement between the aforementioned parties.

Fiscal Impact: Funding for this matter will come from the Department of Development, Community Development Block Grant Fund.

Emergency Justification: Emergency action is requested to provide for the immediate execution of the subject lease agreement by the City, as to allow the lease's December 1, 2006 commencement date to proceed without delay.

**Title**

To authorize the Director of the Department of Finance and Management to execute those documents necessary to renew the lease agreement by and between the City of Columbus and Ralston Industries, Inc., an Ohio corporation, for approximately 9,000 square feet of office/warehouse space at 2771-2773 E. Fourth Avenue, as the new location of the City's "Mobile Tool Library Program", to expend \$32,040.00 from the Community Development Block Grant Fund, and to declare an emergency.

**Body**

WHEREAS, on November 28, 2005, Ordinance 2046-2005 was passed authorizing the City, ("Lessee"), to enter into a one (1) year lease agreement with Ralston Industries, Inc., an Ohio corporation, ("Lessor"), for the rental of certain real property which included, approximately 9,000 square feet of office/warehouse storage space; and

WHEREAS, the warehouse, located at 2771-2773 East Fourth Avenue, Columbus, Ohio, was chosen as the new location of the Department of Development's "Mobile Tool Library Program"; and

WHEREAS, under the terms of the agreement, the City has the option to renew the lease for up to (4) consecutive additional one (1) year terms, the first of which is to commence on December 1, 2006; and

WHEREAS, the City desires to exercise its option to renew the subject lease agreement for an additional one (1) year term to commence on December 1, 2006; 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 Department of Finance and Management to execute those documents necessary to renew the City's one (1) year lease agreement, with Ralston Industries, Inc., for certain real property located at 2771-2773 East Fourth Avenue, Columbus, Ohio, for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Department of Finance and Management be, and hereby is, authorized to execute those documents approved by the Department of Law, Division of Real Estate necessary to renew the City's one (1) year lease agreement by and between the City of Columbus, ("Lessee"), and Ralston Industries, Inc., an Ohio corporation, ("Lessor"), for the rental of certain real property which includes, approximately 9,000 square feet of office/warehouse storage space, located at 2771-2773 East Fourth Avenue, Columbus, Ohio 43219, known as building #10 of the Ralston Industries Warehouse Facility.

Section 2. That the terms and conditions of the lease are as stated in the Lease Agreement approved by the Real Estate Division, City Attorney's Office, and includes the following:

- a) The lease renewal/extension shall be effective for a one (1) year term commencing on December 1, 2006 and terminating on November 30, 2007, subject to renewal/extension as provided within the lease agreement.
- b) All rents are subject to the yearly appropriation of the rental funds by the Columbus City Council.
- c) Subject to Columbus City Council appropriation of additional funding necessary for rent payments, the lease agreement provides that Lessee may renew/extend the lease agreement, under the same terms and conditions, for four (4) consecutive additional one (1) year terms.

Section 3. That the expenditure of \$32,040.00, or so much thereof as may be necessary be and hereby is authorized to be expended from Fund 0248, the Community Development Block Grant Fund, Department/Division. 44-10,

Object Level One 03, Object Level Three Code 3301, OCA Code 446010, for costs related to the aforesaid purpose is hereby authorized.

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:** 1662-2006

**Drafting Date:** 09/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The Franklin County Municipal Court has a long and successful history of providing alternative dispute resolution services. The Court instituted its pre-filing mediation program for small claims cases in 1984; the program provides mediation services for individuals and business who wish to resolve their disputes and avoid filing a small claims case. Currently, this program schedules 2,500 mediations annually. Another type of service, which is for businesses and government agencies attempting to collect on accounts payable, is the accounts mediation program that helps businesses resolve hundreds of cases each year. A pilot project for a third program, the check resolution service, began in July of 2006.

To support this effort, the Franklin County Municipal Court plans to institute a new special project cost, as authorized by the Ohio Revised Code, § 1901.26 (B)(1). The project cost will be a \$15.00 per case charge that will cover up to five checks per debtor. It is expected that the program will generate \$75,000 in revenue annually. Program revenues will be used to assist in the support of dispute resolution program efforts within the Small Claims Division.

This ordinance authorizes the establishment of a new subfund within the Franklin County Municipal Court's special project fund for the purpose of accepting funds specifically generated by the Court's check resolution service program.

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

**FISCAL IMPACT:** This ordinance establishes a special project cost for the receipt of funds generated by the Court's check resolution program.

### **Title**

To authorize and direct the City Auditor to establish a new subfund within the Franklin County Municipal Court's special project fund for the receipt of monies related to the Court's dispute resolution program; and to declare an emergency.

### **Body**

**WHEREAS,** it is in the best interest of the Franklin County Municipal Court to establish a fund/subfund to receive funds related to the Court's check resolution program that will provide a benefit to businesses and citizens in settling their check resolution issues; and,

**WHEREAS,** an emergency exists in the usual daily operation of the Franklin County Municipal Court in that it is immediately necessary to authorize the creation of this subfund for receipt of monies related to the Court's check resolution program, 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 establish a subfund, within the Franklin County Municipal Court, special project fund, fund number 226 to account for revenues that relate to the Municipal Court

Judges dispute resolution program.

**SECTION 2.** That the City Auditor is authorized to make any accounting changes necessary to ensure that this transaction is properly accounted for and recorded accurately on the city's financial records.

**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:** 1663-2006

**Drafting Date:** 09/19/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe Public Service Department, Transportation Division, is pursuing the acquisition and installation of standby electrical generators at several city facilities. The ice storm event of December 2004 identified a gap in the Division's ability to provide consistent and necessary services due to the lack of power at the maintenance post serving the area(s) affected by that prolonged and widespread power outage. This legislation authorizes the City to enter into a contract in an amount up to \$376,443.00 for the Standby Generator Project, Contract 1 project, to pay construction inspection costs up to \$25,000.00 and to pay for permit fees up to \$1,700.00. This improvement provides backup power to 1881 East Twenty-Fifth Avenue, the Transportation Division's operational control center and training facility and backup Police Division command center in the event of a localized or city-wide power failure. The project was let by the Transportation Division and was advertised in the City Bulletin and Dodge Reports and by the Builders Exchange. One bidder/supplier was solicited (1 majority, 0 minority) and 1 bid was received (1 majority, 0 minority) and tabulated on August 18, 2006, as follows:

bidder / amount bid  
Dynalectric Company of Ohio / \$376,443.00

Award is to be made to Dynalectric Company of Ohio, contract compliance number 13-3636476 (expires June 30, 2008), as the lowest, best, most responsive and most responsible bidder.

This is the second in a series of five ordinances for installation of standby generators at the North, West, South and Central Outposts as well as the Traffic Maintenance, Roadway Maintenance and Inspection Services facilities. The 311 Call Center and the Traffic Management Center at 109 North Front Street are also locations served. The contracts include the generators, automatic switching equipment and connections to natural gas lines.

**Fiscal Impact:** Funds for this expenditure in the amount of \$403,143.00 (\$376,443.00 + \$25,000.00 + \$1,700.00) are budgeted and available within the Transportation Division's 2005 Capital Improvement Budget in the 1995, 1999, 2004 Voted Streets and Highways Fund in the Facilities project.

Emergency action is requested to allow construction to commence on October 17, 2006, the estimated Notice to Proceed date. The contractor has been given 95 days to complete the construction of this project.

TitleTo authorize the Public Service Director to enter into a contract with Dynalectric Company of Ohio for construction of the Standby Generator Project, Contract 1 project; to authorize payment of associated construction inspection and permit fee costs; to authorize the expenditure of \$403,143.00 or so much thereof as may be needed from the 1995, 1999, 2004 Voted Streets and Highways Fund for the Transportation Division and to declare an emergency. (\$403,143.00)

Project, Contract 1 project and a satisfactory bid has been received; and

**WHEREAS**, it is necessary to provide for construction inspection and permit fee 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 construction can commence not later than October 17, 2006, 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 Dynalectric Company of Ohio, 2300 International Street, Columbus, Ohio 43228-4621 for the construction of the Standby Generator Project, Contract 1 project for the Transportation Division at a cost not to exceed \$376,443.00 and to pay construction inspection fees and permit fees germane to the project at a cost not to exceed \$25,000.00 and \$1,700.00, respectively.

**SECTION 2.** That the expenditure of \$403,143.00 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 6620, OCA Code 644385 and Project 590130.

**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:** 1668-2006

**Drafting Date:** 09/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

BACKGROUND: For the option to purchase Standard Auto Parts for Fleet Management. The term of the proposed option contract would be two (2) years. Contract is through September 30, 2008. The Purchasing Office opened formal bids on July 6, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 ( SA002072 CGW). Thirty-two (MAJ:30, MBE:0, FBE:2) bids were solicited; four (4) (MAJ:4) bids were received.

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

NAPA Auto Parts, MAJ, CC#580254510 (Expires 3-3-08), \$276,000.00

Automotive Distributors Co., Inc. MAJ, CC#311145093 (Expires 8-12-08), \$120,000.00

Transport Specialists, I

**Title**

To authorize and direct the Finance and Management Director to enter into three (3) UTC contracts for the option to purchase Standard Auto Parts with NAPA Auto Parts, Transport Specialist, Inc., and Automotive Distributors Co., Inc. to authorize the expenditure of three (3) dollars to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$3.00).

WHEREAS, the Purchasing Office advertised and solicited formal bids on July 6, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, because these parts are used to repair and maintain various city vehicles, this is being submitted for consideration as an emergency measure; and

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

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contract(s) for an option to purchase Standard Auto Parts in accordance with Solicitation No. SA002072 CGW as follows:

NAPA Auto Parts, Items: 1A, 1B, 2A, 2B, 3A, 3B, 3C, 3E, 3F, 5, 6B, 6C, 7, 8, 10, 10A, 10B, 11, 12, 12A, 13A, 13C, 13D, 13E, 13F, 14A, 14B, 16B, 16C, 16F, 18, and 19 (Primary) Items: 3D, 4, 6A, 13B, 13G, 15, 16A, 16D, and 16E (Secondary) Amount: \$1.00

Automotive Distributors, Item: 3D, 4, 6A, 13B, 13G, 13H, 15, 16A, 16D, 16E, 17A, 17B, and 17C (Primary) Items: 1A, 1B, 2A, 2B, 3A, 3B, 3C, 3E, 3F, 5, 6B, 6C, 8, 13A, 13C, 13D, 13E, 13F, 14A, 16B, 16C, 16F, 18, and 19 (Secondary) Amount: \$1.00

Transport Specialists, Items: 10, 10A, and 10B (Secondary) Amount: \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from the Universal Term 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.

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**Legislation Number:** 1669-2006

**Drafting Date:** 09/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**Background:** Ordinance No. 0691-2006, passed April 24, 2006, authorizing the City Attorney to acquire certain property rights, and to expend certain monies in connection with the Midland/Eakin Stormwater System Improvement Project. 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 \$20,000.00 to pay for additional costs in connection with this project.

**Fiscal Impact:** The Department of Public Utilities, Division of Sewerage and Drainage is requesting an amendment to the 2006 Capital Improvements Budget for purposes of establishing sufficient budget authority for this

expenditure. In addition, this legislation includes a transfer of funds within the Storm Sewer Bonds Fund to cover this expenditure.

**Emergency Justification:** Emergency action is requested to allow acquisition activities to continue uninterrupted.

**Title**

To authorize and direct the City Auditor to transfer of \$20,000.00 within the Storm Sewer Bond Fund; for the purpose of increasing an existing Auditor's Certificate; to authorize an amendment to the 2006 Capital Improvements budget; for the Division of Sewerage and Drainage; to expend \$20,000.00 from the Storm Sewer Bonds Fund; for costs in connection with the Midland/Eakin Stormwater System Improvement Project, and to declare an emergency. **(\$20,000.00)**

**Body**

WHEREAS, the City of Columbus is engaged in the acquisition of real estate in connection with the Midland/Eakin Stormwater System Improvement Project; and

WHEREAS, it is necessary to transfer money within the Storm Sewer Bond Fund for the Midland/Eakin Stormwater System Improvement Project; 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 expenditure; 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 authorize and direct the City Auditor to increase an existing Auditor's Certificate in the amount of \$20,000.00, for the Midland/Eakin Stormwater System Improvement Project, to pay additional professional service costs and other fees incidental to the acquisition of real estate for the above referenced project, in an emergency manner to allow acquisition activities to continue uninterrupted, 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 City Auditor is hereby authorized to transfer \$20,000.00 within the Storm Sewer Bonds Fund, Fund No. 685, Division of Sewerage and Drainage, Division 60-15, Object Level One 06, Object Level Three 6601, as follows:

TRANSFER FROM:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>Amount</u>
610994	McDannald Estates SSI's	685994	\$20,000.00

TRANSFER TO:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA Code</u>	<u>Amount</u>
610734	Midland/Eakin SSI's	685734	\$20,000.00

**SECTION 2.** That the City Auditor be, and hereby is, authorized and directed to increase Auditor's Certificate No. AC-025700, in the amount of \$20,000.00, from the Storm Sewer Bonds Fund, for the purpose of paying costs incidental to the acquisition of land for the Midland/Eakin Stormwater System Improvement Project, Project No. 610734.

**SECTION 3.** That the expenditure of \$20,000.00, or so much thereof as may be necessary from the Storm Sewer Bonds Fund, Fund No. 685, Dept./Div. 60-15, Project No. 610734, OCA Code 685734, 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 4.** That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, to provide sufficient budget authority for the acquisition costs in connection with the Midland/Eakin Stormwater System Improvement Project stated in Section 2 herein.

CURRENT:

610734: Midland/Eakin SSI's Project - \$30,000  
610994: McDannald Estates SSI's Project- \$2,117,982

AMENDED TO:

610734: Midland/Eakin SSI's Project - \$50,000 (+\$20,000)  
610994: McDannald Estates SSI's Project - \$2,097,982 (-\$20,000)

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

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**Legislation Number:** 1670-2006

**Drafting Date:** 09/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This legislation authorizes the Director of the Department of Development to modify contract DL011608 with Rebuilding Together Columbus by extending the contract termination date from December 31, 2006 to June 30, 2007. Contract DL011608 provided Rebuilding Together Columbus with \$30,000 to support the Chores Program. Many Chores projects are linked to Neighborhood Pride, therefore there are funds remaining in the contract that can be used for eligible Chores activities but the agency does need more time to implement. The additional time will allow the contractor to continue to support the operation of the Chores Program.

**FISCAL IMPACT:**

No additional funds are needed for this modification.

**Title**

To authorize the Director of the Department of Development to modify the Chores Program contract with Rebuilding Together Columbus to extend the contract termination date six months.

**Body**

**WHEREAS**, the Director of the Department of Development desires to modify a Contract with Rebuilding Together Columbus by extending the contract from December 31, 2006 to June 30, 2007; and

**WHEREAS**, this modification will allow the contractor to continue to support the operation of the Chores Program;

**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 Contract DL011608 with Rebuilding Together Columbus by extending the contract from December 31, 2006 to June 30, 2007.

**Section 2.** That this modification is made pursuant to Section 329.16 of the Columbus City Code.

**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:** 1672-2006

**Drafting Date:** 09/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

BACKGROUND: For the option to purchase Vehicle Maintenance Services for Fleet Management. The term of the proposed option contract would be two (2) years. Contract is through January 31, 2008. The Purchasing Office opened formal bids on July 20, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 ( SA002086 CGW. Fifty-three (MAJ:53, MBE:0, FBE:0) bids were solicited; five (5) (MAJ), two (2) (FBE) bids were received.

The Purchasing Office is recommending award of contracts to all responsive and responsible bidders:

McNeilus Truck and Manufacturing, MAJ, CC#411314526 (Expires 5-14-07), \$10,714.28

Wilson's Auto Service, Inc., FBE, CC#310668047 (Expires 1-19-08), \$10,714.28

Krieger Ford, Inc., MAJ, CC#310713133 (Expires 9-28-08), \$10,714.28

Dick Masheter Ford/Quick Lane, MAJ, CC#310729896 (Expires 1-19-08), \$10,714.28

Byers Chevrolet, LLC, MAJ, CC#314139860 (Expires 7-11-07), \$10,714.28

Triad Fire Apparatus Service Co., Inc., FBE, CC#311295929, (Expires 1-6-07), \$10,714.28

Taliaferro Enterprises, MAJ, CC#311073146, (Expires 8-7-07), \$10,714.28

Total Estimated Annual Expenditure: \$74,999.96

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

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

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

### Title

To authorize and direct the Finance & Management Director to enter into seven (7) UTC contracts for the option to purchase Vehicle Maintenance Services with McNeilus Truck and Manufacturing, Wilson's Auto Service, Inc., Krieger Ford, Inc., Dick Masheter Ford/Quick Lane, Byers Chevrolet, LLC, Triad Fire Apparatus Service Co., Inc., and Taliaferro Enterprises to authorize the expenditure of seven (7) dollars to establish the contract from the Universal Term Contract Fund, and to declare an emergency. (\$7.00).

**Body**

WHEREAS, the Purchasing Office advertised and solicited formal bids on July 20, 2006 and selected the lowest, responsive, responsible and best bids; and

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

WHEREAS, because these parts are used to repair and maintain various city vehicles, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division in that it is immediately necessary to enter into a contract(s) for an option to purchase of Vehicle Maintenance 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 & Management Director be and is hereby authorized and directed to enter into the following contract(s) for an option to purchase Vehicle Maintenance Services in accordance with Solicitation No. SA002086 CGW as follows:

- McNeilus Truck and Manufacturing: All Items Amount: \$1.00
- Wilson's Auto Service Inc.: Amount: \$1.00
- Krieger Ford, Inc.: Amount: \$1.00
- Dick Masheter Ford/Quick Lane: Amount: \$1.00
- Byers Chevrolet, LLC: Amount: \$1.00
- Triad Fire Apparatus Service Company, Inc.: Amount: \$1.00
- Taliaferro Enterprises: Amount: \$1.00

SECTION 2. That the expenditure of \$7.00 is hereby authorized from Universal Term 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.

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**Legislation Number:** 1673-2006

**Drafting Date:** 09/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a professional engineering services agreement with Brown and Caldwell Ohio, Inc., in connection with the Jackson Pike Wastewater Treatment Plant A-Plant Wet Weather Hydraulic Improvements Project.

The City of Columbus has developed a Wet Weather Management Plan that identifies the preliminary sewer system and

wastewater treatment facility capital improvements needed to fully address the city's wet weather overflows and many basement backup problems across the city.

This project will implement several improvements identified within the Wet Weather Management Plan to increase the hydraulic capacity of the Jackson Pike Wastewater Treatment Plant during wet weather. The improvements to the A-Plant train include: Adding step feed capabilities to the Aeration Tanks; relieve hydraulic restrictions to the Primary Tank influent and Aeration Tanks effluent; add secondary clarifier flocculation baffles and chemical feed capabilities; and raise the top slab of the Grit Facility Effluent Tie-in Manhole.

## 2. PROCUREMENT INFORMATION:

The basis for selection of the chosen professional engineering services firm: The Department of Public Utilities advertised a Request for Proposals (RFP) for six Wastewater Treatment Plant projects in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. Two firms submitted detailed proposals for this project to the Director of Public Utilities, on September 8, 2006.

These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality, feasibility and cost. After careful consideration, the committee recommended that Brown & Caldwell Ohio, Inc., be selected to provide the engineering services for this project, a recommendation in which the Director of Public Utilities has concurred.

## 3. FISCAL IMPACT:

This ordinance requests the transfer of funds within the Voted Sanitary Bond Fund for purposes of providing the additional funds required to award this contract. Due to the complexity and sequencing of the wastewater treatment plant projects affected by the Wet Weather Management Plan, the scope and cost were based upon preliminary estimates of these contract services. The projects from which funds are being transferred will not be adversely affected. Additional funding will be requested for these projects as their actual needs become fully evident through further detailed planning and program management.

## 4. INCREMENTALLY-FUNDED CONTRACT:

The Wet Weather Management Plan provides the general outline of the wastewater system and facility improvements that are necessary to address the city's wastewater overflows and many basement backup problems across the City. Due to the complex nature and critical sequencing inherent in undertaking these improvements, the City and its contracted professional program management consultant are unable to provide a complete, definitive scope of service and associated cost at this time. This award will fund the design phase of the contract's estimated scope of service, as currently estimated. It is the intention of the Division to request legislative approval to modify the subject contract as the design is being completed and readied for construction bids, to provide monies for both the construction phase services and any additional services then found necessary to complete the bidding documents and required approvals.

## 5. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to declare this ordinance an emergency measure in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows.

**Title**To authorize the Director of Public Utilities to enter into a professional engineering services contract with Brown & Caldwell Ohio, in connection with the Jackson Pike Wastewater Treatment Plant A-Plant Wet Weather Hydraulic Improvements Project; to authorize the transfer of \$511,000.00; and the expenditure of \$1,300,00.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,300,000.00)

**Body**WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities has prepared a Wet Weather Management Plan to address the city's wet weather overflows and many basement backup problems across the city, and has determined it necessary to perform comprehensive capacity improvements to the Jackson Pike Wastewater Treatment Plant (JPWWTP) A-Plant Wet Weather Hydraulic Improvements and;

WHEREAS, on September 8, 2006, the Director of the Public Utilities received two technical proposals from professional engineering service firms of Brown and Caldwell, Ohio, Inc., and MS Consultants, Inc., for the aforementioned project services; in accordance with the procurement provisions of Section 329.14 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, an evaluation committee has determined that Brown and Caldwell Ohio, Inc., submitted the best proposal for the required project services, in which the Director of the Department of Public Utilities concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a professional engineering services contract for the aforementioned project, in order to fulfill the City's project scheduling commitments in addressing wet weather wastewater treatment issues as stipulated by a consent agreement between the City of Columbus and the Ohio Attorney General's Office; and that it is further necessary to transfer the required funds and to amend the 2006 Capital Improvements Budget, for purposes of effecting said contract award; for the preservation of the public health, peace, property, safety and welfare, now, therefore

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

Section 1. That the City Auditor be and hereby is authorized and directed to transfer a total of \$511,000.00 from within the Voted Sanitary Bond Fund No. 664| Division 60-05| Object Level Three No. 6676:

From:

Proj.: 650489| Big Run San. Subt.| OCA 651489| \$376,791.30

Proj.: 650350| WWTP Contingencies| OCA 664350| \$134,208.70

To:

Proj.: 650247| JPWWTP A-Plant Wet Weather| OCA 664247| \$511,000.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of 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 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds transferred under Section 1., above.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with Brown & Caldwell Ohio, Inc., 4700 Lakehurst Court, Suite 100, Dublin, Ohio 43016, in connection with the JPWWTP A-Plant Wet Weather Hydraulic Improvements Project, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage Treatment Engineering.

Section 5. That the expenditure of \$1,300,000.00 or as much thereof as may be needed, be and the same hereby is authorized from the Voted Sanitary Bond Fund No. 664; Division 60-05; within Proj. No.: 650247| JPWWTP A-Plant Wet Weather Hydraulic Improvements Project | OCA Code 650247 | \$1,300,000.00.

Section 6. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned professional engineering services agreement.

CURRENT:

650247-JPWWTP A-Plant Wet Weather - \$789,000.00 (Voted)

650350-WWTP Contingencies - \$1,000,000.00 (Voted)

650489-Big Run San. Subt - \$511,221.03 (Voted Carryover)

AMENDED TO:

650247-JPWWTP A-Plant Wet Weather - \$1,300,000.00 (Voted)

650350-WWTP Contingencies - \$865,791.30 (Voted)

650489-Big Run San. Subt - \$134,429.73 (Voted Carryover)

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in 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:** 1676-2006

**Drafting Date:** 09/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation** 1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a professional engineering services agreement with CH2M Hill, Inc., in connection with the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project.

The City of Columbus has developed a Wet Weather Management Plan that identifies the preliminary sewer system and wastewater treatment facility capital improvements needed to fully address the city's wet weather overflows and many basement backup problems across the city.

This project will evaluate and consolidate the sludge thickening process. Currently, three processes are utilized to thicken the sludge. The existing gravity thickeners have reached their treatment capacity, with no ability for future capacity and the thickening centrifuges are at the end of their useful life. With the evaluation of sludge thickening processes and technologies, a reliable, cost effective system will be selected.

2. PROCUREMENT INFORMATION:

The basis for selection of the chosen professional engineering services firm: The Department of Public Utilities advertised a Request for Proposals (RFP) for six Wastewater Treatment Plant projects in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. Two firms submitted detailed proposals for this project to the Director of Public Utilities, on September 8, 2006.

These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality, feasibility and cost. After careful consideration, the committee recommended that CH2M Hill, Inc., be selected to provide the engineering services for this project, a recommendation in which the Director of Public Utilities has concurred.

3. FISCAL IMPACT:

This ordinance requests the transfer of funds within the Voted Sanitary Bond Fund for purposes of providing the additional funds required to award this contract. Due to the complexity and sequencing of the wastewater treatment plant projects affected by the Wet Weather Management Plan, the scope and cost were based upon preliminary estimates of these contract services. The projects from which funds are being transferred will not be adversely affected. Additional funding will be requested for these projects as their actual needs become fully evident through further detailed planning and program management.

4. INCREMENTALLY-FUNDED CONTRACT:

The Wet Weather Management Plan provides the general outline of the wastewater system and facility improvements that are necessary to address the city's wastewater overflows and many basement backup problems across the City. Due to the complex nature and critical sequencing inherent in undertaking these improvements, the City and its contracted professional program management consultant are unable to provide a complete, definitive scope of service and associated cost at this time. This award will fund the design phase of the contract's estimated scope of service, as currently estimated. It is the intention of the Division to request legislative approval to modify the subject contract as the design is being

completed and readied for construction bids, to provide monies for both the construction phase services and any additional services then found necessary to complete the bidding documents and required approvals.

5. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to declare this ordinance an emergency measure in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows.

**Title**To authorize the Director of Public Utilities to enter into a professional engineering services contract with CH2M Hill, Inc., in connection with the Southerly Wastewater Treatment Plant Sludge Thickening Improvements and Additional Renovations Project; to authorize the transfer of \$192,000.00; and the expenditure of \$1,400,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,400,000.00)

**Body**WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities has prepared a Wet Weather Management Plan to address the city's wet weather overflows and many basement backup problems across the city, and has determined it necessary to perform comprehensive capacity improvements, known as the Southerly Wastewater Treatment Plant (SWWTP) Sludge Thickening Improvements and Additional Renovations Project, and;

WHEREAS, on September 8, 2006, the Director of the Public Utilities received two technical proposals from professional engineering service firms of CH2M Hill, Inc., and DLZ Ohio, Inc., for the aforementioned project services; in accordance with the procurement provisions of Section 329.14 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, an evaluation committee has determined that CH2M Hill, Inc., submitted the best proposal for the required project services, in which the Director of the Department of Public Utilities concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a professional engineering services contract for the aforementioned project, in order to fulfill the City's project scheduling commitments in addressing wet weather wastewater treatment issues as stipulated by a consent agreement between the City of Columbus and the Ohio Attorney General's Office; and that it is further necessary to transfer the required funds and to amend the 2006 Capital Improvements Budget, for purposes of effecting said contract award; for the preservation of the public health, peace, property, safety and welfare, now, therefore

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

Section 1. That the City Auditor be and hereby is authorized and directed to transfer a total of \$192,000.00 from within the Voted Sanitary Bond Fund No. 664| Division 60-05| Object Level Three No. 6676:

From:

Proj.: 650350| WWTP Contingencies| OCA 664350| \$192,000.00

To:

Proj.: 650359| SWWTP Sludge Thickening & Renov.| OCA 650359| \$192,000.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of 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 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds transferred under Section 1., above.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with CH2M Hill, Inc., 5775 Permitter Drive, Suite 190, Columbus, Ohio, 43017, in connection with the SWWTP Sludge Thickening & Add'l Renovations Project, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage Treatment Engineering.

Section 5. That the expenditure of \$1,400,000.00, or as much thereof as may be needed, be and the same hereby is authorized from the Voted Sanitary Bond Fund No. 664; Division 60-05; within the following projects: Proj. No.: 650359| SWWTP Sludge Thickening & Add'l Renovations Project| OCA Code 650359| \$1,400,000.00.

Section 6. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned professional engineering services agreement.

**CURRENT:**

650359-SWWTP Sludge Thickening & Add'l. Renovation - \$1,208,000.00 (Voted)  
650350-WWTP Contingencies - \$801,791.30 (Voted)

**AMENDED TO:**

650359-SWWTP Sludge Thickening & Add'l. Renovation - \$1,400,000.00 (Voted)  
650350-WWTP Contingencies - \$609,791.30 (Voted)

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in 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:** 1677-2006

**Drafting Date:** 09/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation** 1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a professional engineering services contract with Ribway Engineering Group, Inc., in connection with the Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit Project.

The City of Columbus has developed a Wet Weather Management Plan that identifies the preliminary sewer system and wastewater treatment facility capital improvements needed to fully address the city's wet weather overflows and many basement backup problems across the city.

This project will replace the existing effluent pump station and outfall sewer with new facilities. The new effluent pump station will have an initial firm capacity of 330 million gallons per day and will contain all necessary building mechanical systems. The work also includes new flushing water pumping facilities, new effluent metering and sampling equipment.

2. PROCUREMENT INFORMATION:

The basis for selection of the chosen professional engineering services firm: The Department of Public Utilities advertised a Request for Proposals (RFP) for six Wastewater Treatment Plant projects in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. Two firms submitted detailed proposals for this project to the Director of Public Utilities, on September 8, 2006.

These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality, feasibility and cost. After careful consideration, the committee recommended that Ribway Engineering Group, Inc., be selected to provide the engineering services for this project, a recommendation in which the Director of Public

Utilities has concurred.

**3. FISCAL IMPACT:**

This ordinance requests the transfer of funds within the Voted Sanitary Bond Fund for purposes of providing the additional funds required to award this contract. Due to the complexity and sequencing of the wastewater treatment plant projects affected by the Wet Weather Management Plan, the scope and cost were based upon preliminary estimates of these contract services. The projects from which funds are being transferred will not be adversely affected. Additional funding will be requested for these projects as their actual needs become fully evident through further detailed planning and program management.

**4. INCREMENTALLY-FUNDED CONTRACT:**

The Wet Weather Management Plan provides the general outline of the wastewater system and facility improvements that are necessary to address the city's wastewater overflows and many basement backup problems across the City. Due to the complex nature and critical sequencing inherent in undertaking these improvements, the City and its contracted professional program management consultant are unable to provide a complete, definitive scope of service and associated cost at this time. This award will fund the design phase of the contract's estimated scope of service, as currently estimated. It is the intention of the Division to request legislative approval to modify the subject contract as the design is being completed and readied for construction bids, to provide monies for both the construction phase services and any additional services then found necessary to complete the bidding documents and required approvals.

**5. EMERGENCY DESIGNATION:**

The Division of Sewerage and Drainage is requesting City Council to declare this ordinance an emergency measure in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows.

**Title**To authorize the Director of Public Utilities to enter into a professional engineering services contract with Ribway Engineering Group, Inc., in connection with the Southerly Wastewater Treatment Plant New Effluent Pump Station and Effluent Conduit Project, to authorize the transfer of \$64,000.00; and the expenditure of \$2,800,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$2,800,000.00)

**Body**WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities has prepared a Wet Weather Management Plan to address the city's wet weather overflows and many basement backup problems across the city, and has determined it necessary to perform comprehensive capacity improvements to the Southerly Wastewater Treatment Plant (SWWTP) New Effluent Pump Station and Effluent Conduit Improvements Project, and;

WHEREAS, on September 8, 2006, the Director of the Public Utilities received two technical proposals from professional engineering service firms of Ribway Engineering Group, Inc., and Evans, Mechwart, Hambleton and Tilton, Inc., for the aforementioned project services; in accordance with the procurement provisions of Section 329.14 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, an evaluation committee has determined that Ribway Engineering Group, Inc., submitted the best proposal for the required project services, in which the Director of the Department of Public Utilities concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a professional engineering services contract for the aforementioned project, in order to fulfill the City's project scheduling commitments in addressing wet weather wastewater treatment issues as stipulated by a consent agreement between the City of Columbus and the Ohio Attorney General's Office; and that it is further necessary to transfer the required funds and to amend the 2006 Capital Improvements Budget, for purposes of effecting said contract award; for the preservation of the public health, peace, property, safety and welfare, now, therefore

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

Section 1. That the City Auditor be and hereby is authorized and directed to transfer a total of \$64,000.00 from within the Voted Sanitary Bond Fund No. 664| Division 60-05| Object Level Three No. 6676:

From:

Proj.: 650350| WWTP Contingencies| OCA 664350| \$64,000.00

To:

Proj.: 650363| SWWTP New Effluent Pump| OCA 650363| \$64,000.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of 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 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds transferred under Section 1., above.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with Ribway Engineering Group, Inc., 300 E. Broad Street, Suite 500, Columbus, Ohio, 43215, in connection with the SWWTP New Effluent Pump Station and Effluent Conduit Project, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage Treatment Engineering.

Section 5. That the expenditure of \$2,800,000.00, or as much thereof as may be needed, be and the same hereby is authorized from the Voted Sanitary Bond Fund No. 664; Division 60-05; within the following projects: Proj. No.: 650363| SWWTP New Effluent Pump Station and Effluent Conduit Project| Object Level 3: 6676| OCA Code 650363| \$2,800,000.00.

Section 6. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned professional engineering services agreement.

CURRENT:

650363-SWWTP New Effluent Pump Station & Effluent - \$2,736,000.00 (Voted)

650350-WWTP Contingencies - \$865,791.30 (Voted)

AMENDED TO:

650363-SWWTP New Effluent Pump Station & Effluent - \$2,800,000.00 (Voted)

650350-WWTP Contingencies - \$801,791.30 (Voted)

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in 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:** 1678-2006

**Drafting Date:** 09/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a professional engineering services contract with

Camp, Dresser and McKee, Inc., in connection with the Southerly Wastewater Treatment Plant Headworks Part 2 Project.

The City of Columbus has developed a Wet Weather Management Plan that identifies the preliminary sewer system and wastewater treatment facility capital improvements needed to fully address the city's wet weather overflows and many basement backup problems across the city.

This project will increase the hydraulic and preliminary treatment capacity of the headworks by adding Grit Tanks #5-8 and modifying Tanks #1-4. It will also provide a new influent flow splitter, modify the existing influent flow splitter and effluent conduits. An East Aeration Mixed Liquor Pump Station will be provided.

## 2. PROCUREMENT INFORMATION:

The basis for selection of the chosen professional engineering services firm: The Department of Public Utilities advertised a Request for Proposals (RFP) for six Wastewater Treatment Plant projects in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. A single firm submitted a detailed proposal for this project to the Director of Public Utilities, on September 8, 2006.

These proposal(s) were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality, feasibility and cost. After careful consideration, the committee recommended that Camp, Dresser and McKee, Inc., be selected to provide the engineering services for this project, for which the Director of Public Utilities has concurred.

## 3. FISCAL IMPACT:

This ordinance requests the transfer of funds within the Voted Sanitary Bond Fund for purposes of providing the additional funds required to award this contract. Due to the complexity and sequencing of the wastewater treatment plant projects affected by the Wet Weather Management Plan, the scope and cost were based upon preliminary estimates of these contract services. The projects from which funds are being transferred will not be adversely affected. Additional funding will be requested for these projects as their actual needs become fully evident through further detailed planning and program management.

## 4. INCREMENTALLY-FUNDED CONTRACT:

The Wet Weather Management Plan provides the general outline of the wastewater system and facility improvements that are necessary to address the city's wastewater overflows and many basement backup problems across the City. Due to the complex nature and critical sequencing inherent in undertaking these improvements, the City and its contracted professional program management consultant are unable to provide a complete, definitive scope of service and associated cost at this time. This award will fund the design phase of the contract's estimated scope of service, as currently estimated. It is the intention of the Division to request legislative approval to modify the subject contract as the design is being completed and readied for construction bids, to provide monies for both the construction phase services and any additional services then found necessary to complete the bidding documents and required approvals.

## 5. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to declare this ordinance an emergency measure in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows.

**Title**To authorize the Director of Public Utilities to enter into a professional engineering services contract with Camp, Dresser and McKee, Inc., in connection with the Southerly Wastewater Treatment Plant Headworks Part 2 Project; to authorize the transfer of \$171,000; and the expenditure of \$1,900,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$1,900,000.00)

**Body**WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities has prepared a Wet Weather Management Plan to address the city's wet weather overflows and many basement backup problems across the city, and has determined it necessary to perform comprehensive capacity improvements, known as the Southerly Wastewater Treatment

Plant (SWWTP) Headworks Part 2 Project and;

WHEREAS, on September 8, 2006, the Director of the Public Utilities received one technical proposal from the professional engineering service firm of Camp, Dresser and McKee, Inc., for the aforementioned project services; in accordance with the procurement provisions of Section 329.14 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, a selection committee determined that Camp, Dresser and McKee, Inc., submitted the best proposal for the required project services, to which the Director of the Department of Public Utilities concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a professional engineering services contract for the aforementioned project, in order to fulfill the City's project scheduling commitments in addressing wet weather wastewater treatment issues as stipulated by a consent agreement between the City of Columbus and the Ohio Attorney General's Office; and that it is further necessary to transfer the required funds and to amend the 2006 Capital Improvements Budget, for purposes of effecting said contract award; for the preservation of the public health, peace, property, safety and welfare, now, therefore

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

Section 1. That the City Auditor be and hereby is authorized and directed to transfer a total of \$171,000.00 from within the Voted Sanitary Bond Fund No. 664| Division 60-05| Object Level Three No. 6678:

From:

Proj. No.: 650350| WWTP Contingencies| OCA Code 664350| \$171,000.00

To:

Proj. No.: 650364| SWWTP Headworks Part 2 Project | OCA Code 650364 | \$171,000.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of 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 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds transferred under Section 1., above.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with Camp, Dresser and McKee, Inc., 8800 Lyra Drive, Columbus, OH 43240, in connection with the SWWTP Headworks Part 2 Project, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage Treatment Engineering.

Section 5. That the expenditure of \$1,900,000.00 or as much thereof as may be needed, be and the same hereby is authorized from the Voted Sanitary Bond Fund No. 664; Division 60-05; within the following projects: Proj. No. 650364| SWWTP Headworks Part 2 Project| OCA Code 650364| \$1,900,000.00

Section 6. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned professional engineering services agreement.

CURRENT:

650364-SWWTP Headworks Part 2 - \$1,729,000.00 (Voted)

650350-WWTP Contingencies - \$609,791.30 (Voted)

AMENDED TO:

650364-SWWTP Headworks Part 2 - \$1,900,000.00 (Voted)  
650350-WWTP Contingencies - \$438,791.30 (Voted)

Section 7. that for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in 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:** 1679-2006

**Drafting Date:** 09/20/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a professional engineering services contract with Burgess & Niple, Inc., in connection with the Southerly Wastewater Treatment Plant Final Clarifier Additions and Improvements Project.

The City of Columbus has developed a Wet Weather Management Plan that identifies the preliminary sewer system and wastewater treatment facility capital improvements needed to fully address the city's wet weather overflows and many basement backup problems across the city.

This project will add Final Clarifiers #1 & 3 and upgrade the nine existing Final Clarifiers with suction sludge collection mechanisms, inboard launders, chemical feed systems and new RAS pumps with variable frequency drives, control valves and flow meters.

2. PROCUREMENT INFORMATION:

The basis for selection of the chosen professional engineering services firm: The Department of Public Utilities advertised a Request for Proposals (RFP) for six Wastewater Treatment Plant projects in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. Only one firm submitted a detailed proposal for this project to the Director of Public Utilities, on September 8, 2006.

These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality, feasibility and cost. After careful consideration, the committee recommended that Burgess & Niple, Inc., be selected to provide the engineering services for this project, for which the Director of Public Utilities has concurred.

3. FISCAL IMPACT:

This ordinance requests the transfer of funds within the Voted Sanitary Bond Fund for purposes of providing the additional funds required to award this contract. Due to the complexity and sequencing of the wastewater treatment plant projects affected by the Wet Weather Management Plan, the scope and cost were based upon preliminary estimates of these contract services.

4. INCREMENTALLY-FUNDED CONTRACT:

The Wet Weather Management Plan provides the general outline of the wastewater system and facility improvements that are necessary to address the city's wastewater overflows and many basement backup problems across the City. Due to the complex nature and critical sequencing inherent in undertaking these improvements, the City and its contracted professional program management consultant are unable to provide a complete, definitive scope of service and associated cost at this time. This award will fund the design phase of the contract's estimated scope of service, as currently estimated. It is the intention of the Division to request legislative approval to modify the subject contract as the design is being completed and readied for construction bids, to provide monies for both the construction phase services and any additional services then found necessary to complete the bidding documents and required approvals.

5. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to declare this ordinance an emergency measure in

order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows.

**Title**To authorize the Director of Public Utilities to enter into a professional engineering services contract with Burgess & Niple, Inc., in connection with the Southerly Wastewater Treatment Plant Final Clarifier Additions and Improvements Project; to authorize the expenditure of \$4,700,000.00 from the Voted Sanitary Bond Fund; for the Division of Sewerage and Drainage; and to declare an emergency (\$4,700,000.00).

**Body**WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities has prepared a Wet Weather Management Plan to address the city's wet weather overflows and many basement backup problems across the city, and has determined it necessary to perform comprehensive capacity improvements to the Southerly Wastewater Treatment Plant (SWWTP) Final Clarifier Additions and Improvements Project and;

WHEREAS, on September 8, 2006, the Director of the Public Utilities received one technical proposal from the professional engineering service firm of Burgess & Niple, Inc., for the aforementioned project services; in accordance with the procurement provisions of Section 329.14 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, an evaluation committee has determined that Burgess & Niple, Inc., submitted the best proposal for the required project services, in which the Director of the Department of Public Utilities concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a professional engineering services contract for the aforementioned project, in order to fulfill the City's project scheduling commitments in addressing wet weather wastewater treatment issues as stipulated by a consent agreement between the City of Columbus and the Ohio Attorney General's Office; for the preservation of the public health, peace, property, safety and welfare, now, therefore

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with Burgess & Niple, Inc., 5085 Reed Rd., Columbus, Ohio, 43220, in connection with the SWWTP Final Clarifier Additions and Improvements Project, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage Treatment Engineering.

Section 2. That the expenditure of \$4,700,000.00 or as much thereof as may be needed, be and the same hereby is authorized from the Voted Sanitary Bond Fund No. 664; Division 60-05; within the following projects: Proj. No.: 650366 | SWWTP Final Clarifier Additions and Improvements Project| Object Level 3: 678| OCA Code 650366 | \$4,700,000.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in 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:** 1680-2006

**Drafting Date:** 09/20/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation** 1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a professional engineering services contract with URS Corporation-Ohio, Inc., in connection with the Southerly Wastewater Treatment Plant Primary and Aeration Tank Improvements Project.

The City of Columbus has developed a Wet Weather Management Plan that identifies the preliminary sewer system and wastewater treatment facility capital improvements needed to fully address the city's wet weather overflows and many basement backup problems across the city.

This project will add two additional aeration tanks and two additional primary settling tanks. The new aeration tanks will provide the train with the biological treatment capacity equal to the West or East Trains. The new aeration tanks will have step feed piping and control system that will match the West and Center Train systems. In addition, it will provide the addition of a common primary effluent channel to be located north of the East Train aeration tanks and step feed piping. The influent channel and utility tunnel will be extended for the aeration tank influent feed and effluent discharge to the mixed liquor channel. With the addition of the two primary settling tanks, the total Center Train Primary Tanks surface area and capacity will match those of two other trains. The new settling tanks will have sludge pumps and piping connecting to the existing primary sludge line.

2. PROCUREMENT INFORMATION:

The basis for selection of the chosen professional engineering services firm: The Department of Public Utilities advertised a Request for Proposals (RFP) for six Wastewater Treatment Plant projects in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. One firm submitted detailed proposals for this project to the Director of Public Utilities, on September 8, 2006.

These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality, feasibility and cost. After careful consideration, the committee recommended that URS Corporation-Ohio, Inc., be selected to provide the engineering services for this project, for which the Director of Public Utilities has concurred.

3. FISCAL IMPACT:

This ordinance requests the transfer of funds within the Voted Sanitary Bond Fund for purposes of providing the additional funds required to award this contract. Due to the complexity and sequencing of the wastewater treatment plant projects affected by the Wet Weather Management Plan, the scope and cost were based upon preliminary estimates of these contract services. The projects from which funds are being transferred will not be adversely affected. Additional funding will be requested for these projects as their actual needs become fully evident through further detailed planning and program management.

4. INCREMENTALLY-FUNDED CONTRACT:

The Wet Weather Management Plan provides the general outline of the wastewater system and facility improvements that are necessary to address the city's wastewater overflows and many basement backup problems across the City. Due to the complex nature and critical sequencing inherent in undertaking these improvements, the City and its contracted professional program management consultant are unable to provide a complete, definitive scope of service and associated cost at this time. This award will fund the design phase of the contract's estimated scope of service, as currently estimated. It is the intention of the Division to request legislative approval to modify the subject contract as the design is being completed and readied for construction bids, to provide monies for both the construction phase services and any additional services then found necessary to complete the bidding documents and required approvals.

5. EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting City Council to declare this ordinance an emergency measure in order to fulfill the City's capital improvement project scheduling commitments set forth within the consent agreement between the City and the Ohio Attorney General's Office that addresses the City's wet weather wastewater overflows.

**Title**To authorize the Director of Public Utilities to enter into a professional engineering services contract with URS Corporation-Ohio, Inc., in connection with the Southerly Wastewater Treatment Plant Primary and Aeration Tank Improvements Project; to authorize the transfer and expenditure of \$4,500,000.00 from the Voted Sanitary Bond Fund; to amend the 2006 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$4,500,000.00).

**Body**WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities has prepared a Wet Weather Management Plan to address the city's wet weather overflows and many basement backup problems across the city, and has determined it necessary to perform comprehensive capacity improvements, known as the Southerly Wastewater Treatment Plant (SWWTP) Primary and Aeration Tank Improvements Project and;

WHEREAS, on September 8, 2006, the Director of the Public Utilities received a technical proposal from the professional engineering service firm of URS Corporation-Ohio, Inc., for the aforementioned project services; in accordance with the procurement provisions of Section 329.14 of the Columbus City Codes; and

WHEREAS, based upon an evaluation of these proposals utilizing predetermined criteria, a selection committee determined that URS Corporation, submitted the best proposal for the required project services, to which the Director of the Department of Public Utilities concurred; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a professional engineering services contract for the aforementioned project, in order to fulfill the City's project scheduling commitments in addressing wet weather wastewater treatment issues as stipulated by a consent agreement between the City of Columbus and the Ohio Attorney General's Office; and that it is further necessary to transfer the required funds and to amend the 2006 Capital Improvements Budget, for purposes of effecting said contract award; for the preservation of the public health, peace, property, safety and welfare, now, therefore

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

Section 1. That the City Auditor be and hereby is authorized and directed to transfer a total of \$4,500,000.00 from within the Voted Sanitary Bond Fund No. 664| Division 60-05| Object Level Three No. 6678:

From:

Proj.: 650100| Sanitary Sewer Contingency| OCA No. 642918| \$44,400.83  
Proj.: 650497| Upper Scioto W. Subt-Hayden| OCA No. 664497| \$4,016,807.87  
Proj.: 650350| WWTP Contingencies| OCA Code 664350| \$438,791.30

To:

Proj.: 650367| SWWTP Prim./Aeration Tank Imp.| OCA No. 664367| \$4,500,000.00

Section 2. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of 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 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds transferred under Section 1., above.

Section 4. That the Director of Public Utilities be, and hereby is, authorized to enter into a professional engineering services contract with URS Corporation, 277 Nationwide Boulevard, Columbus, Ohio, 43215, in connection with the SWWTP Primary and Aeration Tank Improv., in accordance with the terms and conditions of the Contract on file in the

office of the Division of Sewerage and Drainage Treatment Engineering.

Section 5. That the expenditure of \$4,500,000.00 or as much thereof as may be needed, be and the same hereby is authorized from the Voted Sanitary Bond Fund No. 664; Division 60-05; within Proj. No.: 650367| SWWTP Primary and Aeration Tank Improvements Project| Obj. Level 3: 6678| OCA Code 664367| \$4,500,000.00|

Section 6. That the 2006 Capital Improvements Budget Ordinance No. 1108-2006 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned professional engineering services agreement.

**CURRENT:**

- 650100-Sanitary Sewer Contingency - \$100,000.00 (Voted)
- 650367-SWWTP Primary and Aeration - \$0 (Voted)
- 650350-WWTP Contingencies - \$438,791.30 (Voted)
- 650497-Upper Scioto W.-Hayden - \$4,016,807.87 (Voted)

**AMENDED TO:**

- 650100-Sanitary Sewer Contingency - \$55,599.17 (Voted)
- 650367-SWWTP Primary and Aeration - \$4,500,000.00 (Voted)
- 650350-WWTP Contingencies - \$0.00 (Voted)
- 650497-Upper Scioto W.-Hayden - \$0.00 (Voted)

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in 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:** 1684-2006

**Drafting Date:** 09/21/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

ExplanationThe Refuse Collection Division, Public Service Department, received a "Recycle, Ohio!" grant from the Ohio Department of Natural Resources for many years. This grant was intended to encourage recycling and litter prevention within the city. The Division no longer receives this grant.

The amount of \$50,507.93 remains available within the General Government Grant Fund from the 2005 grant. This cash represents the remaining City-match that was originally transferred to the Grant Fund; provision of City match money was a condition of receiving the grant. This cash is unappropriated and unencumbered.

This ordinance authorizes the appropriation of these monies within the General Government Grant Fund and their transfer to and appropriation within the Street Construction, Maintenance and Repair Fund to benefit the Refuse Collection Division. The Refuse Collection Division will utilize these funds to pay 2006 wage and benefit expenses for existing Keep Columbus Beautiful program employees, a use consistent with its originally intended recycling and litter prevention purpose. The midyear financial review documented a projected negative variance within the Refuse Collection Division's Street Construction, Maintenance and Repair Fund appropriation.

**Fiscal Impact:** This transfer/appropriation constitutes an important step in the close out of this grant and is supported by the City Auditor's Office. Further, it will help mitigate the projected deficit within the Refuse Collection Division's Street Construction, Maintenance and Repair Fund appropriation that must be addressed subsequent to the third quarter financial review and accordingly is supported by the Finance and Management Department.

Emergency action is requested to provide for expeditious grant close-out and make these funds available to the division as soon as practical to meet anticipated 2006 needs.

TitleTo appropriate \$50,507.93 within the General Government Grant Fund; to authorize the transfer of \$50,507.93 from

the General Government Grant Fund to the Street Construction, Maintenance and Repair Fund; to appropriate \$50,507.93 within the Street Construction, Maintenance and Repair Fund, Refuse Collection Division; to authorize the expenditure of \$50,507.93 or so much thereof as may be needed from the Street Construction, Maintenance and Repair Fund for 2006 wage and salary expenses of existing Keep Columbus Beautiful program personnel and allow for close-out of the 2005 "Recycle, Ohio!" grant; and to declare an emergency. (\$50,507.93)

Body**WHEREAS**, the Refuse Collection Division, Public Service Department, received a "Recycle, Ohio!" grant from the Ohio Department of Natural Resources for many years; and

**WHEREAS**, the Division no longer receives this grant; and

**WHEREAS**, city match funds in the amount of \$50,507.93 remain available from the 2005 grant within the General Government Grant Fund; and

**WHEREAS**, subsequent to its transfer and appropriation this money can be expended to help mitigate the projected deficit within the Refuse Collection Division's Street Construction, Maintenance and Repair Fund appropriation; and

**WHEREAS**, an emergency exists in the usual daily operation of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to transfer, appropriate and authorize the expenditure of said funds to provide for expeditious grant close-out and meet anticipated 2006 expenditure needs, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the sum of \$50,507.93 be and hereby is appropriated from the unappropriated balance of Fund 220, the General Government Grant Fund, and from all monies estimated to come into said Fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2006, to Department No. 59-02, Refuse Collection Division, Object Level One Code 10, Object Level Three Code 5501, OCA Code 595001 and Grant 595001.

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

**SECTION 3.** That the City Auditor be and hereby is authorized to transfer \$50,507.93 between Funds as follows:

TRANSFER FROM:

Fund# / Fund / Department No. / Object Level One/Object Level Three Codes / OCA Code / Grant  
220 / General Government Grant Fund / 59-02 / 10/5501 / 595001 / 595001

Total Transfer From: \$50,507.93

TRANSFER TO:

Fund# / Fund / Department Mo. / Object Level One/Object Level Three Codes / OCA Code / Grant  
265 / Street Construction, Maintenance and Repair Fund / 59-02 / 80/0886 / 594467 / N/A

Total Transfer To: \$50,507.93

**SECTION 4.** That the sum of \$50,507.93 be and hereby is appropriated from the unappropriated balance of Fund 265, the Street Construction, Maintenance and Repair 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. 59-02, Refuse Collection Division, Object Level One Code 01, Object Level Three Code 1101 and OCA Code 594467.

**SECTION 5.** That the monies appropriated in 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 the Public Service Director be and hereby is authorized to expend \$50,507.93 or so much thereof as may be necessary from Fund 265, the Street Construction, Maintenance and Repair Fund, Department No. 59-02, Refuse Collection Division, Object Level One Code 01, Object Level Three Code 1101 and OCA Code 594467 to pay 2006 wage and salary expenses for existing Keep Columbus Beautiful program personnel.

**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.

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**Legislation Number:** 1687-2006

**Drafting Date:** 09/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**Background:** The City of Columbus, Ohio holds title to a sanitary easement, located in the vicinity of Neil Avenue and Nationwide Boulevard, by virtue of a recorded deed of easement. Nationwide Realty Investors, Ltd. ("Developer") has requested that the subject easement be released in exchange for a replacement easement previously granted to the City of Columbus. The Division of Sewerage and Drainage has determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release the aforementioned sewer easement in exchange for a previously granted replacement easement.

**Fiscal Impact:** N/A

**Emergency Justification:** Upon investigation the sewer constructed under referenced plan CC-134647 is outside of the subject easement granted to the City by Nationwide Arena LLC, therefore emergency action is requested to allow for the immediate release of the subject easement in exchange for an easement already received and recorded by the City in order to correct this possible encroachment.

### Title

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a sanitary easement, located in the vicinity of Neil Avenue and Nationwide Boulevard, at the request of Nationwide Realty Investors, Ltd. in exchange for a replacement easement previously granted to the City of Columbus, Ohio and to declare an emergency.

### Body

WHEREAS, the City of Columbus, Ohio is the holder of certain sanitary sewer easement rights, located in the vicinity of Neil Avenue and Nationwide Boulevard, by virtue of a recorded deed of easement; and

WHEREAS, Nationwide Realty Investors, Ltd., requested that the aforementioned sanitary sewer easement be released; and

WHEREAS, the City has previously been granted a replacement easement for the subject development area; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is necessary to immediately authorize the Director of the Department of Public Utilities to execute those documents necessary to release a sanitary utility easement at the request of Nationwide Realty Investors, Ltd., 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 Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release unto NATIONWIDE ARENA LLC the Deed of Easement recorded as instrument Number 200311260380060 in the Recorder's Office, Franklin County, Ohio.

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

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**Legislation Number:** 1689-2006

**Drafting Date:** 09/21/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:**

This legislation is to appropriate supplemental grant funds from the Ohio Department of Aging, Franklin County Office on Aging and U.S. Department of Housing and Urban Development, as administered by the Central Ohio Area Agency to carry on various services in 2006 and 2007.

Emergency action is requested in order to continue services beyond December 31, 2006, without service interruption as stipulated in the various grant requirements.

**Fiscal Impact:**

The fiscal impact of this ordinance will be to reduce the Recreation and Parks Grant Fund's unappropriated balance of \$10,993,273.00. This appropriation will enable the Recreation and Parks Department to continue those programs as required by the granting agencies for the balance of 2006 and 2007.

**Title**

To authorize a supplemental appropriation in the amount of \$10,993,273.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the operation of various grant programs administered by the Central Ohio Area Agency on Aging, and to declare an emergency. (\$10,993,273.00)

**Body**

WHEREAS, it is necessary to appropriate grant funds so that the Central Ohio Area Agency on Aging of the Recreation and Parks Department can provide services beyond FY 2006 without service interruption, thus this measure is being submitted as emergency legislation; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate said funds for the preservation of public health, peace, property, safety, and welfare; now, therefore

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

Section 1. That from the unappropriated monies in the Recreation and Parks Grant Fund No. 286, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2006, the sum of \$10,993,273.00 is appropriated to the Recreation and Parks Department, Department No. 51, as follows:

**GRANT: TITLE IIID**

PROJECT NO: 518318 OCA CODE: 514059 OBJECT LEVEL ONE: 01 AMOUNT: \$53,000.00  
PROJECT NO: 518318 OCA CODE: 514059 OBJECT LEVEL ONE: 02 AMOUNT: \$200.00  
PROJECT NO: 518318 OCA CODE: 514059 OBJECT LEVEL ONE: 03 AMOUNT: \$34,816.00  
**TOTAL BY PROJECT: \$88,016.00**

**GRANT: TITLE IIIA**

PROJECT NO: 518324 OCA CODE: 514497 OBJECT LEVEL ONE: 01 AMOUNT: \$250,000.00  
PROJECT NO: 518324 OCA CODE: 514497 OBJECT LEVEL ONE: 02 AMOUNT: \$30,000.00  
PROJECT NO: 518324 OCA CODE: 514497 OBJECT LEVEL ONE: 03 AMOUNT: \$210,000.00  
PROJECT NO: 518324 OCA CODE: 514497 OBJECT LEVEL ONE: 05 AMOUNT: \$10,000.00  
PROJECT NO: 518324 OCA CODE: 514570 OBJECT LEVEL ONE: 01 AMOUNT: \$182,000.00  
**TOTAL BY PROJECT: \$682,000.00**

**GRANT: TITLE IIIB**

PROJECT NO: 518301 OCA CODE: 514505 OBJECT LEVEL ONE: 01 AMOUNT: \$260,000.00  
PROJECT NO: 518301 OCA CODE: 514505 OBJECT LEVEL ONE: 02 AMOUNT: \$10,000.00  
PROJECT NO: 518301 OCA CODE: 514505 OBJECT LEVEL ONE: 03 AMOUNT: \$1,610,000.00  
PROJECT NO: 518301 OCA CODE: 514505 OBJECT LEVEL ONE: 05 AMOUNT: \$10,000.00  
**TOTAL BY PROJECT: \$1,890,000.00**

**GRANT: TITLE IIIC/USDA**

PROJECT NO: 518303 OCA CODE: 514513 OBJECT LEVEL ONE: 03 AMOUNT: \$3,064,796.00  
PROJECT NO: 518303 OCA CODE: 514513 OBJECT LEVEL ONE: 05 AMOUNT: \$10,000.00  
**TOTAL BY PROJECT: \$3,074,796.00**

**GRANT: TITLE IIIE-CAREGIVER SUPPORT**

PROJECT NO: 518307 OCA CODE: 518307 OBJECT LEVEL ONE: 01 AMOUNT: \$150,000.00  
PROJECT NO: 518307 OCA CODE: 518307 OBJECT LEVEL ONE: 02 AMOUNT: \$10,000.00  
PROJECT NO: 518307 OCA CODE: 518307 OBJECT LEVEL ONE: 03 AMOUNT: \$551,226.00  
PROJECT NO: 518307 OCA CODE: 518307 OBJECT LEVEL ONE: 05 AMOUNT: \$2,000.00  
**TOTAL BY PROJECT: \$713,226.00**

**GRANT: SENIOR BLOCK GRANT**

PROJECT NO: 518315 OCA CODE: 514539 OBJECT LEVEL ONE: 01 AMOUNT: \$140,000.00  
PROJECT NO: 518315 OCA CODE: 514539 OBJECT LEVEL ONE: 03 AMOUNT: \$835,933.00  
**TOTAL BY PROJECT: \$975,933.00**

**GRANT: LONG-TERM CARE OMBUDSMAN**

PROJECT NO: 518308 OCA CODE: 514547 OBJECT LEVEL ONE: 03 AMOUNT: \$260,000.00  
**TOTAL BY PROJECT: \$260,000.00**

**GRANT: CONGREGATE HOUSING SERVICES PROGRAM**

PROJECT NO: 518002 OCA CODE: 514273 OBJECT LEVEL ONE: 01 AMOUNT: \$300,000.00  
PROJECT NO: 518002 OCA CODE: 514273 OBJECT LEVEL ONE: 02 AMOUNT: \$15,000.00  
PROJECT NO: 518002 OCA CODE: 514273 OBJECT LEVEL ONE: 03 AMOUNT: \$100,000.00  
PROJECT NO: 518002 OCA CODE: 514273 OBJECT LEVEL ONE: 05 AMOUNT: \$1,000.00

**TOTAL BY PROJECT: \$416,000.00**

**GRANT: SERVICE COORDINATION**

PROJECT NO: 518482 OCA CODE: 512202 OBJECT LEVEL ONE: 01 AMOUNT: \$70,000.00  
PROJECT NO: 518482 OCA CODE: 512202 OBJECT LEVEL ONE: 02 AMOUNT: \$5,000.00  
PROJECT NO: 518482 OCA CODE: 512202 OBJECT LEVEL ONE: 03 AMOUNT: \$10,000.00  
**TOTAL BY PROJECT: \$85,000.00**

**GRANT: VOLUNTEER GUARDAIN**

PROJECT NO: 518018 OCA CODE: 514117 OBJECT LEVEL ONE: 01 AMOUNT: \$77,000.00  
PROJECT NO: 518018 OCA CODE: 514117 OBJECT LEVEL ONE: 02 AMOUNT: \$5,000.00  
PROJECT NO: 518018 OCA CODE: 514117 OBJECT LEVEL ONE: 01 AMOUNT: \$24,000.00  
**TOTAL BY PROJECT: \$106,000.00**

**GRANT: FRANKLIN COUNTY SENIOR OPTIONS**

PROJECT NO: 518335 OCA CODE: 514554 OBJECT LEVEL ONE: 01 AMOUNT: \$2,277,600.00  
PROJECT NO: 518335 OCA CODE: 514554 OBJECT LEVEL ONE: 02 AMOUNT: \$108,202.00  
PROJECT NO: 518335 OCA CODE: 514554 OBJECT LEVEL ONE: 03 AMOUNT: \$316,500.00  
**TOTAL BY PROJECT: \$2,702,302.00**

**TOTAL APPROPRIATION: \$10,993,273.00**

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

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

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**Legislation Number:** 1691-2006

**Drafting Date:** 09/22/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The City of Columbus and Franklin County need to enter into Intergovernmental Agreements as a special condition for the city to receive State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) Sub-grantee Awards from Franklin County. The City of Columbus and Franklin County are entering into the agreements to provide for the administration of the sub-grant awards in order to expeditiously acquire and pay for the grant funded services and equipment while providing an appropriate audit trail for the expenditures. The State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) provides funding to enhance the ability of state and local agencies to prevent, deter, respond to and recover from threats and incidents of terrorism involving the use of chemical, biological, radiological, nuclear, and explosive (CBRNE) weapons and cyber attacks. The grant funds homeland security and emergency operations planning, the purchase of specialized equipment and training, and costs associated with implementing State Homeland Security Assessments and Strategies and Urban Area Security Initiatives. Multiple City agencies and projects are expected to receive sub-grant awards including but not limited to the areas of police, fire, support services and health. The Intergovernmental Agreements must be approved by the City of Columbus and Franklin County for the sub-grant processing to be completed and prior to the expenditure of project funds.

Emergency Designation: Emergency legislation is necessary to meet federal grant deadline and permit sub-grantee award

processing at the earliest possible times.

FISCAL IMPACT: There is no fiscal impact for the General Fund Account. The Agreements permit Franklin County to make the federal sub-grant expenditures.

**Title**

To accept Intergovernmental Agreements for each grant period executed between representatives of the City of Columbus and Franklin County as a special condition for receiving State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) sub-grantee awards from the county; and to declare an emergency.

**Body**

WHEREAS, the Government of the United States of America has created funding resources through the State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) to enhance the ability of State and local agencies to prevent, deter, respond to and recover from threats and incidents of terrorism involving the use of chemical, biological, radiological, nuclear and explosive (CBRNE) weapons and cyber attacks; and

WHEREAS, representatives of the City of Columbus and Franklin County need to enter into Intergovernmental Agreements to provide for the administration of the State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) federal funding available to the City of Columbus through Sub-grantee awards; and

WHEREAS, federal grant deadlines and the need to expedite sub-grantee processing require that the agreements be completed at the earliest possible time so this ordinance is being submitted as an emergency measure; and

WHEREAS, an emergency exists in the usual and daily operation of the City of Columbus in that it is immediately necessary to accept and enter into Intergovernmental Agreements for the State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) to meet grant deadlines 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 Columbus City Council, in the best interests of the City of Columbus, hereby recognizes and accepts the Intergovernmental Agreements for each grant period for the State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) executed between representatives of the City of Columbus and Franklin County.

Section 2. 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 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:** 1694-2006

**Drafting Date:** 09/22/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

BACKGROUND:

Need: The purchase of DNA Crime Lab Supplies is needed for use in the Division of Police's Crime Lab. The Division of Police has expended \$92,936.00 requiring the need for this purchase to be legislated. No reagents or parts other than sold by this company, the patent owner for the PCR kits required for DNA testing, are authorized for use in the Police Crime Lab's equipment.

Bid Information: Based on contract FL002502 in accordance with the response to Solicitation SA001296, an universal term contract was established with Applera Corporation/Applied Biosystems.

Contract Compliance No.: 061534213

Emergency Designation: Emergency legislation is requested for this ordinance because supplies are almost exhausted in the Crime Lab which would result in a delay in processing tests for court cases.

FISCAL IMPACT: These supplies will be purchased with DNA -No Suspect FY2003 Grant Funds; therefore, there will be no impact on the financial status of the General Fund.

**Title**

To authorize and direct the Finance & Management Director to enter into a contract with Applera Corporation/Applied BioSystems for purchase of DNA Crime Lab Supplies for the Division of Police; to authorize the expenditure of \$50,000.00 from the DNA - No Suspect Grant Funds; and to declare an emergency. (\$50,000.00)

**Body**

WHEREAS, contract FL002502 established an universal term contract with Applera Corporation/Applied BioSystems; and

WHEREAS, there is a need to purchase DNA supplies for the Police Crime Lab; and

WHEREAS, a contract was awarded to Applera Corporation/Applied BioSystems for the purchase of DNA Crime Lab Supplies in accordance with the terms and conditions of universal term contract FL002502; 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 DNA supplies with Applera Corporation/Applied BioSystems to replenish supplies in the Police Crime Lab for the preservation of public health, peace, property, safety and welfare; now therefore

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

Section 1. That the Finance & Management Director be and is hereby authorized and directed to enter into contract with Applera Corporation/Applied BioSystems for the purchase of DNA supplies for the Division of Police, Department of Public Safety, based on the universal term contract with Applera Corporation/Applied BioSystems

Section 2. That the expenditure of \$50,000.00 or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | FUND 220 | OBJ LEV (01) 02 | OBJ LEV (03) 2203 | OCA 334023 | GRANT# 334023 |

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:** 1698-2006

**Drafting Date:** 09/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationThe Transportation Division needs to modify and increase its existing construction contract with Decker Construction Company for the Utility Cut and Restoration Project - 2005 in the amount of \$500,000.00. This project consists of backfilling and restoring pavement due to utility contractors excavating in the public right-of-way and streets. Proposal specifications provide the City of Columbus with the option of extending this contract up to three years and the Division's initial and current intention was and is to do so given satisfactory vendor performance. Existing unit pricing has been extended and is applicable to this contract modification.

The original contract amount was for \$450,000.00 as authorized by Ordinance 0688-2005 passed by City Council May 23, 2005. The first modification was for \$32,320.56 as authorized by Ordinance 0104-2006 passed by Council February 6, 2006. This proposed second modification is for \$500,000.00. The contract total including all modifications will be \$982,320.56.

Decker Construction Company's contract compliance number is 31-0983557; this expires January 12, 2007.

**Fiscal Impact:** Funding for this contract modification is available from the Morse Road Area Investment project within the 1995, 1999, 2004 Voted Streets and Highways Fund; the Morse Road project was ultimately overbudgeted by virtue of the City receiving more state funding than was originally anticipated. The ordinance at hand transfers \$500,000.00 from that project to the Roadway Improvements project to fund the pending contract modification.

Emergency action is requested due to the potential hazard caused to motorists and pedestrians when improper or incomplete restoration of utility excavations occur within the right-of-way.

TitleTo authorize the City Auditor to transfer of \$500,000.00 between projects within the 1995, 1999, 2004 Voted Streets and Highways Fund; to authorize the Public Service Director to modify and increase an existing contract with Decker Construction Company for the Utility Cut and Restoration Project - 2005 for the Transportation Division; to authorize the expenditure of \$500,000.00 from the 1995, 1999, 2004 Voted Streets and Highways Fund; and to declare an emergency. (\$500,000.00)

Body**WHEREAS**, Contract Number EL005429 was authorized by Ordinance 0688-2005 passed by City Council May 23, 2005, executed on June 15, 2005, and approved by the City Attorney on June 30, 2005; and

**WHEREAS**, it is necessary to modify this contract to provide for additional work for the Utility Cut and Restoration Project - 2005; 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 to avoid disruptions in performing utility pavement cut restorations, 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 hereby is authorized to transfer \$500,000.00 between projects within Fund 704, the 1995, 1999, 2004 Voted Streets and Highways Fund, for the Transportation Division, Department No. 59-09, as follows:

TRANSFER FROM:

Project # / Project / Object Level One/Object Level Three Codes / OCA Code  
530052 / Morse Road Area Investment / 06/6601 / 644385

Total Transfer From: \$500,000.00

TRANSFER TO:

Project # / Project / Object Level One/Object Level Three Codes / OCA Code  
530161 / Roadway Improvements / 06/6631 / 644385

Total Transfer To: \$500,000.00

**SECTION 2.** That the Public Service Director be and hereby is authorized to modify and increase Contract Number EL005429 with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio 43204 by \$500,000.00 for additional work for the Utility Cut and Restoration Project to be completed in accordance with the terms as shown on the modification on file in the office of the City Engineer, which are hereby approved.

**SECTION 3.** That the sum of \$500,000.00 or so much thereof as may be needed be and hereby is authorized to be expended for this purpose 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 6631, OCA Code 644385 and Project 530161.

**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 approved by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1700-2006

**Drafting Date:** 09/25/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:**

This legislation requests approval to amend Ordinance #1323-2006, passed by Columbus City Council on July 24, 2006, that authorized the Department of Technology, on behalf of the Divisions of Building Services and Neighborhood Services, to modify a contract with Accela; for upgrades, enhancements and updates to the computer system used by Columbus' One-Stop-Shop and related services; in accordance with the terms and conditions established in the original agreement.

After additional review and discussions, it has been determined and agreed by and between the City of Columbus and Accela, Inc. that there are additional needs that Accela, Inc. cannot provide. By utilizing a pre-established Universal Term Contract (UTC) and a bid state term contract, the Department of Technology has identified vendors that can provide the additional needs. The vendors and associated funds are as follows:

Hardware: \$120,000 from Smart Solutions 34-1403269 expires 6-4-2007 - UTC #FL001717 expires 06-30-2007

Software: \$80,000 from Software House International 22-3009648 - expires 11-9-2007 - bid state term contract

#0A02011 expires 1-30-2007

Also, this legislation requests amendment to the 2006 Capital Improvement Budget Ordinance #1108-2006 previously passed on June 19, 2006; to reflect passage of Ordinance #0641-2006 that amended the 2005 CIB for the Fiber Optic Install project (#470041); that authorized the transfer of cash from one project to another to accommodate for the expenditure of \$192,292.

**FISCAL IMPACT:** The Department of Technology has a need to reallocate \$200,000.00 from an existing Auditor's Certificate (AC026076) originally established for Accela, Inc., in the amount of \$2,360,000. Currently, AC026076, fund 514, project 470042 has \$764,541.

**EMERGENCY:** Emergency legislation is requested to order and receive the hardware and software in conjunction with receiving the purchase from Accela, Inc; to continue daily operational needs, such as support; migration; and enhancements (hardware and software) of a computer system, according to timelines and deadlines negotiated.

#### **Title**

To amend Ordinance #1323-2006; to authorize the Finance & Management Director to establish a purchase order, on behalf of the Department of Technology for the Divisions of Building Services and Neighborhood Services, from a pre-established universal term contract with Smart Solutions and a bid state term contract with Software House International for hardware and software; to authorize the reallocation of \$200,000.00 from an existing Auditor's Certificate (AC026076) associated with the Information Services Bond Fund; to amend the 2006 capital improvements budget in the amount of \$192,292; and to declare an emergency.

#### **Body**

**WHEREAS**, this legislation request approval to amend ordinance #1323-2006, passed by Columbus City Council on July 24, 2006, that authorized the Department of Technology, on behalf of the Divisions of Building Services and Neighborhood Services, to modify a contract with Accela; for upgrades, enhancements and updates to the computer system used by Columbus' One-Stop-Shop and related services; and

**WHEREAS**, after additional review and discussions, it has been determined and agreed by and between the City of Columbus and Accela, Inc. that there are additional needs that Accela, Inc. cannot provide; and

**WHEREAS**, by utilizing a pre-established Universal Term Contract (UTC) and a bid state term contract, the Department of Technology has identified vendors that can provide the additional needs; and

**WHEREAS**, the Department of Technology has a need to reallocate \$200,000 from an existing Auditor's Certificate (AC026076) originally established for Accela, Inc., in the amount of \$2,360,000. Currently, AC026076, fund 514, project 470042 has \$764,541; and

**WHEREAS**, this legislation is amending the CIB previously passed, June 19, 2006 regarding Ordinance #0641-2006; that amended the 2005 CIB and did not get reflected in the 2006 CIB; and

**WHEREAS**, it is necessary to amend the 2006 Capital Improvements Budget to reflect a change not reflected in the 2006 Capital Improvements Budget; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Technology, in that it is immediately necessary to authorize the Finance and Management Director to establish a purchase order, on behalf of the Department of Technology for the Divisions of Building Services and Neighborhood Services, from a pre-established universal term contract with Smart Solutions and a bid state term contract with Software House International for hardware and software related to the One-Stop-Shop computer system, thereby preserving the public health, peace, safety, and welfare; now, therefore:

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

**SECTION 1:** That the Finance & Management Director is authorized to establish a purchase order, on behalf of the Department of Technology for the Divisions of Building Services and Neighborhood Services, from a pre-established universal term contract with Smart Solutions (FL001717) and a bid state term contract (0A02011) with Software House International for hardware and software.

**SECTION 2:** That the City Auditor is hereby authorized to reallocate the sum of \$200,000 from an existing Auditor's Certificate (AC026076) originally established in the amount of \$2,360,000 with Accela Inc.; but not needed for the associated contract modification, fund 514, project 470042; original Ordinance 1323-2006; for the necessary purchase from Smart Solutions and Software House International; and to expend said funds, or so much thereof as may be necessary.

**SECTION 3:** That the 2006 Capital Improvements Budget for the Department of Technology, Information Services Capital Fund, Fund Number 514, Subfund Number 002 is hereby amended as follows in order to establish sufficient funding authority:

**Current 2006 CIB:**

**Project Number:** 470041|**Project Name:** Fiber Optic Install|**Amount:** \$0  
**Project Number:** 470036|**Project Name:** HVAC|**Amount:** \$229,807

**Revised 2006 CIB:**

**Project Number:** 470041|**Project Name:** Fiber Optic Install|**Amount:** \$192,292  
**Project Number:** 470036|**Project Name:** HVAC|**Amount:** \$37,515

**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:** 1704-2006

**Drafting Date:** 09/26/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This legislation authorizes the transfer of \$100,000 within the CDBG Fund and authorizes the Director of the Department of Development to enter into contract with the Economic and Community Development Institute (ECDI) for administration of the Microenterprise Revolving Loan Program. ECDI administered the economic development microenterprise loan program from July 1, 2005 through June 30, 2006.

ECDI provides a network of comprehensive support to build the economic and social capacities of individuals, families, enterprises and communities. ECDI has become a leader in the field of micro lending, providing microenterprise training to an underserved population including minorities, immigrants, refugees, asylees, low-income recipients and the working

poor.

Emergency action is requested so that the contract with the Economic and Community Development Institute can be executed immediately.

**FISCAL IMPACT:**

This legislation authorizes the transfer and expenditure of \$100,000 within the CDBG Fund.

**Title**

To authorize the transfer of \$100,000 within the CDBG Fund; to authorize the Director of the Department of Development to enter into a contract with the Economic and Community Development Institute for administration of the Microenterprise Revolving Loan Program; to authorize the expenditure of \$100,000 from the CDBG Fund; and to declare an emergency. (\$100,000.00)

**Body**

**WHEREAS;** small businesses are essential to the growth of Columbus; and

**WHEREAS,** micro lending is an opportunity for individuals to start or expand their small businesses in the City of Columbus; and

**WHEREAS,** the Economic and Community Development Institute has over eight (8) years experience administering micro-loan programs in other localities; and

**WHEREAS,** ECDI will partner with non-profit groups to assist with the training and technical assistance portion of the Microenterprise Revolving Loan Program; and

**WHEREAS,** emergency action is requested to allow ECDI to initiate the Microenterprise Revolving Loan Program in the City of Columbus in a timely manner; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to transfer said funds and to enter into the contract with the Economic and Community Development Institute for administration of the Microenterprise Revolving Loan Program, 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 City Auditor is hereby authorized and directed to transfer \$100,000 within the Department of Development, Economic Development Division, Division 44-02, CDBG Fund, Fund 248, Subfund 002, Object Level One 03, Object Level Three 3336 a follows:

**FROM:**

**OCA Code**

496020

**TO:**

**OCA Code**

496021

- Section 2.** That the Director of the Department of Development is authorized to enter into a contract with the Economic and Community Development Institute for the administration of the Microenterprise Revolving Loan program.
- Section 3.** That for the purpose stated in Section 2, the expenditure of \$100,000 or so much thereof as may be necessary, be and is hereby authorized to be expended from the CDGB Fund, Fund 248, Subfund 002, Department of Development, Economic Development Division, Division 44-02, Object Level One 03, Object Level Three 3336, OCA Code 496021.
- Section 4.** That this contract is awarded in accordance with Chapter 329.15 of the Columbus City Codes, 1959.
- 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 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:** 1709-2006

**Drafting Date:** 09/26/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

ExplanationOrdinance 1411-2006 passed by City Council July 31, 2006 authorized 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 declared an emergency. This ordinance established the terms and conditions by which affected property owners can elect to pay the total amount of their portion of the assessment in a lump sum or allow the amount assessed to be added to their property tax billing over a ten-year period with interest charged at a rate established by the City Auditor and memorialize by ordinance.

The preliminary interest incorporated into Ordinance 1411-2006 was 4.850 percent. The final interest rate is 3.925 percent. This legislation revises Ordinance 1141-2006 to reflect the final interest rate.

**Fiscal Impact:** None.

Emergency action is requested in order that the assessment process can be completed expeditiously and reflect the final interest rate.

TitleTo amend Section 2 within Ordinance 1411-2006 that authorized 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 to change the interest rate germane to the assessment from 4.850 percent to 3.925 percent and to declare an emergency. (\$-0-)

Body**WHEREAS**, Ordinance 1411-2006 passed by City Council July 31, 2006 authorized 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 declared an emergency; and

**WHEREAS**, this ordinance established the terms and conditions by which affected property owners can elect to pay the total amount of their portion of the assessment in a lump sum or allow the amount assessed to be added to their property

tax billing over a ten-year period with interest charged at a rate established by the City Auditor and memorialize by ordinance; and

**WHEREAS**, the preliminary interest rate suggested by the City Auditor's Office and incorporated into Ordinance 1411-2006 was 4.850 percent and the final interest rate is 3.925 percent; and

**WHEREAS**, this pending legislation amends Section 2 (only) of Ordinance 1141-2006 to reflect the final interest rate; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary to amend said ordinance to reflect the final interest rate in order that the assessment process can be completed expeditiously, 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 Section 2 of Ordinance 1411-2006 passed by City Council July 31, 2006, be and hereby is revised to read as follows:

**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~~ 3.925 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 2.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 1715-2006

**Drafting Date:** 09/27/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

The City of Columbus, Public Service Department, Transportation Division, received a request from Spectrum Properties, Inc., doing business as 78 Chestnut Street LLC, ("the Developer") asking that the City transfer a fifteen foot wide strip of right-of-way off the west side of North Third Street, between Chestnut Street and Locust Street, to them. The Developer is converting 77,000 square feet of unoccupied office space at 78 East Chestnut Street into 48 residential condominium units to be known as CityView at Third. Transfer of this fifteen foot wide strip of right-of-way will allow the Developer to provide private screened patios for the ground floor condominium units at CityView at Third. As an additional part of the redevelopment of this site the Developer has agreed to take responsibility for the adjacent asphalt street (which is a dead-end alley) and convert it into a public pedestrian walkway from Chestnut Street on the south to Locust Street on the north. The Developer, on behalf of the CityView condominium association, has agreed to assume the long term maintenance responsibility and will enter into a maintenance agreement with the City for this public walkway area. Per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of this right-of-way, subject to the retention of a general utility easement for those utilities currently located within this portion of North Third Street and a maintenance easement for the existing retaining walls supporting the

Third Street Viaduct. The Department of Law, Real Estate Division, established a value of \$35,128.80 for this right-of-way. In recognition of the long term financial responsibilities, the value of the improvements undertaken by the Developer at this location that will further the interest and welfare of the public and the substantial increase in tax revenue generated by the development of these residential units in the downtown area the Land Review Commission voted to recommend that this right-of-way be transferred to 78 Chestnut Street LLC at no charge.

Emergency Justification: Emergency action is requested so that redevelopment of this site can continue without interruption.

**Title**

To authorize the Director of the Public Service Department to execute those documents required to transfer that property identified as a fifteen foot wide strip of right-of-way off the west side of North Third Street, between Chestnut Street and Locust Street, to 78 Chestnut Street LLC at no charge as recommended by the Land Review Commission; to authorize the Director of the Public Service Department to execute a maintenance agreement assigning the long term maintenance responsibilities for a public pedestrian walkway area being developed adjacent to this fifteen foot wide strip to 78 Chestnut Street LLC; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

**Body**

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, received a request from Spectrum Properties, Inc., doing business as 78 Chestnut Street LLC, ("the Developer") asking that the City transfer a fifteen foot wide strip of right-of-way off the west side of North Third Street, between Chestnut Street and Locust Street, to them; and

**WHEREAS**, the Developer is converting 77,000 square feet of unoccupied office space at 78 East Chestnut Street into 48 residential condominium units to be known as CityView at Third; and

**WHEREAS**, transfer of this fifteen foot wide strip of right-of-way will allow the Developer to provide private screened patios for the ground floor condominium units at CityView at Third; and

**WHEREAS**, as an additional part of the redevelopment of this site the Developer has agreed to take responsibility for the adjacent asphalt street (which is a dead-end alley) and convert it into a public pedestrian walkway from Chestnut Street on the south to Locust Street on the north; and

**WHEREAS**, the Developer, on behalf of the CityView condominium association, has agreed to assume the long term maintenance responsibility and will enter into a maintenance agreement with the City for this public walkway area; and

**WHEREAS**, per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of this right-of-way, subject to the retention of a general utility easement for those utilities currently located within this portion of North Third Street and a retaining wall maintenance easement for the future reconstruction and/or repair of the adjacent retaining walls that supports the existing Third Street Viaduct; and

**WHEREAS**, the Department of Law, Real Estate Division, established a total value of \$35,128.80 for this right-of-way; and

**WHEREAS**, the Land Review Commission voted to recommend that this right-of-way be transferred to 78 Chestnut Street LLC at no charge in recognition of the above referenced maintenance responsibilities, the value of the improvements undertaken by the Developer at this location that will further the interest and welfare of the public and the substantial increase in tax revenue generated by the development of these residential units in the downtown area; 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 Director to execute those documents necessary to transfer the requested portion of North Third Street to 78 Chestnut Street LLC without delay so that redevelopment of this site can continue without interruption 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 Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to 78 Chestnut Street LLC; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, being 0.064 acre of land all located within the right-of-way of Third Street as shown and delineated upon the recorded plat thereof, in Deed Book "F", Page 332, and Plat Book 3, Page 248, Recorder's Office, Franklin County, Ohio, being more particularly described as follows:

Beginning at the northeasterly corner of a 1 story brick building located at the intersection of the southerly right-of-way line of Locust Street (33 feet in width) and the westerly right-of-way line of Third Street (82.5 feet in width), said corner also being the northeasterly corner of Inlot 501 of said plats;

Thence South 89°53'32" East, through the right-of-way of Third Street, on the southerly right-of-way line of Locust Street extended, a distance of 13.44 feet to a drill hole set on the face of the westerly curb line of Third Street;

Thence continuing through said right-of-way and along said curb line the following courses:

1. With the arc of a curve to the right, having a radius of 12.50 feet, a central angle of 28° 55'53", and arc length of 6.31 feet, the chord of which bears South 14°32'11" East, a chord distance of 6.25 feet to an drill hole set;
2. South 00°04'15" East, a distance of 179.18 feet to an drill hole set;
3. North 89°19'21" West, a distance of 15.00 feet to a point in the westerly right-of-way line of third Street and being located in the easterly face of a 6 story brick building;

Thence North 00°04'15" West, along said westerly right-of-way line and said easterly face, a distance of 185.07 feet to the place of beginning and containing 0.064 acre of land.

Bearings herein are based on an assumed bearing of North 00°04'15" West, for Third Street and are used to determine angular measurements only.

This description was prepared by M-E Companies, Inc., based on information obtained from actual field surveys.

M-E Companies, Inc.  
David L. Chiesa, P.S., Registered Surveyor No. 7740

**Section 2.** That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

**Section 3.** That a general utility easement in, on, over, across and through the above described right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said right-of-way.

**Section 4.** That a retaining wall maintenance easement in, on, over, across and through the above described right-of-way shall be and hereby is retained unto the City of Columbus for the long term maintenance and/or repair of the adjacent retaining walls supporting the Third Street Viaduct.

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

**Section 6.** That 78 Chestnut Street LLC is hereby authorized to transform the adjacent asphalt street (which is a dead-end alley) into a public pedestrian walkway.

**Section 7.** That the Director of the Public Service Department be and is hereby authorized to execute a maintenance agreement assigning the long term maintenance responsibilities for said public pedestrian walkway area to 78 Chestnut

Street LLC.

**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 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:** 1716-2006

**Drafting Date:** 09/27/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

The Purchasing Office solicited competitive bid SA002145. Bids were opened September 14, 2006. A total of five (5) bids were received. The bidders were Acorn Farms (Maj), Schichtel's Nursery (Maj), Decker's Nursery (Maj), Gilmore Plant & Bulb Co. (Maj), and Shemin Nurseries Inc. (Maj). Three bidders have been awarded portions of the contract. They are Acorn Farms for \$32,701.00, Shemin Nurseries Inc. \$1,350.00 and Decker's Nursery for \$1,150.00. (The awards to Shemin and Decker's will not require legislation.) All awards are based on lowest responsive, and responsible and best bid. A contract will be created for Acorn Farms, Inc. **FID: 31-0986421** for \$32,701.00 to purchase a variety of tree species to be used for the street tree planting program.

### Title

To authorize and direct the Director of Finance and Management to enter into a contract with Acorn Farms, Inc., for trees for the Recreation and Parks Department, to authorize the expenditure of \$32,701.00 from the Recreation and Parks Tree Replacement Fund, and to declare an emergency.

### Body

**WHEREAS**, the Purchasing Office received bids on September 14, 2006 to obtain street trees for the Recreation and Parks Department; and

**WHEREAS**, a purchase order will be issued in accordance with the terms and specifications of the bid solicitation on file in the Purchasing Office; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said purchase order for the preservation of public health, peace, property and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

**SECTION 1.** That the Director of Finance and Management be and is hereby authorized and directed to enter into a purchase order with Acorn Farms, Inc., for street trees for the Recreation and Parks Department, in accordance with specifications on file in the Purchasing Office.

**SECTION 2.** That the expenditure of \$32,701.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Tree Replacement Fund, as follows, to pay the cost thereof.

**Fund Type:** Tree Replacement Fund

**Dept. No.:** 51

**Fund No.:** 234

**Object Level 3:** 2271  
**OCA Code:** 516781  
**Amount:** \$32,701.00

**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:** 1725-2006

**Drafting Date:** 09/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** To change the company name and Federal Identification number for contract number FL002221 for the purchase of Alivia VX-456 for the Department of Public Utilities. This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus with Alivia Corporation, FID 760286335 to USFilter Wastewater Group Inc., FID 954328532, ACT through 6/15/07.

- 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 funds are required to modify the option contract. Each agency must set aside their own funding for their estimated expenditures.

In order to maintain an uninterrupted of services to City agencies using this Universal Term Contract, this ordinance is being submitted as an emergency.

**Title**

To authorize and direct the Finance and Management Director to modify past, present and future purchase orders with Alivia Corporation, to reflect a name change to the company as a result of new ownership; and to declare an emergency.

**Body**

**WHEREAS,** the Finance and Management Department/Purchasing Office established the contract with Alivia Corporation for the option to purchase Alivia VX-456; and

**WHEREAS,** USFilter Wastewater Group Inc., purchased Alivia Corporation, in addition to notifying the City of the purchase, USFilter Wastewater Group Inc., has agreed to honor the past, present and future purchase orders established from contract number FL002221, and

**WHEREAS,** an emergency exists in the usual daily operation of the Finance and Management Department/Purchasing Office in that it is immediately necessary to modify contract number FL002221, 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 contract

FL002221 and all past, present and future purchase orders pursuant to that contract to reflect the change of the company name and FID number from Altivia Corporation, FID 760286335 to USFilter Wastewater Group Inc., FID 954328532.

**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:** 1729-2006

**Drafting Date:** 09/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

Need: The City of Columbus Division of Police has been awarded funding through the FY2006 Paul Coverdell National Forensic Science Improvement Act. This block grant is providing funds for training and travel costs for forensic lab personnel related to accreditation, certification, education and training to improve the quality and timeliness of forensic science services. It is also funding the purchase of minor lab equipment and furniture to enhance the lab analysis processes. The City must act as a subgrantee to the State of Ohio Office of Criminal Justice Services according to the federal grant guidelines. Therefore, the Mayor is required to sign a subgrantee award to accept on behalf of the City. The official City program contact authorized to act in connection with this grant is Crime Lab Manager, Jami St. Clair.

Emergency Designation: Emergency legislation is needed to make the funds available as soon as possible because of the need to meet registration deadlines for upcoming training opportunities and begin the purchase of equipment processes.

### FISCAL IMPACT:

There is no fiscal impact for the General Fund Account. All funds appropriated are reimbursable from the grant award.

### Title

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the FY2006 Paul Coverdell National Forensic Sciences Improvement Act via the State of Ohio, Office of Criminal Justice Services, to authorize Jami St. Clair as the official representative to act in connection with the subgrant, to authorize an appropriation of \$24,856.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the FY06 Coverdell Block subgrant project and to declare an emergency. (\$24,856.00)

### Body

WHEREAS, the City of Columbus Division of Police has been awarded funding through the FY06 Paul Coverdell National Forensic Sciences Improvement Act for the training of forensic lab personnel and the purchase of specialized lab equipment; and

WHEREAS, advancing technology has created a need for up-to-date training and additional specialized equipment for the Columbus Police Crime Lab and city funds for these purposes are limited; and

WHEREAS, Crime Lab Manager Jami St. Clair has been identified as the official representative to act in connection with the FY06 Paul Coverdell National Forensic Science Improvement Act Block Subgrant and to provide information as required; and

WHEREAS, the grant funds need to be available as soon as possible for the training registration and equipment purchases; and

WHEREAS, an emergency exists in the daily operation of the City of Columbus in that it is immediately necessary to authorize the Mayor to accept a FY06 Paul Coverdell National Forensic Sciences Improvement Act Block Subgrant for the

Division of Police Crime Lab and to authorize an appropriation for specialized training and equipment for forensic lab personnel 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 Mayor of the City of Columbus be and is hereby authorized and directed to accept a FY06 Paul Coverdell National Forensic Sciences Improvement Act Block Subgrant for specialized training and equipment for the Columbus Police Crime Lab.

Section 2. That Crime Lab Manager, Jami St. Clair is designated as the official program contact and authorized to act in connection with the FY06 Paul Coverdell National Forensic Sciences Improvement Act Block Grant Program and to provide any additional information required.

Section 3. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes during the subgrant award period the sum of \$24,856.00 is appropriated as follows:

DIV	FD	OBJ#1	OBJ#3	OCACD	GRANT	AMOUNT
30-03	220	02	2140	337032	337032	3,000.00
30-03	220	02	2203	337032	337032	6,000.00
30-03	220	03	3330	337032	337032	12,106.00
30-03	220	03	3331	337032	337032	3,750.00

Section 4. That the monies appropriated in the foregoing Section 3 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 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 nor vetoes the same.

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**Legislation Number:** 1731-2006

**Drafting Date:** 09/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** Columbus City Council approved an Enterprise Zone Agreement with Roxane Laboratories, Inc., renamed Boehringer Ingelheim Roxane, Inc. in April 2005, and seven of its affiliated entities (collectively, "Roxane") on July 29, 2002 by Ord. No. 1195-02 and amended the Enterprise Zone Agreement on July 28, 2003 by Ord. No. 1915-03. The Enterprise Zone Agreement, as amended (the "EZA"), grants a 75%/10-yr abatement on real property improvements (2006-2015) and personal property (2005-2014) including new machinery & equipment, and inventory. The Roxane EZA project sites are located at 1809 Wilson Road and at 700 Manor Park Road, on the west side of Columbus.

The Tax Incentive Review Council recommended on August 24, 2006, that the City amend the EZA to eliminate the requirement for inventory investment, the exemption on inventory, and the annual reporting requirements that relate to inventory, thus easing the reporting and monitoring burden on the company and City. The reason is that the 75% exemption on inventory provided by the EZA is no longer needed by Roxane because its project sites in Columbus were approved for inclusion in Foreign Trade Zone No. 138 as of November of 2005. The 100% inventory tax exemption in Foreign Trade Zone locations is a benefit the State has conferred. Moreover, the State is eliminating the personal property

tax in Ohio as of tax year 2009. The City desires to follow the TIRC recommendation and to amend the EZA to remove the inventory element, which will ease the reporting and monitoring burden on Roxane and the City. The EZA will continue, without the inventory element. The real and personal property investment goals and exemptions, except for inventory, will continue unchanged, as will the job retention, creation and payroll goals.

Roxane committed to invest a total of approximately \$245.5 million, including \$10 million in real property improvements, \$35.5 million in machinery & equipment and \$200 million in new average annual of inventory, to retain existing 900 jobs and create 95 new jobs. The company has exceeded the EZA goal for investment in machinery & equipment, has satisfied most of the real property investment goal, has satisfied the job retention goal and is ahead of schedule in the job creation and payroll goals. With respect to the inventory investment, Roxane is behind schedule due to the slow process of obtaining FDA approval for Roxane to manufacture Spiriva at the Columbus plant for distribution in the U.S. Spiriva is a new drug to treat chronic obstructive pulmonary disease and the Columbus plant is the main production facility for the drug in the U.S.

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

#### **Title**

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Boehringer Ingelheim Roxane, Inc. to eliminate the requirement for inventory investment, the exemption on inventory, and the annual reporting requirements that relate to inventory; and to declare an emergency.

#### **Body**

**WHEREAS**, by Ord. No. 1195-02, adopted July 29, 2002, the Columbus City Council approved an Enterprise Zone Agreement with Roxane Laboratories, Inc., renamed Boehringer Ingelheim Roxane, Inc. in April 2005, and its affiliates Boehringer Ingelheim Chemicals, Inc., Boehringer Ingelheim Pharmaceuticals, Inc, Boehringer Ingelheim Vetmedica, Inc., Boehringer Ingelheim Canada, Ltd., Bio Development Corporation, Boehringer Ingelheim International, GmbH and Promeco S.A. Dec. V. (collectively, hereinafter "Roxane"), and the Enterprise Zone Agreement with Roxane was entered into effective January 3, 2003; and

**WHEREAS**, the Columbus City Council by Ord. No. 1915-03, adopted on July 28, 2003 authorized the First Amendment to the Enterprise Zone Agreement with Roxane; and

**WHEREAS**, the Enterprise Zone Agreement with Roxane, as amended by Ord. No 1915-03 (the "EZA"), grants a 75%/10-yr abatement on real property improvements (2006-2015) and personal property (2005-2014) including new machinery & equipment, and inventory; and

**WHEREAS**, the EZA commits Roxane to invest a total of approximately \$245.5 million, including \$10 million in real property improvements, \$35.5 million in machinery & equipment and \$200 million in new average annual of inventory, to retain existing 900 jobs and create 95 new jobs; and

**WHEREAS**, in November of 2005, Roxane's EZA project sites in Columbus were approved for inclusion in Foreign Trade Zone No. 138 and a resulting benefit is that the inventory at these sites is 100% exempt from Ohio's inventory tax, rendering superfluous the EZA's 75% exemption on inventory ; and

**WHEREAS**, the Tax Incentive Review Council (the "TIRC") has recommended that the City amend the EZA to eliminate the requirement for inventory investment, the exemption on inventory, and the annual reporting requirements that relate to inventory, thus easing the reporting and monitoring burden on the company and City; and

**WHEREAS**, the City desires to follow the TIRC's recommendation and to amend the EZA accordingly; and

**WHEREAS**, aside from inventory, the real and personal property investment goals and exemptions under the EZA, as

well as the job retention and creation goals, will continue unchanged; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85 and to preserve the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Boehringer Ingelhem Roxane, Inc. to eliminate the requirement for inventory investment, the exemption on inventory, and the annual reporting requirements that relate to inventory.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1732-2006

**Drafting Date:** 09/28/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** To appropriate \$66,668.00 in the Urban Development Action Grants Fund, to the Department of Finance and Management, and to authorize the expenditure of \$66,668.00 from the Urban Development Action Grants Fund for the immediate and long term maintenance of the Ohio Theatre.

The development agreements for the use of two UDAGs received by the City for renovation of the Ohio Theatre require that loan repayments from the Columbus Association for the Performing Arts (CAPA, tax id. #31-0749884) to the city be used for maintenance of the theatre.

The development agreements established a 30-year term for CAPA to repay the UDAG. The use of the loan repayments for maintenance activities constitutes an expenditure by the City and is not a loan.

**FISCAL IMPACT:** Funds are available for these transactions in the Urban Development Action Grants subfunds.

This legislation is presented as an emergency to effectively execute the requirements of the UDAG agreement. The terms of the UDAG contract stipulate that CAPA make payment to the City, which in turn must reimburse that amount to CAPA on a timely basis to fund the aforementioned maintenance expenses.

**Title**

To authorize an appropriation of \$66,668.00 from the unappropriated balance of the Urban Development Action Grants Fund, to the Department of Finance and Management, and to authorize the expenditure of \$66,668.00 from the Urban Development Action Grants Fund, to provide for the immediate and long term maintenance of the Ohio Theatre, and to declare an emergency. (\$66,668.00)

**Body**

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

and expend the aforementioned funds, thereby preserving the public health, peace, property, safety and welfare; Now, Therefore

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

SECTION 1. That from the unappropriated monies in the fund known as the Urban Development Action Grants Fund, Fund No. 243, 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 there be and hereby is appropriated the following sum for use during the 12 months ending December 31, 2006, to provide for long term maintenance of the Ohio Theatre:

Division No. 45-01 - Department of Finance and Management

<u>Subfund</u>	<u>OCA</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
243009	450171	03	3337	\$50,000.00
243010	450189	03	3337	\$16,668.00
TOTAL APPROPRIATION				\$66,668.00

SECTION 2. That the expenditure of \$66,668.00, or so much thereof as may be necessary, be and hereby authorized from the Department of Finance and Management, Department No. 45-01, Urban Development Action Grants Fund, Fund No. 243, as follows:

<u>Subfund</u>	<u>OCA</u>	<u>Object Level One</u>	<u>Object Level Three</u>	<u>Amount</u>
243009	450171	03	3337	\$50,000.00
243010	450189	03	3337	\$16,668.00
TOTAL EXPENDITURE				\$66,668.00

SECTION 3. That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Department of Finance and Management; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

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

**Legislation Number:** 1733-2006

**Drafting Date:** 09/28/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Tax Incentive Review Council (TIRC) recommended on August 25, 2006, that the City dissolve the Enterprise Zone Agreement with Commodity Logistics and CIVFI-OH1BO1, LLC, with 2005 as the final tax year of abatement and no recovery of tax saving from tax years prior to 2005. Commodity Logistics has been unable to achieve its job creation requirements pursuant to the Enterprise Zone Agreement. The City concurs with the TIRC recommendation.

Columbus City Council approved an Enterprise Zone Agreement with Commodity Logistics (tenant), Commodity One, LLC, and CalEast Industrial Investors, LLC (property owners), by Ord. No. 36-00, adopted January 10, 2000. City Council approved an amendment of the Enterprise Zone Agreement to assign the interests of the original property owners to a new property owner, CIVFI-OH1BO1, LLC, by Ord. No. 1920-2003, on July 28, 2003. Commodity Logistics is a third party logistics firm. The project site is the company's headquarters location at 1500 Commodity Boulevard in the Rickenbacker area. The Enterprise Zone Agreement grants a 60%/ 7-yr real property tax abatement (2001-2007), while the tenant and property owners agreed to construct a 500,000 square foot building, to invest \$8.5 million in real property investment, \$500,000 in a rail extension, \$850,000 in personal property investment, and to create 200 full-time jobs with an approximate payroll of \$3.24 million. On December 8, 2003, City Council approved Ord. No. 2653-2003, to grant Commodity Logistics two additional years to meet the job creation goal. The new deadline was set at December 31, 2005.

The project has exceeded its real property investment goal, has met most of the personal property investment goal but has been unable to meet the job creation goal. As of December 31, 2005, Commodity Logistics had only 44 jobs at the project site (goal is 200 jobs), with an annual payroll of \$2.3 million. The project had been making progress with job creation, with 71 jobs as of December 2004, but in 2005 the company lost over 60% of its business with the loss of its largest customer. This loss has resulted in a decrease of 500 full-time employees company-wide.

This legislation is presented as an emergency measure in order to meet the deadline under state law for City Council to vote on TIRC recommendations.

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

#### **Title**

To dissolve the Commodity Logistics and CIVFI-OH1BO1, LLC Enterprise Zone Agreement and direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

#### **Body**

**WHEREAS**, Columbus City Council approved an Enterprise Zone Agreement with Commodity Logistics, Commodity One, LLC, and CalEast Industrial Investors, LLC by Ord. No. 36-00, adopted January 10, 2000 and amended the Agreement by Ord. No. 1920-2003, on July 28, 2003, to assign the interests of the original property owners to a new property owner, CIVFI-OH1BO1, LLC; and

**WHEREAS**, the Enterprise Zone Agreement with Commodity Logistics and CIVFI-OH1BO1, LLC (the "EZA") grants a 60%/7 year tax abatement on real property improvements and requires an investment of \$8.5 million in real property, \$500,000 in rail construction, \$850,000 in personal property, and the creation of 200 jobs; and

**WHEREAS**, Columbus City Council authorized an amendment to the EZA by Ord. No. 2653-2003, to grant a two-year extension to complete the job creation with the resulting deadline being December 31, 2005; and

**WHEREAS**, Commodity Logistics exceeded its investment requirements, but created only 44 jobs as of December 31, 2005; and

**WHEREAS**, the Tax Incentive Review Council (the "TIRC") recommended that the City dissolve the EZA, with 2005 as the final tax year for the tax exemptions, without requesting the payment of exempted amounts from tax years prior to 2005; and

**WHEREAS**, the City concurs with the TIRC recommendation and desires to dissolve the EZA, with 2005 as the final tax year for the tax exemptions, without requesting the payment of exempted amounts from tax years prior to 2005; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85, all for the preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That Columbus City Council hereby dissolves the Enterprise Zone Agreement with Commodity Logistics and CIVFI-OH1BO1, LLC, with tax year 2005 as the final year for the tax exemptions and without requesting the payment of exempted amounts from tax years prior to 2005, and authorizes the Director of Development to notify as necessary the state and local authorities.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1734-2006

**Drafting Date:** 09/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** To change the company name and Federal Identification number for contract number FL002771 for the purchase of Hazardous Waste and Petroleum Waste Disposal and Testing Services for the Purchasing Office. This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus with Pro-Terra Environmental Contracting, FID 311272247 to Performance Site Environmental, LLC. FID 20-5433318.

- 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 formally integrated with the new supplier to form a new company, Performance Site Environmental, LLC.
- 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 is 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.

**Title**

To authorize and direct the Finance and Management Director to modify past, present and future purchase orders with Pro-Terra Environmental Contracting to reflect a name change to the company and to declare an emergency.

**Body**

**WHEREAS**, the Finance and Management Department/Purchasing Office established the contract with Pro-Terra Environmental Contracting for the option to purchase Hazardous and Petroleum Waste Disposal and Testing services; and

**WHEREAS**, Pro-Terra Environmental Contracting integrated with Performance Site Company to form a new company, Performance Site Environmental, LLC, located at 2323 Performance Parkway, Columbus, Ohio 43207, and notified the City of its change, in order to assure the quick and efficient processing of purchase orders established in conjunction with contract FL002771, and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department/Purchasing Office in that it is immediately necessary to modify contract number FL002771, 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 contract FL002771 and all past, present and future purchase orders pursuant to that contract to reflect the change of the company name and FID number from Pro-Terra Environmental Contracting, FID 311272247 to Performance Site Environmental LLC, FID 20-5433318.

**SECTION 2.** That this modification is in accordance with Section 329.16 of the Columbus City Code.

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

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**Legislation Number:** 1735-2006

**Drafting Date:** 09/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** For the option to purchase Protective Footwear for employees of various City agencies. The term of the proposed option contract (UTC) would be two (2) years. Contract is through November 30, 2008. The Purchasing Office opened formal bids on September 21, 2006.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 ( SA002152 CGW) Six (MAJ:6, MBE:0, FBE:0) bids were solicited; Three (3) (MAJ:3) bids were received.

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

Safety Solution, MAJ, CC#310808325 (Expires 7-6-2007), \$175,000.00

Total Estimated Annual Expenditure: \$175,000.00

The company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing UTC Contract Account. Various 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 Protective Footwear with Safety Solutions, Inc., to authorize the expenditure of one (1) 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 September 21, 2006 and selected the lowest, responsive, responsible and best bids. Three (3) bids were received, Safety Solution, Iron Age Corporation, and Lehigh Safety Shoe Company, LLC. Iron Age Corporation and Lehigh Safety Shoe Company, LLC were deemed non-responsive to section 3.2.1 of the specifications which requires the supplier to have a place of business suitable for the fitting and pick-up of protective footwear and supplies. The facility shall be within a 15-mile radius of the intersection at High Street and Broad Street; and

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

WHEREAS, this protective footwear is used as safety protection for City employees, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the various City agencies in that it is immediately necessary to enter into a contract(s) for an option to purchase protective footwear, 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 contract for an option to purchase Protective Footwear in accordance with Solicitation No. SA002152 CGW as follows:

Safety Solutions, Inc. All Items: Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Purchasing UTC 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.

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**Legislation Number:** 1736-2006

**Drafting Date:** 09/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The Tax Incentive Review Council (the "TIRC") recommended on August 25, 2006 to dissolve the Enterprise Zone Agreement with Hood Dialysis, LLC (the "EZA") unless the delinquent real property taxes are paid by October 31, 2006 and the job creation goal (30 jobs) is met by October 31, 2006. The City concurs with the recommendations of the TIRC that the EZA be dissolved if the above conditions are not met, except that if the facility is leased or sold the Development Director is authorized to amend the EZA if (1) the delinquent real property taxes are paid in full by October 31, 2006, and (2) the new operator or owner agrees by October 31, 2006 to be added to the EZA, and (3) the new operator or owner agrees to create, by June 30, 2007, the 30 jobs called for in the EZA.

If the EZA is dissolved, 2006 will be the final tax year for the exemptions and the City will not seek repayment of the exempted taxes from prior years.

Columbus City Council approved the EZA by Ordinance 0835-02 adopted on June 10, 2002. The tax incentive was 50% on real property improvements and personal property for five taxable years (2004-2008). Hood Dialysis agreed to invest \$1,650,000 in real and personal property, to build a new facility for dialysis services at 2360 CityGate Dr., and create thirty (30) new full-time jobs with an annual payroll of approximately \$1,365,800.

Hood Dialysis built the new facility, is providing dialysis services at the site and has met its investment goal in real and personal property. As of August 2006, however, Hood dialysis had created only 15 jobs (50% attainment) and in 2005 generated an annual payroll of only \$542,652 (40% attainment).

The owner of Hood Dialysis died within the past year and the new owner, a family member, is attempting to either sell or lease the facility to a company that would continue to provide dialysis services at the project site.

This legislation is presented as an emergency measure in order to meet the deadline under state law for City Council to vote on TIRC recommendations.

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

### **Title**

To dissolve the Enterprise Zone Agreement with Hood Dialysis, LLC if the company does not pay delinquent real property taxes and satisfy its job creation requirement by October 31, 2006, or to amend the Enterprise Zone Agreement if by October 31, 2006 the property is leased or purchased by another company that agrees to create by June 30, 2007 the 30 jobs called for in the Enterprise Zone Agreement; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

### **Body**

**WHEREAS**, Columbus City Council approved an Enterprise Zone Agreement with Hood Dialysis, LLC (the "EZA") by Ordinance No. 0835-02 on June 10, 2002; and

**WHEREAS**, the EZA grants Hood Dialysis, LLC ("Hood Dialysis") a 50%/ 5 year abatement real and personal property abatement; and

**WHEREAS**, the EZA requires Hood Dialysis to invest \$1,650,000 in real and personal property and create thirty (30) new full-time jobs at its 2360 CityGate Drive facility; and

**WHEREAS**, Hood Dialysis has not met the job creation requirements in the EZA and is delinquent in its real property tax payment; and

**WHEREAS**, the Columbus Tax Incentive Review Council (the "TIRC") recommended that the EZA be dissolved unless Hood Dialysis pays its delinquent taxes by October 31, 2006 and meets the EZA job creation requirement by October 31, 2006; and

**WHEREAS**, the City concurs with the TIRC recommendation and desires to dissolve the EZA and end the tax abatement as of December 31, 2006 unless Hood Dialysis meets the EZA job creation requirement and pays its delinquent taxes by October 31, 2006, provided, however that if the facility is leased or sold the City desires to amend and continue the EZA as an alternative to dissolving the EZA, if (1) the delinquent real property taxes are paid in full by October 31, 2006, and (2) the new operator or owner agrees by October 31, 2006 to be added to the EZA, and (3) the new operator or owner agrees to create, by June 30, 2007, the 30 jobs called for in the EZA; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85, thereby preserving the public health, property, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That Columbus City Council hereby dissolves the Hood Dialysis, LLC Enterprise Zone Agreement (the "EZA") as of December 31, 2006, with 2006 as the final tax year for the exemptions, unless the delinquent real property taxes are paid by October 31, 2006 and 30 full-time permanent jobs are created by October 31, 2006, provided, however, that if the facility is leased or sold the Development Director is authorized to amend and continue the EZA as an alternative to dissolving the EZA, if the following conditions are met (1) the delinquent real property taxes are paid in full by October 31, 2006, and (2) the new operator or owner agrees by October 31, 2006 to be added to the EZA, and (3) the new operator or owner agrees to create, by June 30, 2007, the 30 jobs called for in the EZA.

**Section 2.** That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the Hood Dialysis, LLC Enterprise Zone Agreement.

**Section 3.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1738-2006

**Drafting Date:** 09/28/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation will dissolve the Enterprise Zone Agreement with Mohawk Carpet Distribution LP (the "EZA"). Mohawk Carpet Distribution LP is a subsidiary of Mohawk Industries, Inc. ("Mohawk").

Mohawk's Attorney sent a letter to the Economic Development Division, dated August 22, 2006, which states that in the past 18 months Mohawk experienced a dramatic market downturn in the central Ohio area and will be unable to continue participation in the Enterprise Zone Agreement.

Columbus City Council approved the EZA by Ord. No. 2366-2003, adopted on November 3, 2003. The EZA was entered into on March 15, 2004 and provided for a 75%/10-year tax abatement (2005-2014) on real property improvements, the construction of a 350,000 square foot distribution facility, the retention of 100 existing jobs and the creation of 50 new jobs over a five year period, of which 10 jobs were to have been created by December 31, 2005. The facility has been built and the real and personal property investment satisfied. The project has created no jobs to date, however.

The EZA will be dissolved upon approval of this legislation. Mohawk has not commenced taking tax exemptions under the EZA and thus there are no forgone taxes.

The present legislation will also rescind Ord. No. 396-2006, approved by Columbus City Council on March 13, 2006, which authorized modifying the EZA by adding FED ONE Properties VI, LLC, owner of the real property at the project site. FED ONE had been inadvertently omitted in drafting the EZA. The City did not move forward with executing an amended agreement, however, due to problems that emerged related to lack of job creation and reporting.

This legislation is presented as an emergency measure in order to meet the deadline under state law for City Council to vote on TIRC recommendations.

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

**Title**

To dissolve the Mohawk Carpet Distribution LP Enterprise Zone Agreement; to rescind Ordinance 0396-2006; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

**Body**

**WHEREAS**, Columbus City Council approved an Enterprise Zone Agreement with Mohawk Carpet Distribution LP (the "EZA") by Ord. No. 2366-2003, adopted on November 3, 2003 and entered into the EZA on March 15, 2004; and

**WHEREAS**, the EZA grants a 75%/10 year abatement real property abatement; and

**WHEREAS**, the EZA requires Mohawk to invest \$18 million, retain 100 jobs and create new 50 jobs over 5 years, of which 10 new jobs were required by December 31, 2005; and

**WHEREAS**, Columbus City Council authorized an amendment to the EZA on March 13, 2006, by Ord. No. 396-2006, however the City never moved forward with executing an amended agreement due to the emergence of problems job creation and reporting, and the City now desires to rescind Ord. No. 396-2006; and

**WHEREAS**, Mohawk did not meet the job creation requirement for 2005 and has stated in writing that it believes it will not be able to achieve the anticipated job numbers and will be unable to continue participation in the EZA; and

**WHEREAS**, the City desires to dissolve the EZA given that Mohawk believes it will not be able to create jobs locally and has said that it will be unable to continue participation in the EZA; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85, all for the preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That Columbus City Council hereby dissolves the Enterprise Zone Agreement with Mohawk Carpet Distribution LP, rescinds Ord. No. 396-2006, and authorizes the Director of Development to notify as necessary the state and local authorities.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1742-2006

**Drafting Date:** 09/28/2006

**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 F.L.I.R. (forward looking infrared) Systems for the helicopter unit. This equipment is a thermal and visible light imaging system that will provide detection capabilities in any type of weather conditions, day or night. The total expenditure in the amount of \$484,705.00 will be paid by Franklin County through the Urban Area Homeland Security Grant. The Intergovernmental Agreements permit the City of Columbus and Franklin County to make these federal sub-grant expenditures and these agreements are being extended per Ordinance 1691-2006 which is in process. Due to deadline of this grant purchase, 3/01/07 this purchase must be expedited; grant deadlines were changed by Franklin County to insure proper funding for projects with a longer lead time.

**Bid Information:** A formal bid, Solicitation # SA002144 -F.L.I.R. (Forward Looking Infrared) System was opened on September 14, 2006. Two suppliers submitted bids for F.L.I.R. Systems. FLIR Systems Inc. was the lowest, responsive, responsible and best bidder at \$484,705.00 for all items.

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 # 930708501**

**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.

**Title**

To authorize the Finance and Management Director to execute those documents necessary for the acquisition of Forward Looking Infra Red Systems for the Division of Polices' Helicopter unit, from FLIR Systems, Inc. utilizing the Homeland Security Grant, 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, this infrared camera system will provide better detection and safer flying for the Police Heliport Unit; and

WHEREAS, a formal bid, Solicitation SA002144 F.L.I.R. (Forward Looking Infrared) Systems, Inc. was received by the

Purchasing Office on September 14, 2006; and

WHEREAS, FLIR Systems, Inc. was the lowest, responsive, responsible and best bidder; and

WHEREAS, the Division of Police is requesting the Finance and Management Director to execute the necessary documents for acquisition of this infrared camera system utilizing the Homeland Security Grant; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police in that it is immediately necessary to execute the needed documents for the acquisition of F.L.I. R. Systems from the federal sub-grant 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 Finance and Management be and is hereby authorized and directed to execute those documents necessary for acquisition of F.L.I.R. Systems, Inc. utilizing the Homeland Security Grant.

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:** 1743-2006

**Drafting Date:** 10/03/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

BACKGROUND: To modify and extend the existing city-wide contract for the option to purchase Automotive Transmission Repair for Fleet Management, the largest user to and including December 30, 2007. Formal bids were opened by the Purchasing Office on November 20, 2003. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Proposal No. SA000563 GRW). FL002111, with American Automatic Transmission Company Inc. was established in accordance with bids received. Contract Compliance # 310994510 (Expires 1-4-07).

1. Amount of additional funds: The estimated annual expenditure for the contract is \$147,000.00. 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 Automotive Transmission Repair with American Automatic Transmission Company 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 FL000211 at current prices and conditions to and including December 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 Automotive Transmission Repair, 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 operational,

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management in that it is immediately necessary to extend FL002111 for an option to purchase Automotive Transmission Repair thereby preserving the public health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to modify and extend FL0002111 with American Automatic Transmission Company Inc. to and including December 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:** 1744-2006

**Drafting Date:** 09/28/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Tax Incentive Review Council (the "TIRC") reviewed the Weiler-Bowen/City Park Place Enterprise Zone project on August 25, 2006, and recommended that the City meet with the property owner and negotiate an amended Enterprise Zone Agreement with terms the City deems realistic and appropriate. The meeting took place and modifications have been identified that are realistic and appropriate given the history of the project and the current real estate market. This legislation authorizes the Director of Development to amend the existing Weiler-Bowen/City Park Place Enterprise Zone Agreement (the "EZA") to (1) reduce the job requirement to 86 jobs, (2) reduce the payroll requirement to \$2.9 million, (3) eliminate the personal property investment goal and reporting requirements, and (4) emphasize the importance of the property owner reporting annually to the City on the tenant jobs and payroll.

Columbus City Council approved the EZA by Ord. No. 2329-97, adopted September 29, 1997. The project entailed renovating two derelict structures into a multi-tenant facility with 54,000 square feet of Class-A office space. The project is located at 79 E. Thurman Avenue near the intersection with City Park Avenue. The EZA granted a real property tax abatement of 10 years (2000-2009), at 100% for the first 5 years and 50% the second 5 years, and a project investment of \$3.5 million in real property and \$2.75 million in personal property and the creation of 150 jobs with an annual payroll of \$5 million. City Council approved a first amendment in 2003 and a second amendment in 2004. The 2003 amendment allows multiple tenants to fulfill the jobs goal and for the jobs and payroll to be either retained or new. The need for the

first amendment was due to the loss of the original anchor tenant (CallTech), which had outgrown the facility even before it was completely renovated. The 2004 amendment reduced the real property exemption from 100% to 50% one year earlier than scheduled, due to the project's difficulty in meeting the personal property investment goal.

The project had approximately 136 jobs in December 2004 (91% attainment). Subsequently, two tenants were lost which has left the project with only 86 jobs at present (57% attainment). The property owner has been working hard to secure replacement tenants, which is difficult given the office vacancy rate. Another problem is that the multiple small tenants have been unable to comply with the sizeable personal property investment goal, which was originally the goal of the large anchor tenant (CallTech) who never moved into the facility. In addition, it is difficult to verify the personal property investment reported by the small tenants since taxpayers are no longer required to file returns for listed values of \$10,000 or less. It is important to note that the project investment by the property owner allowed the City to achieve two of its primary objectives with the project in 1997: the restoration of two derelict eyesores into handsome structures and the addition of Class-A office space. In 1997, there was a scarcity of Class-A office space near the downtown. The present tax abatement is important to the facility's ability to compete cost-wise for tenants, given the high vacancy rates in the Columbus area. The present legislation will amend the EZA with realistic terms that will afford the project a good chance to be viewed as compliant in future reviews.

This legislation is presented as an emergency measure in order to meet the deadline under state law for City Council to vote on TIRC recommendations.

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

#### **Title**

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Weiler-Bowen Ltd. to reduce the job requirement from 150 to 86 and the payroll requirement from \$5 million to \$2.9 million, eliminate personal property tax investment goal and reporting requirements and to emphasize the importance of annual reporting on tenant jobs and payroll; and to declare an emergency.

#### **Body**

**WHEREAS**, the Columbus City Council approved the Enterprise Zone Agreement with Weiler-Bowen on September 29, 1997 by Ordinance No. 2329-97 and amended the Enterprise Zone Agreement on December 8, 2003 by Ordinance 2507-2003 and on November 1, 2004 by Ordinance 1916-2004; and

**WHEREAS**, as amended, the Enterprise Zone Agreement with Weiler-Bowen (the "EZA") requires Weiler-Bowen to invest \$3.5 million in real property, \$2.75 million in personal property and create or retain 150 jobs with a payroll of \$5 million; and

**WHEREAS**, the project has met the real property investment goals, but has not met the personal property investment goal or the job level required by the EZA; and

**WHEREAS**, the Tax Incentive Review Council (TIRC) met on August 25, 2006 and recommended that the City meet with Weiler-Bowen and negotiate an amended EZA with terms the City deems realistic and appropriate; and

**WHEREAS**, the City met with Weiler-Bowen and determined realistic and appropriate modifications to the EZA that respect the City's original intent with the project, the change from one major tenant to multiple small tenants and the challenges the project is facing given existing conditions in the market for office market; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85, all for the preservation of the public health, 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 amend the Weiler-Bowen Ltd./City Park Place Enterprise Zone Agreement (EZA) to (1) reduce the job requirement to 86, and (2) reduce the payroll requirement to \$2.9 million, (3) eliminate the personal property investment goal and reporting requirements, and (4) emphasize the importance of the property owner reporting annually to the City on the tenant jobs and payroll.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1749-2006

**Drafting Date:** 09/29/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes an amendment to Ordinance No.0959-2006, passed June 5, 2006, that authorized the Development Director to enter into the City's Enterprise Zone Agreement (EZA) with Meritex Columbus, LLC. The EZA provided a real property tax exemption of 65% for 7 years to Meritex for the real property at the project site located at 1901 Dividend Drive, based on an investment of \$2,236,742 in real property improvements and the creation of 60 new full time jobs. It is now necessary to change the new job creation requirement from 60 new full-time jobs to 30 new full-time jobs. Meritex Columbus, LLC has been attempting to attract clients to utilize the multi-tenant building that will be constructed. Meritex Columbus, LLC has revised their initial estimate for job creation due to the difficulty attracting industrial clients to this area.

Meritex Enterprises, Inc, parent company of Meritex Columbus, LLC is a privately held company. Meritex is a national real estate investment company offering industrial space solutions to businesses. Meritex intends to construct a 52,800 square foot facility that can house 8 tenant suites with a total investment of \$2,236,742 and create 30 new full-time jobs.

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

**Title**

To amend Ordinance 0959-06, passed on June 5, 2006, to reflect a reduction in the new job creation requirement in the Enterprise Zone Agreement with Meritex Columbus, LLC; and to declare an emergency.

**Body**

**WHEREAS,** the Columbus City Council approved an Enterprise Zone Incentive with Meritex Columbus, LLC, on June 5, 2006, by Ordinance No. 0959-2006; and

**WHEREAS,** the Enterprise Zone Agreement provided a real property tax exemption of 65% for 7 years to Meritex Columbus, LLC for the real property at the project site located at 1901 Dividend Drive parcel number 560-210796, based on an investment of \$2,236,742 in real property improvements and the creation of 60 (sixty) new full time jobs; and

**WHEREAS,** the ordinance must be amended to reflect a job creation commitment of 30 (thirty) new full time jobs; and

**WHEREAS,** Meritex Columbus, LLC has been attempting to attract clients to utilize the multi-tenant building that will be constructed; and

**WHEREAS,** Meritex Columbus, LLC has revised their initial estimate for job creation due to the difficulty attracting industrial clients to this area; and

**WHEREAS,** emergency action is request to allow the company to receive the incentive as soon as possible to begin construction of a new 52,800 square foot facility; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend Ordinance 0959-2006, all for the preservation of public health, peace, property and safety, **NOW, THEREFORE,**

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

**Section 1.** That Ordinance 0959-06, passed on June 5, 2006, is hereby amended for the purpose of reducing the new job creation requirement of Meritex Columbus, LLC from 60 (sixty) full time jobs to 30 (thirty) full time jobs.

**Section 2.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after 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:** 1753-2006

**Drafting Date:** 09/29/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

The City of Columbus, Public Service Department, Transportation Division, received a request from Fabulous Real Estate Investments, LLC, ("the Developer") asking that the City transfer the first alley east of Douglass Street from Oak Street to the alley north of Oak Street to them. The Developer is converting what is currently a collection of vacant and deteriorating buildings into 31 high-end condo units to be known as the "Olde Towne Condominiums". In addition, ground floor commercial space will be developed at the northwest and at the southwest corners of this site. Sale of this alley, which is completely enclosed by the condo complex, will allow the Developer to combine individual parcels into one unified property and will allow the Developer to construct a new 16 space garage to provide additional parking for the new complex. Per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of this alley, subject to the retention of a general utility easement for those utilities currently located within this alley. The Department of Law, Real Estate Division, established a value of \$5,400.00 for this right-of-way. In recognition of the substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of this project and in recognition of the significant improvement this development will make to the neighborhood the Land Review Commission voted to recommend that this alley be transferred to Fabulous Real Estate Investments, LLC at no charge.

Emergency Justification: Emergency action is requested so that the individual parcels can be combined into one, financing arrangements can be finalized, and redevelopment of this site can begin without delay.

**Title**

To authorize the Director of the Public Service Department to execute those documents required to transfer the first alley east of Douglass Street from Oak Street to the alley north of Oak Street to Fabulous Real Estate Investments, LLC at no charge as recommended by the Land Review Commission; to waive the competitive bidding provisions of Columbus City Codes; and to declare an emergency.

**Body**

**WHEREAS**, the City of Columbus, Public Service Department, Transportation Division, received a request from Fabulous Real Estate Investments, LLC, ("the Developer") asking that the City transfer the first alley east of Douglass Street from Oak Street to the alley north of Oak Street to them; and

**WHEREAS**, the Developer is converting what is currently a collection of vacant and deteriorating buildings into 31 high-end condo units to be known as the "Olde Towne Condominiums"; and

**WHEREAS**, as an additional part of the redevelopment the Developer intends to create ground floor commercial space at the northwest and at the southwest corners of this site; and

**WHEREAS**, sale of this alley, which is completely enclosed by the proposed condo complex, will allow the Developer to combine individual parcels into one unified property and will allow the Developer to construct a new 16 space garage to provide additional parking for the new complex; and

**WHEREAS**, per current Transportation Division practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that there would be no adverse impact to the City upon transfer of this right-of-way, subject to the retention of a general utility easement for those utilities currently located within this alley; and

**WHEREAS**, the Department of Law, Real Estate Division, established a total value of \$5,400.00 for this alley; and

**WHEREAS**, the Land Review Commission voted to recommend that this alley be transferred to Fabulous Real Estate Investments, LLC at no charge in recognition of the substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of this project and in recognition of the significant improvement this development will make to the neighborhood; 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 Director to execute those documents necessary to transfer the first alley east of Douglass Street from Oak Street to the alley north of Oak Street to Fabulous Real Estate Investments, LLC without delay so that the individual parcels within this site can be combined, financing arrangements can be finalized and redevelopment of this site can begin without delay 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 Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Fabulous Real estate Investments, LLC; to-wit:

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 13, Township 5, Range 22 and being a 15 foot wide alley as shown and delineated in the record plat of C.B. & D.H. Cowan's Subdivision, of record in Plat Book 5, Page 311, all records herein are from the Recorder's Office, Franklin County, Ohio, said 0.052 acre tract being more particularly described as follows:

**Beginning**, at a ¾ inch iron pipe with cap (CEC PROP CORNER) found at the southeast corner of Lot 8 as shown on said C.B. & D.H. Cowan's Subdivision, conveyed to Fabulous Real Estate Investment, LLC, by deed of record in Instrument Number 200411260270830, said iron pipe also being in the northerly right-of-way line of Oak Street (50 feet wide);

Thence North 90°00'00" West, a distance of 15.00 feet, along the northerly right-of-way line of said Oak Street, to an iron pipe set at the southeast corner of Lot 4 as shown on said C.B. & D.H. Cowan's Subdivision, conveyed to Fabulous Real Estate Investment, LLC, by deed of record in Instrument Number 200506230122434;

Thence North 00°21'49" West, a distance of 150.00 feet, along the east line of said Lot 4, to an iron pipe set at the northeast corner of Lot 1 as shown on said C.B. & D.H. Cowan's Subdivision, conveyed to Fabulous Real Estate Investment, LLC, said iron pin also being in the south line of Agate Alley (20 feet wide);

Thence North 90°00'00" East, a distance of 15.00 feet, along the south line of said Agate Alley, to a ¾ inch iron pipe with cap (CEC PROP CORNER) found at the northwest corner of Lot 5 as shown on said C.B. & D.H. Cowan's Subdivision, conveyed to said Fabulous Real Estate Investment, LLC,;

Thence South 00°21'49" East, a distance of 150.00 feet, along the west line of said Lot 5, to the **POINT OF BEGINNING**, containing 0.052 acres, more or less.

All iron pins set are ¾ inch iron pipes, 30 inches in length, with a yellow cap bearing the name "CEC PROP CORNER."

This description was based on an actual field survey by Civil & Environmental Consultants, Inc. in September, 2006.

The bearings shown above are assumed on the bearing of North 90°00'00" West, as shown on C.B. & D.H. Cowan's Subdivision, of record in Plat Book 5, Page 311, at the Recorder's Office, Franklin County, Ohio.

Civil and Environmental Consultants, Inc.  
Jerry A. Malott, P.S., Registered Surveyor No. 5963

**Section 2.** That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

**Section 3.** That a general utility easement in, on, over, across and through the above described right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said right-of-way.

**Section 4.** That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of this property.

**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:** 1754-2006

**Drafting Date:** 09/29/2006

**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 Morse Road Reynoldsburg-New Albany Road 36" Water Main Project**.

**Fiscal Impact:** Funding for this project is from the Department of Public Utilities, Division of Water, Water Limited Fund.

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

**Title**

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the **Morse Road Reynoldsburg-New Albany Road 36" Water Main Project**, and to declare an emergency.

**Body**

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Morse Road Reynoldsburg-New Albany Road 36" Water Main Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 398X-2003, on the 15th day of December, 2003, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the **Morse Road Reynoldsburg-New Albany Road 36" Water Main Project**, #690431, 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:

3P

DESCRIPTION OF EASEMENT AREA  
FOR WATERLINE PURPOSES

Situated in the State of Ohio, County of Franklin, Township of Jefferson, being located in Farm Lot 32, Quarter Township 1, Township 1, Range 16, United States Military Lands, being an easement area located in that 17.747 acre tract as described in a deed to Blacklick Company, LTD, of record in Instrument Number 199811040277821, on file in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for reference at Franklin County Survey Monument No. 6610, at the centerline intersection of Morse Road and Kitzmiller Road;

Thence South 86°19'22" East, along the centerline of said Morse Road, and passing a mining spike found at 199.90 feet, 0.18 feet right, a total distance of 200.00 feet to a point at a northwesterly corner of said 17.747 acre tract, and being the TRUE PLACE OF BEGINNING of the easement area herein described:

Thence South 86°19'22" East, along the centerline of said Morse Road, along a northerly line of said 17.747 acre, passing a mining spike found at 179.96 feet, 0.26 feet right, a total of 769.36 feet to a point in the centerline of said Morse Road at a northeasterly corner of said 17.747 acre tract and also at a northwesterly corner of that 28.987 acre tract as conveyed to R. Scott Warner, TR. By deed of record in Instrument Number 199910220266988;

Thence South 03°40'38" West, along a westerly line of said 28.987 acre tract, along an easterly line of said 17.747 acre tract, a distance of 50.00 feet to a point;

Thence crossing said 17.747-acre tract by the following described three (3) courses:

1. North 86°19'22" West, parallel to the centerline of said Morse Road, a distance of 705.04 feet to a point;
2. South 03°40'38", a distance of 20.00 feet to a point;
3. North 86°19'22" West, parallel to the centerline of said Morse Road, a distance of 292.24 feet to a point in the centerline of said Kitzmiller Road in a westerly line of said 17.747 acre tract;

Thence North 25°25'21" East, along the centerline of said Kitzmiller Road, along a westerly line of said 17.747 acre tract, a distance of 21.53 feet to appoint at a northwesterly corner of said 17.747 acre tract, at a southwesterly corner of that 0.241 acre tract as conveyed to Franklin County Commissioners by deed of record in Official Records Volume 4122D18;

Thence South 86°19'22" East, parallel to the centerline of said Morse Road, along a northerly line of said 17.747 acre tract, along a southerly line of said 0.241 acre tract, a distance of 219.94 feet to a the point at a southeasterly corner of said 0.241 acre tract, and also at a northwesterly corner of said 17.747 acre tract;

Thence North 03°40'38" East, along an easterly line of said 0.241 acre tract, along a westerly line of said 17.747 acre tract a distance of 50.00 feet to the TRUE POINT OF BEGINNING and containing an area of 44,233 square feet, of which 23,737 square feet are in the present road right of way.

The bearings shown heron are based on a bearing of South 86°19'22" East along the centerline of Morse Road as established by a field traverse originating on "FCGS 6610" and "FCGS 5341" and are based on the Ohio State Plane Coordinate system, South Zone, and the North American Datum of 1983.

This easement description was prepared by ms consultants inc., under the direction of John L. Price, Registered Professional Surveyor No. 7153 from an actual field survey and records on file in the Recorder's Office, Franklin County, Ohio.

John L. Price Registered Professional Surveyor No. 7159

Section 2. That permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the **Morse Road Reynoldsburg-New Albany Road 36" Water Main Project**, #690431, 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:

#### 4P

#### DESCRIPTION OF EASEMENT AREA FOR WATERLINE PURPOSES

Situated in the State of Ohio, County of Franklin, Township of Jefferson, being located in Farm Lot 32, Quarter Township 1, Township 1, Range 16, United States Military Lands, being an easement area located in that 28.987 acre tract as described in a deed to R. Scott Warner, TR., of record in Instrument Number 199910220266988, on file in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for reference at Franklin County Survey Monument No. 5341, at the centerline intersection of Morse Road and Avis Road;

Thence North 86°19'22" West, along the centerline of said Morse Road, a distance of 300.00 feet to a point in the centerline of said Morse Road at a northeasterly corner of said 28.987 acre tract, also at a northwesterly corner of that 6.543 acre tract as conveyed to Vincent R. Yezzi and Craig L. Price by deed of record in Deed Book 3608, Page 129, and being the TRUE POINT OF BEGINNING of the easement area herein described:

Thence South 03°40'38" West, along the westerly line of said 6.543 acre tract, along an easterly line of said 28.987 acre tract, a distance of 50.00 feet to a point;

Thence North 86°19'22" West, crossing said 28.987 acre tract, along a line being parallel to the centerline of Morse Road, a distance of 606.00 feet to a point in the westerly line of said 28.987 acre tract, in the easterly line of that 17.747 acre tract as conveyed to Blacklick Company, Ltd., by deed of record in Instrument umber 199111040277821;

Thence North 03° 40 38" East, along the westerly line of said 28.987 along the easterly line of said 17.747 acre tract, a distance of 50.00 feet to a point in the centerline of said Morse Road at a northwesterly corner of said 28.987 acre tract;

Thence South 86°19'22" East, along the centerline of said Morse Road, along a northerly line of said 28.987 acre tract, a distance of 606.00 feet to the TRUE POINT OF BEGINNING and containing an area of 30,300 square feet, of which 18,180 square feet are in the present road right of way.

The bearings shown hereon are based on a bearing of South 86°19'22" East along the centerline of Morse Road as

established by a field traverse originating on "FCGS 6610" and "FCGS 5341" and are based on the Ohio State Plane Coordinate System, South Zone, and the North American Datum of 1983.

This easement description was prepared by ms consultants inc., under the direction of John L. Price, Registered Professional Surveyor No. 7159 from an actual field survey and records on the file in the recorders on file in the Recorder's Office, Franklin County, Ohio.

John L. Price, Registered Professional Surveyor No. 7159

6P

#### DESCRIPTION OF EASEMENT AREA FOR WATERLINE PURPOSES

Situated in the State of Ohio, County of Franklin, Township of Jefferson, being located in Lot, 17, Quarter Township 1, Township 1, Range 16, United States Military Lands, being an easement area located in that 47.535 acre tract as described in a deed to R. Scott Warner, TR., of record in Instrument Number 199910220266987, on file in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at Franklin County Survey Monument No. 5341 at the centerline intersection of Morse Road and Avis Road, also being a northwesterly corner of said 47.535 tract, and also being a northeasterly corner of that 6.543 acre tract as conveyed to Vincent R. Yezzi and Craig L. Price by deed of record in Deed Book 3608 Page 129, and being the TRUE POINT OF BEGINNING of the easement area herein described:

Thence South 86°20'18" East, along the centerline of said Morse Road, along a northerly line of said 47.535 acre tract, a distance of 127.97 feet to a point;

Thence crossing said 47.535-acre tract by the following two (2) courses;

- (1) South 48°39'11" West, a distance of 70.70 feet to a point;
- (2) North 86°20'18" West, parallel to the centerline of said Morse Road, a distance of 78.00 feet to a point in a westerly line of said 47.535 acre tract and also in a easterly line of said 6.543 acre tract;

Thence North 03°40'38" East, along an easterly line of said 6.543 acre tract, along a westerly line of said 47.534 acre tract, a distance of 50.00 feet to the TRUE POINT OF BEGINNING and containing an area of 5,149 square feet, of which 3,389 square feet are in the present road right of way.

The bearings shown hereon are based on a bearing of South 86°20'18" east, along the centerline of Morse Road as established by a field traverse originating on "FCGS 5341" and "FCGS 6612" and are based on the Ohio State Plane Coordinate System South Zone, and the North American Datum of 1983.

The easement description was prepared by ms consultants, inc., under the direction of John L. Price, Registered Professional Surveyor No. 7159 from an actual field survey and records on file in the Recorder's Office, Franklin County, Ohio.

John L. Price Registered Professional Surveyor No.7159

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

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

1. 3P \$8,635.00
2. 4P, 6P \$5,870.00

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

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**Legislation Number:** 1761-2006

**Drafting Date:** 10/02/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

Need: The City of Columbus Division of Police has been awarded funding through the Department of Justice 2006 Anti-Gang Initiative. The initiative supports new and expanded anti-gang prevention and enforcement efforts by building on effective strategies and partnerships. The funding will support a multi-faceted collaborative effort to identify, investigate and prosecute both the individual gang members and the infrastructure of their gangs. Additional activities will include a community outreach program aimed at educating and fostering more cooperative relationships between law enforcement and the community. Partnering with Federal and State resources will maximize the prosecution and penalties of gang members and their organizations. Funding has been provided for sworn overtime, specialized training and surveillance equipment and for buying evidence. Community outreach supplies and curricular materials will also be funded. The official city program contact authorized to act in connection with this \$84,362.00 grant award is Columbus Police Commander Jay Evans.

Emergency Designation: Emergency legislation is necessary to make the awarded funds available to begin project activities at the earliest possible time.

### **FISCAL IMPACT**

There are no matching funds required for this grant award. However, some city labor fringe benefit costs estimated at approximately \$1,900.00 will not be reimbursed by the grant. Those costs must be funded by the City General Fund budget. All other grant expenditures will be reimbursed by the grant awarded funding.

### **Title**

To authorize the Mayor of the City of Columbus to accept a 2006 Anti-Gang Initiative grant award from the Department of Justice, U.S. Attorney's Office via the Ohio Office of Criminal Justice Services, to authorize Columbus Police Commander Jay Evans as the official city representative to act in connection with the grant, to authorize an appropriation of \$84,362.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs of the 2006 Anti-Gang Initiative grant project and to declare an emergency. (\$84,362.00)

### **Body**

WHEREAS, the City of Columbus Division of Police has been awarded funding through a 2006 Anti-Gang Initiative grant from the Department of Justice; and

WHEREAS, the Columbus Division of Police is in need of additional funding for sworn overtime, specialized training and equipment, evidence expenditures and community outreach supplies for its Anti-Gang program activities; and

WHEREAS, Columbus Police Commander Jay Evans has been identified as the official city representative to act in connection with the 2006 Anti-Gang Initiative Grant and to provide information as required; and

WHEREAS, An emergency exists in the daily operation of the City of Columbus Division of Police in that it is immediately necessary to authorize the Mayor to accept a 2006 Anti-Gang Initiative grant for the Division of Police and to authorize an appropriation for the grant activities 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 Mayor of the City of Columbus be and is hereby authorized and directed to accept a 2006 Anti-Gang Initiative grant for sworn overtime, specialized training and surveillance equipment, evidence and community outreach supply purchases for the Anti-Gang program.

Section 2. That Columbus Police Commander Jay Evans is designated as the official city program contact and authorized to act in connection with the 2006 Anti-Gang Initiative Grant and to provide any additional information required.

Section 3. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes during the grant period, the sum of \$84,362.00 is appropriated as follows:

DIV	FD	OBJ1	OBJ3	OCACD	GRANT	AMOUNT
30-03	220	01	1131	337036	337036	34,212.00
30-03	220	02	2206	337036	337036	5,350.00
30-03	220	02	2216	337036	337036	33,000.00
30-03	220	02	2290	337036	337036	5,600.00
30-03	220	03	3330	337036	337036	300.00
30-03	220	06	6647	337036	337036	5,900.00

Section 4. That the monies appropriated in the foregoing Section 3 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 5. That for 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:** 1771-2006  
**Drafting Date:** 10/03/2006  
**Version:** 1  
**Current Status:** Passed  
**Matter Type:** Ordinance

**Explanation**

Francisco Glen, LLC, an Ohio Limited Liability Company through Savko Bros. Properties III, LLC, Managing Member, Martin L Savko, President, has submitted the plat titled Francisco Glen 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 Bethel Road and east of Reed Road.

**Emergency Justification:** Emergency action is requested to allow development of this subdivision to proceed as currently scheduled.

**Title**

To accept the plat titled Francisco Glen, from Francisco Glen, LLC, an Ohio Limited Liability Company through Savko Bros. Properties III, LLC, Managing Member, Martin L Savko, President; and to declare an emergency.

**Body**

WHEREAS, the plat titled Francisco Glen (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, Francisco Glen, LLC., an Ohio Limited Liability Company through Savko Bros. Properties III, LLC, Managing Member, Martin L Savko, President, owner of the platted land, desires to dedicate to the public use all or such

parts of the Road, Drive, Court 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 Francisco Glen 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:** 1777-2006

**Drafting Date:** 10/03/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:** The City of Columbus, Ohio is the holder of certain sewer easement rights, located in the vicinity of South Central Avenue, and West Broad Street, by virtue of recorded deeds of easement. The Columbus Metropolitan Housing Authority has requested the City release certain sanitary and storm sewer easements through the aforementioned real property, more fully described in the body of this legislation, in exchange for a previously granted replacement easements. After investigation, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted at no charge. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to release certain sanitary and storm sewer easements, and portions thereof, in exchange for a previously granted replacement easements.

**Fiscal Impact:** N/A

**Emergency Justification:** Emergency action is requested to allow for the immediate release of the subject easement in exchange for an easement already receive by the City as not to delay the development of the property.

**Title**

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release certain sanitary and storm sewer easements and portions thereof, located in the vicinity of South Central Avenue, and West Broad Street, at the request of Columbus Metropolitan Housing Authority, in exchange for a replacement easements previously granted to the City of Columbus, Ohio and to declare an emergency.

**Body**

WHEREAS, the City of Columbus, Ohio is the holder of certain sanitary and storm sewer easement rights, located in the vicinity of South Central Avenue, and West Broad Street, by virtue of recorded deeds of easement; and

WHEREAS, The Columbus Metropolitan Housing Authority has requested the City release certain sanitary and storm sewer easements through the aforementioned real property, more fully described in the body of this legislation, in exchange

for a previously granted replacement easements; and

WHEREAS, after investigation, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is necessary to immediately authorize the Director of the Department of Public Utilities to execute those documents necessary to release certain sanitary and storm sewer easement rights at the request of the Columbus Metropolitan Housing Authority, 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 Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release sewer easement rights in the following describe real property:

**Easement No. 4**

Beginning, for reference, at a point at the southeasterly corner of a certain 16.586 acre tract shown of record in Deed Book 2700, page 642, said point being in the westerly line of Central Avenue, 60 ft. in width; thence N. 10° 45' W. a distance of 350.5 ft. to a point, said point being the point of true beginning of the hereinafter described; thence S. 79° 15' W. along the southerly line of an easement, a distance of 449.0 ft. to a point; thence N. 10° 45' W. a distance of 10 ft. to a point; thence N. 79° 15' E. a distance of 75 ft. to a point; thence N. 10° 45' W. a distance of 5 ft. to a point; thence N. 79° 15' E. a distance of 374 ft. to a point in the easterly line of said 16.586 acre tract and in the westerly line of Central Avenue; thence S. 10° 45' E. a distance of 15 ft. to the point of true beginning.

**Easement No. 5**

Being an easement 10 ft. in width, the centerline of which is more particularly described as follows:

Beginning, for reference, at a point at the southeasterly corner of a certain 16.586 acre tract shown of record in Deed Book 2700, page 642, records of the Recorder's Office, Franklin, Ohio, said point also being in the westerly line of Central Avenue, 60 ft. in width; thence N. 10° 45' W. along the easterly line of said 16.586 acre tract and along the westerly line of said Central Avenue, a distance of 360.5 ft. to a point; thence S. 79° 15' W. a distance of 12.0 ft. to a point, said point being the point of true beginning of the hereinafter described; thence from said point of true beginning, N. 57° 28' 22" W. a distance of 94.09 ft. to a point; thence N. 79° 51' 37" W. a distance of 180.89 ft. to a point; thence S 79° 15' W. a distance of 195 ft. to a point of terminus of the herein described centerline of an easement 10 ft. in width and lying 5 ft. either side of the above described centerline.

**Easement No. 6**

Being an easement 10 ft. in width, the centerline of which is more particularly described as follows:

Beginning at a point at the southeasterly corner of a certain 16.586 acre tract shown of record in Deed Book 2700, page 642, said point also being in the westerly line of Central Avenue, 60 ft. in width; thence N. 10° 45' W along the easterly line of said 16.586 acre tract, and the westerly line of Central Avenue, a distance of 355.5 ft. to a point; thence S. 79° 15' W. a distance of 3.0 ft. to a point, said point being the point of true beginning of the hereinafter described; thence N. 55° 45' W. a distance of 196.58 ft. to a point; thence S. 79° 15' N. a distance of 320 ft. to the point of terminus of the hereinafter described centerline of a easement 10 ft. in width and extending 5 ft. either side of the above described centerline.

**Easement No. 7**

Being an easement 10 ft. in width, the centerline of which is more particularly described as follows:

Beginning, for reference, at a point at the northeasterly corner of a certain 16.586 acre tract shown of record in Deed Book 2700, page 642, said point being in the westerly line of Central Avenue, 60 ft. in width; thence S. 10° 45' E. a distance of 50.0 ft. to a point, said point being the point of true beginning of the hereinafter described; thence S. 79° 15' W. a distance 510 ft. to a point; thence S. 19° 51' 40" W. a distance of 139.43 ft. to a point; thence S. 10° 45' E. a distance of 197 ft. to the point of terminus of the herein described centerline of an easement

10 ft. in width, and extending 5 ft. either side of the above described centerline.

**Easement No. 8**

Being an easement 10 ft. in width, the centerline of which is more particularly described as follows:

Beginning, for reference, at a point at the northeasterly corner of a certain 16.586 acre tract shown of record in Deed Book 2700, page 642, said point being in the westerly line of Central Avenue, 60 ft. in width; thence S. 10° 45' E. a distance of 50.0 ft. to a point; thence S 79° 15' W a distance of 219 ft. to a point, said point being the point of true beginning of the hereinafter described; thence S. 3° 42' 34" W. a distance of 174.20 ft. to the point of terminus of the herein described centerline of an easement 10 ft. in width and extending 5 ft. either side of the above described centerline.

**Easement No. 9**

Being an easement 10 ft. in width, the centerline of which is more particularly described as follows:

Beginning, for reference, at a point at the northeasterly corner of a certain 16.586 acre tract shown of record in Deed Book 2700, page 642, said point also being in the westerly line of Central Avenue, 60 ft. in width; thence S. 10° 45' E. a distance of 50.0 ft. to a point; thence S. 79° 15' W. a distance of 40.0 ft. to a point, said point being the point of true beginning of the hereinafter described; thence S. 10° 45' E. a distance of 120 ft. to the point of terminus of the herein described centerline of an easement 10 ft. in width and extending 5 ft. either side of the above described centerline.

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

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**Legislation Number:** 1781-2006

**Drafting Date:** 10/04/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

The Tax Incentive Review Council (the "TIRC") recommended on August 25, 2006, that the City amend the Enterprise Agreement with the Columbus Urban Growth Corporation (the "EZA") by adding to the EZA a property owner and two anchor tenants, by clarifying what the job creation subtotals are for each of the two parcels granted exemptions under the EZA and for each of the two anchor tenants, and by providing for the option of eliminating a parcel from the EZA if at least 75% of the job creation requirement for that parcel is not attained by June 30, 2007.

The EZA was authorized by Columbus City Council Ord. No. 1100-00, adopted on May 15, 2000 and the EZA entered into effective August 2, 2000. City Council granted a 75%/10-yr abatement on real property improvements (2001-2010) and required \$1.8 million to be invested in real property improvements and new construction and \$260,000 to be invested in new personal property. The real property investment goal has been satisfied and City Council eliminated the personal property investment goal in November of 2004 following a TIRC recommendation. The project site is comprised of two parcels. The first parcel is at 1393 Cleveland Avenue, the Crosstown Building, on the south side Eleventh Avenue and the second parcel is at 1407 Cleveland Avenue, on the north side of Eleventh Avenue, opposite the Crosstown Building. Columbus Urban Growth Corporation (the "CUGC") still owns the Crosstown Building while the building at 1407 Cleveland Avenue was acquired in 2003 by WMM Partnership. Both parcels currently enjoy real property tax exemptions under the EZA but only CUGC is actually a party to the EZA. The EZA needs to be updated to add WMM Partnership as a party. The Crosstown Building is occupied by a variety of small tenants, with The Philippi group being the anchor tenant. The building at 1407 Cleveland Avenue was leased by a State Farm Insurance agency but this tenant left the facility in 2004, though continuing to pay the lease. Since 2004, the Crosstown Building has provided all the job creation for the project, though not a sufficient level for good compliance. As of December 31, 2005, 26 jobs had been created, or

63% of the goal. The owners of the vacant facility recently succeeded in securing the Columbus Metropolitan Housing Agency (CMHA) as a tenant. CMHA's primary facility is located next door to the west and is experiencing space shortage due to employment growth. An estimated 10 CMHA jobs will relocate to the vacant facility.

Amending the EZA as the TIRC recommends will extend the responsibility for creating jobs and retaining the tax abatement to WMM Partnership and to the two largest tenants, the Phillippi Group and CMHA.

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

#### **Title**

To authorize the Director of the Department of Development to amend the Enterprise Agreement with the Columbus Urban Growth Corporation (the "EZA") to add a property owner and two anchor tenants, to clarify job creation requirements for the parcels and tenants and to provide for the option of eliminating a parcel from the EZA if at least 75% of the job creation requirement for the parcel is not attained by June 30, 2007; and to declare an emergency.

#### **Body**

**WHEREAS**, the Columbus City Council approved an Enterprise Zone Agreement with the Columbus Urban Growth Corporation (the "CUGC") by Ord. No. 1100-00, adopted on May 15, 2000, and the Enterprise Zone Agreement was executed on August 2, 2000 and amended by Ord. 1919-04, approved on Nov. 1, 2004 (the "EZA"); and

**WHEREAS**, the EZA provides for a 75%/10-yr abatement on real property improvements (2001-2010); and

**WHEREAS**, the EZA commits the CUGC to improve/construct two facilities and invest \$1.8 million for additions and new construction; and

**WHEREAS**, the project has met the EZA's real property investment goal but is short of the job creation goal due to one of the parcels having a vacant building since 2004; and

**WHEREAS**, the Tax Incentive Review Council (the "TIRC") recommended on August 25, 2006, that the City amend the EZA by adding a property owner and two anchor tenants, by clarifying what the job creation subtotals are for each of the two parcels granted exemptions under the EZA and for each of the two anchor tenants, and by providing for the option of eliminating a parcel from the EZA if at least 75% of the job creation requirement for that parcel is not attained by June 30, 2007; and

**WHEREAS**, the City concurs with the TIRC's recommendation and desires to amend and restate the EZA accordingly; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by R.C. Section 5709.85 and to preserve the public health, 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 authorized to amend and restate the Enterprise Agreement with the Columbus Urban Growth Corporation (the "EZA") to add a property owner and two anchor tenants, to clarify job creation requirements for each of the two parcels granted exemptions under the EZA and for each of the two anchor tenants, and to provide for the option of eliminating a parcel from the EZA if at least 75% of the job creation requirement for that parcel is not attained by June 30, 2007.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1783-2006

**Drafting Date:** 10/04/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** The Tax Incentive Review Council (the "TIRC") recommended on August 25, 2006, that the City should seek recovery of a percentage of the 2005 personal property taxes that were exempted under the Enterprise Zone Agreement with Roanoke Furniture ("the EZA"). This legislation follows the TIRC's recommendation and authorizes the Director of Development to seek recovery of the exempted taxes in proportion to the deficit in the number of jobs retained by Roanoke Furniture ("Roanoke") at the project site as of December 31, 2005. Payment will be sought through the assistance of the Franklin County Auditor and the amount paid will be distributed in the same manner as personal property tax revenue.

Columbus City Council approved the EZA with Roanoke by Ord. No. 2291-99 on October 4, 1999. Roanoke is a division of American Signature Inc., the latter being a wholly owned subsidiary of the Schottenstein Stores Corporation. The tax incentive was a 50%/5 year abatement (2001-2005) on new inventory at the project site, with 2005 as the final tax year of the abatement. The project site is at 4030 E. 5th Avenue. Roanoke agreed to invest \$50,000 in real property improvements, \$2 million in new inventory, \$125,000 in other personal property, to retain 75 existing jobs and to create 20 new jobs. As of December 31, 2005, Roanoke had satisfied the real and personal property investment goals. The number of jobs at the Roanoke project site fell from 110 in 2000 to 42 jobs in July of 2004. As a result of the absence of job creation and the low job retention, the TIRC recommended in 2004 that the City amend the EZA. On November 1, 2004, Columbus City Council adopted Ord. No. 1922-2004 to amend the EZA by eliminating the job creation goal and requiring Roanoke to attain at least 75% of the job retention goal by December 31, 2005 (*i.e.*, 56 jobs) or else repay a share of the 2005 savings from the tax exemption, proportional to the deficit in the number of retained jobs.

Roanoke reported having a total of 38 retained jobs as of December 31, 2005, compared to the required minimum of 56 jobs. This equates to a 32% deficit. Thus, we will seek recovery of 32% of the amount of Roanoke's 2005 exempted personal property taxes. The exact amount of the 2005 exempted personal property taxes will be identified with the assistance of the Franklin County Auditor's Office. The amount that will be recovered is anticipated to be in the range of \$3,500 to \$3,800.

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

### Title

To authorize the Director of the Department of Development to seek the recovery of a percentage of the 2005 personal property taxes exempted under the Roanoke Furniture Enterprise Zone Agreement in proportion to the deficit in the number of jobs retained by Roanoke Furniture at the project site as of December 31, 2005; and to declare an emergency.

### Body

**WHEREAS,** Columbus City Council approved an Enterprise Zone Agreement with Roanoke Furniture ("EZA") on October 4, 1999 by Ord. No. 2291-99; and

**WHEREAS,** the EZA granted a 50%/5 year abatement (2001-2005) on inventory; and

**WHEREAS,** the EZA required Roanoke Furniture to invest a total of \$2.2 million, create 20 new jobs and retain 75 jobs; and

**WHEREAS,** as of July 2004 the project had retained only 42 jobs and had not created any jobs; and

**WHEREAS,** based on a recommendation from the Tax Incentive Review Council ("TIRC"), Columbus City Council adopted Ord. No. 1922-2004 on November 1, 2004, to amend the EZA by eliminating the job creation goal and requiring Roanoke to attain at least 75% of the job retention goal by December 31, 2005 (*i.e.*, 56 jobs) or else repay a share of the 2005 savings from the tax exemption, proportional to the deficit in the number of retained jobs; and

**WHEREAS,** as of December 31, 2005, Roanoke had 38 retained jobs, which equates to a 32% deficit relative to the minimum required number of 56 jobs; and

**WHEREAS,** the TIRC recommended on August 25, 2006, that the City should seek to recover a part of the 2005 personal property taxes that were exempted under the EZA, in proportion to the 2005 deficit in the number of retained jobs; and

**WHEREAS,** the City desires to follow the 2006 TIRC recommendation to recover a part of the 2005 personal property taxes exempted under the EZA, in proportion to the 2005 deficit in the number of retained jobs, and desires the assistance of the Franklin County Auditor in effecting the recovery, and for the recovered amount to be distributed in the same manner as personal property tax revenue; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by R.C. Section 5709.85 and to preserve the public health, property, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That the Director of Development is hereby authorized to seek to recover a part of the 2005 personal property taxes exempted under the Roanoke Furniture Enterprise Zone Agreement, in proportion to the deficit in the number of jobs retained by Roanoke Furniture ("Roanoke") at the project site as of December 31, 2005, and to request the assistance of the Franklin County Auditor in the recovery and in distributing the recovered amount in the same manner as personal property tax revenue.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1785-2006

**Drafting Date:** 10/04/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Tax Incentive Review Council (TIRC) recommended on August 25, 2006, that the Enterprise Zone Agreement with Superior Production Partnership ("Superior") be amended to reduce the job creation goal to 24 jobs,

to extend the period for the job creation to December 31, 2009, to acknowledge that the project investment has been larger and taken more time than initially anticipated and to extend the investment period to June 30, 2005 so that this investment is eligible for the exemptions under the Enterprise Zone Agreement with Superior ("EZA"). This legislation authorizes the Director of the Department of Development to amend the EZA accordingly.

The EZA was authorized by City Council on July 14, 2003 and was entered into effective November 3, 2003. Superior is a die and stamping manufacturer that was founded in Columbus in 1914 and is located at 2301 Fairwood Avenue in the city's south side. The EZA project is an expansion to support a new vehicle hood line. The EZA calls for a total of \$4.8 million in investment, including \$300,000 in real property acquisition, \$1.5 million in real property improvements, \$450,000 in new machinery and equipment and \$50,000 in new furniture and fixtures. Existing average value of inventory, \$2.5 million, is to be retained at the project site. It was anticipated that the project investment would be completed by February 2004 and that 129 jobs would be retained and 32 jobs created by December 31, 2006. The EZA grants a 60%/7-yr abatement on real property improvements and new personal property.

Superior brought the first of its new vehicle hoods to market in 2004 at which time a group of Taiwanese companies launched stiff price competition and have captured one of Superior's major U.S. customers. The labor costs of the Taiwanese companies are at most one-fifth of what Superior pays. The company decided that to meet this challenge it had to develop a larger production capacity than initially planned and instead of installing 1 press, 4 new presses were installed. Instead of the initially planned \$4.8 million investment, Superior invested a total of almost \$5.7 million, including \$283,000 in real property acquisition, \$2.22 million in real property improvements and \$654,000 in machinery & equipment, \$0 in F & F. The company will retain the \$2.5 in existing average value of inventory and could add \$1 million in new inventory. The project has taken longer than anticipated to complete due to the larger scale of expansion. Superior's job creation was initially ahead of schedule but the pressure from the Taiwanese competitors has made it critical for Superior to control costs. As of August 2006, there were 121 jobs retained and zero jobs created. Superior refuses to cut wages or benefits, but needs to scale back its anticipated job creation from 32 jobs to 24 jobs and will need until the end of 2006 to regain the job retention level of 129 jobs and until the end of 2009 to create the revised job creation goal of 24 jobs.

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

#### **Title**

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with Superior Production Partnership to reduce the job creation goal and extend the period for the job creation, to acknowledge that the project investment has been larger and taken more time than initially anticipated and to extend the investment period and make the investment eligible for the abatement; and to declare an emergency.

#### **Body**

**WHEREAS**, the Columbus City Council approved an Enterprise Zone Agreement with Superior Production Partnership (the "EZA") on July 14, 2003 by Ordinance No. 1696-2003 and the EZA was entered into effective November 3, 2003; and

**WHEREAS**, the EZA provides for a 60% /7-year tax abatement on the project investment of Superior Production Partnership ("Superior"), including real property improvements, new machinery & equipment and furniture & fixtures expected to be completed by February 2004 and on new inventory; and

**WHEREAS**, Superior agreed to invest \$1.5 million in real property improvements, \$450,000 in machinery & equipment, and \$50,000 in furniture & fixtures by February 2004 but has instead invested \$2.22 million in real property improvements, \$654,000 in machinery & equipment, and \$0 in furniture & fixtures; and

**WHEREAS**, Superior does not wish to cut wages or benefits for its employees but is fighting to retain its U.S. customers in the face of intense price competition from a group of low-cost offshore producers; and

**WHEREAS**, Superior needs until the end of 2006 to regain the level of 129 retained jobs and also needs to scale back its anticipated level of job creation from 32 jobs to 24 jobs and to extend the time for the job creation to the end of 2009; and

**WHEREAS**, Superior has needed to develop a larger production capacity than initially planned and has invested a total of almost \$5.7 million, including \$283,000 in real property acquisition, \$2.22 million in real property improvements and \$654,000 in machinery & equipment, \$0 in furniture & fixtures, will retain the \$2.5 in existing average value of inventory and could add \$1 million in new inventory; and

**WHEREAS**, the Tax Incentive Review Council (the "TIRC") has recommended that the City amend the EZA to modify the project's job creation numbers and investment amounts and categories, to extend the time allowances to complete the job creation and investment, and to allow Superior to receive the tax benefits for the full amount of its project investment; and

**WHEREAS**, the City concurs with the TIRC recommendation and desires to amend the EZA accordingly; and

**WHEREAS**, the City wishes to clarify that the tax benefits do not apply to the \$2.5 million value of inventory that existed at the time the EZA was entered into; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by R.C. Section 5709.85 and to preserve the public health, 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 amend the Enterprise Zone Agreement with Superior Production Partnership (the "EZA") by requiring the job retention to be attained by December 31, 2006, by reducing the job creation to 24 new jobs created by December 31, 2009; by revising the project investment amounts to \$2.22 million in real property improvements, \$654,000 in machinery & equipment and up to \$1 million in new value of inventory, extending the investment period to June 30, 2005 and clarifying that the revised investment amounts are eligible for the tax exemptions under the EZA; by eliminating the furniture & fixtures investment and exemption; by clarifying that \$2.5 million in inventory value that existed at the time the EZA was entered into is not eligible for the exemptions; and by allowing the exemptions to commence not later than tax year 2006.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1786-2006

**Drafting Date:** 10/04/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** With this legislation, City Council reduces to 50% the rate of tax abatement granted under the Enterprise Zone Agreement with Océ Imagistics (the "EZA") as of tax year 2007, unless Océ Imagistics converts some of the temporary jobs at the project site to permanent jobs such that the EZA job goal (73 jobs) is met by December 31, 2006.

The current existing rate of tax exemption under the EZA is 75%. This legislation is consistent with the August 25, 2006 recommendation by the Tax Incentive Review Council (the "TIRC").

Columbus City Council approved the EZA with Imagistics International Inc., renamed Océ Imagistics in October 2005, by Ord. No. 324-03, adopted on March 10, 2003. Imagistics International Inc. was a distributor of document imaging equipment and supplies. The EZ project site is a distribution facility located in the Ricenbacker area, at 2525 Rohr Road. The EZA provides for a 75%/10-yr tax abatement (2004-2014) on new machinery & equipment and inventory, and requires an investment of \$650,000 in real property improvements, \$2.7 million in machinery & equipment and \$28 million in new average value of inventory, the retention of 57 existing jobs, and the creation of 16 new full-time permanent jobs by December 31, 2004 (*i.e.*, a total of 73 jobs). Océ Imagistics has satisfied the real and personal property investment goals and the job retention goal of 57 jobs. But as of December 2005 and August 2006, the company had created only 3 out of the 16 new jobs required by the EZA (19% attainment). The City warned the company in January 2006 about the shortfall in job creation.

Océ is a Dutch company that supplies high-end products and services for professional printing and document management. Océ acquired Imagistics in Fall 2005 and is integrating the two companies under the name Océ Imagistics. The company reported that it has decided to relocate some of Océ's warehouse operations from Chicago to Columbus. Improvements estimated at \$400,000 have been made to the Columbus facility to accommodate the consolidation. In July of 2005, the company reported that it was evaluating its 15 temporary positions for conversion to permanent status. By August of 2006, there were 22 temporary positions at the project site. The company reported in August 2006 that it intends to convert some of the temporary jobs to permanent jobs, with the target of a total of 73 full-time associates on payroll no later November 30, 2006. This legislation will allow the existing 75% tax exemption rate to continue if the project attains the EZA job goal of 73 full-time permanent jobs by December 31, 2006. Otherwise, the tax exemption rate will be reduced to 50% as of tax year 2007.

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

#### **Title**

To reduce the rate of tax exemption under the Océ Imagistics Enterprise Zone Agreement to 50% as of the 2007 tax year unless the planned conversion of temporary jobs to permanent jobs occurs as Océ Imagistics reports it anticipates, such that the EZA job goals are met by December 31, 2006; and to declare an emergency.

#### **Body**

**WHEREAS**, the Columbus City Council authorized an Enterprise Zone Agreement with Imagistics International Inc., renamed Océ Imagistics in October 2005, by Ord. No. 324-03, adopted on March 10, 2003 (the "EZA"); and

**WHEREAS**, the EZA, which was entered into effective October 22, 2003, grants a 75%/10-yr tax abatement on new machinery & equipment and inventory and requires an investment of \$650,000 in real property improvements, \$2.7 million in machinery & equipment and \$28 million in new average value of inventory, the retention of 57 existing jobs, and the creation of 16 new full-time permanent jobs by December 31, 2004 (*i.e.*, a total of 73 jobs); and

**WHEREAS**, as of December 31, 2005, the project had attained the real and personal property investments levels required by the EZA; and

**WHEREAS**, as of August 2006, Océ Imagistics had retained 57 jobs but had created only 3 new full-time permanent jobs (19% attainment in the job creation), though the company reported it anticipates converting some of the temporary jobs at the project site to permanent jobs with the target of a total of 73 full-time associates on payroll no later November 30, 2006; and

**WHEREAS**, the Tax Incentive Review Council (TIRC) recommended on August 25, 2006, that unless Océ Imagistics converts some of the temporary jobs at the project site to permanent jobs such that the EZA job goal (73 jobs) is met by December 31, 2006, the City should reduce the rate of tax exemption to 50% as of tax year 2007; and

**WHEREAS**, the City concurs with the TIRC recommendation to reduce the rate of tax exemption to 50% as of tax year 2007 unless the temporary jobs are converted to permanent jobs such that the EZA job goal is met by December 31, 2006; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85 and to preserve the public health, property, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That Columbus City Council hereby reduces the rate of tax exemption under the Océ Imagistics Enterprise Zone Agreement (the "EZA") to 50% as of the 2007 tax year, provided, however, that the EZA will continue with the existing 75% rate of tax exemption if the planned conversion of temporary jobs to permanent jobs occurs as Océ Imagistics reports that it anticipates, such that the EZA job goals are met by December 31, 2006.

**Section 2.** That the Director of Development is hereby directed to notify the necessary local and state agencies of any reduction in the rate of tax exemption under the EZA.

**Section 3.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1788-2006

**Drafting Date:** 10/04/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Tax Incentive Review Council (the "TIRC") recommended on August 25, 2006, that the City dissolve the Enterprise Zone Agreement with Safety Today, Inc. and Meritex Columbus, LLC (the "EZA") as of December 31, 2006, with 2006 as the final tax year for the exemptions on real and personal property under the EZA, unless Meritex's tenant at the project facility, Kumho Tire USA, converts eight (8) of its temporary jobs to full-time permanent jobs, with the conversion accomplished or imminent by October 7, 2006. The City concurs with the TIRC's recommendation.

Columbus City Council authorized the EZA initially in March 2001 with Safety Today, Inc. ("Safety Today") and the Daimler Group, Inc. and in September 2001 approved Spiegel Drive, LLC to replace The Daimler Group, Inc. in the EZA. The companies entered into the EZA effective January 1, 2002. Meritex Columbus, LLC ("Meritex") succeeded to the interest of Spiegel Drive, LLC in December 2004 with the approval of City Council. The project site is located at 2425 Spiegel Drive in the Rickenbacker area. The EZA granted a 60%/7-year tax abatement on real property improvements and new personal property and required real property investment of \$4.8 million to construct a 225,000 square foot facility of which Safety Today would lease approximately 40%. Safety Today committed to invest \$1,550,000 in new personal property, of which \$1 million was for new inventory. It was later determined that the project site is within the Foreign Trade Zone (100% inventory exemption) making the EZA exemption on inventory superfluous. The project has met most of the real and personal property investment goals. The EZA required Safety Today to retain 43 existing jobs and for a total of 48 new full-time permanent jobs to be created, of which Safety Today was responsible for 23 jobs and Meritex was responsible for securing a tenant(s) that would create 25 new jobs. Meritex secured Kumho Tire USA ("Kumho") as a

tenant in April 2005. When the TIRC reviewed the project in August of 2005, Safety Today and Kumho together had created only 8 full-time permanent new jobs whereas 48 full-time permanent new jobs are needed for compliance. At the time, Kumho had 10 temporary positions being filled by workers from staffing agencies. City Council accepted the 2005 TIRC recommendation and in October of 2005 amended the EZA to reduce the job creation requirement to 15 full-time permanent jobs and to reduce the tax abatement from 7 years at 60% to 6 years at 60% (2002-2007).

A year later, in August of 2006, the majority of Kumho's labor at the project site was still temporary and Safety Today and Kumho together had created only 7 full-time permanent new jobs. This left the project 8 jobs short of compliance with the reduced/amended job creation requirement of 15 jobs. Kumho reported on August 23, 2006, that it was considering hiring 8 of its full-time temporary workers to permanent status. On September 7, 2006, City staff notified Safety Today, Meritex and Kumho of the TIRC's August 25, 2006 recommendation.

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

#### **Title**

To dissolve the Enterprise Zone Agreement with Safety Today, Inc. and Meritex Columbus, LLC (the "EZA") as of December 31, 2006, with 2006 as the final tax year for the exemptions on real and personal property under the EZA, unless the tenant at the project facility, Kumho Tire USA, converts eight (8) of its temporary jobs to full-time permanent jobs, with the conversion accomplished or imminent by October 7, 2006; and to declare an emergency.

#### **Body**

**WHEREAS**, the Columbus City Council approved an Enterprise Zone Agreement with Safety Today, Inc. ("Safety Today") and Spiegel Drive, LLC ("Spiegel Drive") on March 19, 2001 by Ord. No. 435-01, as amended by Ord. No. 1444-01 on September 17, 2001; and

**WHEREAS**, the City entered into the Enterprise Zone Agreement with Safety Today and Spiegel Drive effective January 1, 2002 (the "EZA"), in which the City granted a 60%/7-year (2002-2008) abatement on real property improvements and new personal property; and

**WHEREAS**, the EZA required an investment of \$4.8 million to construct a new facility, \$1.55 million to acquire new personal property, for Safety Today to retain 43 existing jobs and to create 23 new jobs and for Spiegel Drive to obtain a tenant(s) for the facility's speculative space that would create 25 new jobs (*i.e.*, 48 new jobs in total; 91 jobs in total including both retained and new), with the job creation to be attained by the end of December 2004; and

**WHEREAS**, Meritex Columbus, LLC ("Meritex") succeeded to the interest of Spiegel Drive in the EZA with the approval of Columbus City Council by Ord. No. 2190-2004, adopted on December 15, 2004; and

**WHEREAS**, by April 2005, Meritex had secured a tenant for the facility's speculative space and as of July 2005 that tenant, Kumho Tire USA ("Kumho"), had only 4 full-time permanent employees at the project site and 10 temporary workers through staffing agencies, with the temporary positions not counted toward the EZA job creation requirement; and

**WHEREAS**, due to a lack of job creation and based on a 2005 recommendation from the Tax Incentive Review Council (the "TIRC"), Columbus City Council reduced the project's requirement for job creation from 48 jobs to 15 jobs and reduced the term of the abatement by one (1) year, making 2007 the final tax year of exemption, by Ord. No. 1735-05, adopted October 26, 2005; and

**WHEREAS**, as of December 2005 and August 2006, the EZA project had met most of the goal for real and personal property investment and Safety Today had satisfied the job retention requirement; and

**WHEREAS**, as of August 2006, the project was still short on job creation, having only 7 new/created full-time permanent jobs, 3 at Safety Today and 4 at Kumho, which equates to 47% attainment of the reduced/amended job creation goal of 15

jobs; and

**WHEREAS**, while Meritex's tenant, Kumho, is not a party to the EZA it does realize cost savings from the tax abatement, has been using full-time temporary workers since 2005, and could elect to convert 8 of the temporary positions to permanent positions, thus giving the project as a whole 15 permanent full-time jobs and putting it in compliance with the amended job creation requirement of 15 jobs; and

**WHEREAS**, in August 2006, Kumho reported that it was negotiating with its staffing agencies regarding the hiring of 8 temporary workers to permanent, full-time basis; and

**WHEREAS**, the TIRC recommended on August 25, 2006 that the City should dissolve the EZA as of December 31, 2006, with tax year 2006 as the final tax year for the real and personal property tax exemptions, unless Kumho converts 8 of its full-time temporary positions to full-time permanent and the conversion is complete or imminent by 30 days notification from the City; and

**WHEREAS**, the City notified notified Kumho Tire, Meritex and Safety Today of the TIRC's recommendation on September 7, 2006; and

**WHEREAS**, the City concurs with the TIRC's recommendation; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85 and to preserve the public health, property, safety and welfare; **NOW, THEREFORE,**

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

**Section 1.** That Columbus City Council hereby dissolves the Enterprise Zone Agreement with Safety Today, Inc. and Meritex Columbus, LLC (the "EZA") as of December 31, 2006, with 2006 as the final tax year for the exemptions on real and personal property under the EZA, unless the tenant at the project facility, Kumho Tire USA, converts eight (8) of its temporary jobs to full-time permanent jobs, with the conversion accomplished or imminent by October 7, 2006.

**Section 2.** That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the EZA.

**Section 3.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1789-2006

**Drafting Date:** 10/04/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Tax Incentive Review Council (the "TIRC") recommended on August 25, 2006, that the City should amend the Community Reinvestment Area Agreement with Schmidt Development LLC (the "CRA Agreement") to reduce the real property investment requirement to \$13,446,000, to change the job requirement to 210 jobs retained and 65

jobs created, and to clarify that jobs in the building at 515 E. Main Street may be applied to satisfy the CRA Agreement to the extent that those jobs are in excess of the jobs needed to satisfy the requirements of the 515 Partners, LLC Enterprise Zone Agreement. The City concurs with the TIRC recommendation to amend the CRA Agreement.

Columbus City Council approved an expansion of the South Washington Community Reinvestment Area (the "CRA") by Ord. No. 1661-00, adopted July 10, 2000 and in the same ordinance authorized the CRA Agreement. Schmidt Development LLC (J. Daniel Schmidt) proposed to invest \$20 million to renovate and construct buildings along several blocks of E. Main Street, just the west of the I-71 underpass. The area is known today as the Market Exchange District. Tenants were to fulfill the job retention and creation, estimated to total at least 275, of which 65 would be retained/existing jobs and 210 would be new jobs. A year earlier, the same developer had entered into an Enterprise Zone Agreement to construct a building at 515 E. Main Street. That location was not initially part of the CRA territory but was added in the CRA expansion of July 2000.

It has been determined that the \$20 million investment figure stated in the CRA Agreement was inclusive of \$6,554,000 being invested at the time to construct the 515 E. Main building. This same \$6,554,000 is the commitment in the Enterprise Zone Agreement with 515 Partners, LLC (the "EZA"), in which J. Daniel Schmidt is a Member. This legislation will correct the investment figure in the CRA Agreement to \$13,446,000, by subtracting the \$6,554,000, which is monitored separately as part the Enterprise Zone Agreement. As of December 2005, approximately \$13 million had been invested in real property improvements in the CRA, not including the \$6.9 million invested in the 515 E. Main St. building, which was used to satisfy the requirements of the Enterprise Zone Agreement.

This legislation will also amend the job goal in the CRA Agreement to 65 jobs created and 210 jobs retained and allow some of the jobs in the 515 E. Main building to count towards the job goal of the CRA Agreement job goal. As the project has developed and tenants have been added, a higher proportion of the tenant jobs turned out to be retained/existing than initially projected by the developer. Approximately 35 tenants, many of them small, occupy the facilities that pertain to the CRA Agreement. The property owner reported an estimated total of 186 tenant jobs as of December 31, 2005, the majority being retained rather than new. At the same time, the 515 E. Main Street building has produced more jobs than required for compliance with the EZA. Allowing the "surplus" job numbers from 515 E. Main would help to satisfy the job requirements of the CRA Agreement. The jobs are actually located in the CRA district, and are there due to the efforts of the developer who is party to both the CRA Agreement and the EZA. Only the "surplus" jobs at 515 E. Main will be used to help fulfill compliance with the CRA Agreement. There will be no double counting of jobs. The proposed amendment will also clarify that it is Schmidt Development LLC's responsibility to provide the City with annual information on tenant jobs and payroll.

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

#### **Title**

To authorize the Director of the Department of Development to amend the Community Reinvestment Area Agreement with Schmidt Development LLC (the "CRA Agreement") to modify the real property investment requirement and the job creation and retention requirements and to allow jobs at 515 E. Main Street to count toward the CRA Agreement to the extent they are not needed for compliance with the 515 Partners, LLC Enterprise Zone Agreement; and to declare an emergency.

#### **Body**

**WHEREAS**, by Ord. No. 1661-00, adopted July 10, 2000, the Columbus City Council approved an expansion of the South Washington Community Reinvestment Area (the "CRA") and also authorized a Community Reinvestment Area Agreement with Schmidt Development LLC (the "CRA Agreement"); and

**WHEREAS**, the CRA Agreement was entered into effective September 27, 2000 and provided a 50%/10-yr tax exemption on real property improvements made by December 31, 2005 and required the investment of approximately \$20 million by Schmidt Development LLC, of which J. Daniel Schmidt is a Member, and the retention of 65 jobs and the

creation of 210 jobs by the end of October 2005 (275 jobs in total); and

**WHEREAS**, it has been determined that the \$20 million investment commitment in the CRA Agreement is inclusive of a \$6,554,000 investment projected for development of the 515 East Main Street building, which is located within the boundaries of the CRA; and

**WHEREAS**, construction of the 515 E. Main Street building is the project commitment in an Enterprise Zone Agreement executed in 1999 with 515 Partners, LLC (the "EZA"), with J. Daniel Schmidt as a Member of the LLC, and requiring the investment of \$6,554,000 for construction of the project; and

**WHEREAS**, the \$20 million investment requirement of the CRA Agreement should be reduced by \$6,554,000 since otherwise there is duplication with the \$6,554,000 investment required by the EZA; and

**WHEREAS**, as the CRA Agreement project developed over the last five years and the new and renovated facilities were populated with tenants (approximately 35), the number of retained/existing jobs has turned out to be greater than number of new/created jobs, the reverse of what had been initially projected; and

**WHEREAS**, the 515 E. Main Street building has some large tenants and these produce more than enough jobs to satisfy compliance with the EZA, and currently the surplus jobs are not being counted towards compliance with the CRA Agreement; and

**WHEREAS**, the CRA Agreement project was apparently short of jobs as of December 2005, with an estimated total 186 jobs reported, thus compliance for the CRA Agreement would be assisted if the surplus jobs from the 515 E. Main Street building could be included in the job count; and

**WHEREAS**, the Tax Incentive Review Council (the "TIRC") recommended that the City should amend the CRA Agreement to reduce the real property investment requirement to \$13,446,000, to change the job requirement to 210 jobs retained and 65 jobs created and to allow the jobs in the building at 515 E. Main Street to count towards satisfying the CRA Agreement to the extent that those jobs are in excess of the jobs needed to satisfy the requirements of the 515 Partners, LLC Enterprise Zone Agreement; and

**WHEREAS**, the City concurs with the TIRC's recommendation and desires to amend the CRA Agreement accordingly; and

**WHEREAS**, the City also desires Schmidt Development LLC to improve its annual reporting of tenant jobs and payroll; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by imposed by R.C. Section 5709.85 and to preserve the public health, property, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** To authorize the Director of the Department of Development to amend the Community Reinvestment Area Agreement with Schmidt Development LLC (the "CRA Agreement") to reduce the real property investment requirement to \$13,446,000, to change the job requirement to 210 jobs retained and 65 jobs created, to allow the jobs in the building at 515 E. Main Street to count towards satisfying the requirements of the CRA Agreement to the extent that those jobs are in excess of the jobs needed to satisfy the requirements of the 515 Partners, LLC Enterprise Zone Agreement and to clarify that it is Schmidt Development LLC's responsibility to provide the City with annual information on tenant jobs and payroll.

**Section 2.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10)

days after passage if the Mayor neither approves nor vetoes this Ordinance.

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**Legislation Number:** 1791-2006

**Drafting Date:** 10/04/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** The Tax Incentive Review Council (the "TIRC") recommended on August 25, 2006, that the City should amend the Enterprise Zone Agreement with The Trane Company and Millennium Court II LLC (the "EZA") to allow the jobs of the other tenant in the facility to be counted towards the job creation goal, providing that adequate annual reporting information on jobs and payroll is supplied to the City, and to require that if the project does not attain at least 75% of the job creation requirement as of December 31, 2007, the project's real property tax savings from tax years 2006 and 2007 will be repaid and the EZA will be dissolved and the 2007 tax year will be the final year of abatement.

Columbus City Council approved the EZA in December 2001 and it became effective on August 12, 2002. The Trane Company ("Trane") is the tenant and Millennium Ct II LLC is the owner of the real property. The project entailed \$5 million to construct a new facility at 2300 CityGate Drive on the city's east side, \$529,000 to acquire new machinery & equipment and an increase of \$1.2 million in the average value of inventory. As of December 2005, the project had met the investment goals. Trane committed to retain 103 existing jobs and create 54 new jobs. Trane is owned by American Standard Companies Inc., a global corporation, headquartered in New Jersey, with employment of 61,500 and sales of over \$10 billion in the U.S.

The tax abatement the EZA provided was 50% on the real property improvements for eight (8) years. However, in October 2005, City Council reduced the abatement to a term of seven (7) years (2003-2009) and also extended the job creation deadline to December 31, 2007. This was due to a lack of job creation and based on a recommendation by the TIRC in 2005. Although there is a second tenant in the facility that could potentially help to satisfy the EZA job requirements, to date this tenant has elected not to be identified (for security reasons) and to not report its jobs and payroll information to the City. As of December 2005 and August 2006, Trane's job creation continued to be zero (0) at the project site. Unfortunately, local management's flexibility to undertake initiatives that would add jobs is subject to decisions at corporate headquarters. The TIRC's recommendation this year would allow the jobs of the second tenant to be counted toward the job creation, provided that annual job and payroll information is reported to the City, and would retain the extended deadline of December 31, 2007 for the job creation. In order to avoid dissolution of the EZA after the 2007 tax year and repayment of the tax savings from the 2006 and 2007 tax years, the project will need to attain at least 75% of the job creation goal by December 31, 2007 (*i.e.*, 41 created jobs in addition to the 103 retained jobs).

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

### Title

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement with The Trane Company and Millennium Court II LLC to allow the jobs of the other tenant in the facility to be counted towards the job goal and to require that if the project does not attain at least 75% of the job creation requirement as of December 31, 2007, the project's real property tax savings from tax years 2006 and 2007 will be repaid and the EZA will be dissolved and the 2007 tax year will be the final year of abatement; and to declare an emergency.

### Body

**WHEREAS**, the Columbus City Council approved an Enterprise Zone Agreement with The Trane Company ("Trane") and Millennium Court II LLC (Millennium") on December 18, 2001 by Ord. No. 2089-01 (the "EZA"); and

**WHEREAS**, the EZA, which was effective August 12, 2002, granted a 50%/8-year abatement on real property improvements; and

**WHEREAS**, the EZA requires \$5 million to be invested in the construction of a new facility and \$1.729 million to be invested in new personal property and the project had satisfied these investment levels as of December 2005; and

**WHEREAS**, Trane agreed to retain 103 existing jobs and to create 54 new jobs by the end of 2005, but due to the lack of progress in job creation and based on a 2005 recommendation from the Tax Incentive Review Council (the "TIRC"), the City amended the EZA by Ord. No. 1737-05, adopted October 26, 2005, to extend the time allowed for the job creation to December 31, 2007 and to reduce the tax abatement by one (1) year; and

**WHEREAS**, as of December 31, 2005, Trane had retained 103 jobs but still had not created any jobs at the project site; and

**WHEREAS**, the TIRC recommended on August 25, 2006, that the City should amend the EZA with Trane and Millennium to allow the jobs of a second tenant at the facility to be counted towards the job goal if adequate annual reporting on jobs and payroll is provided, and also to require that if the project does not attain at least 75% of the job creation requirement as of December 31, 2007, the project's real property tax savings from tax years 2006 and 2007 will be repaid and the EZA will be dissolved with the 2007 tax year as the final year of abatement; and

**WHEREAS**, the City concurs with the TIRC's recommendation and desires to amend the EZA accordingly; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on the TIRC's recommendations to comply with the sixty (60) day deadline for City Council action imposed by R.C. Section 5709.85 and to preserve the public health, 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 amend the Enterprise Zone Agreement with The Trane Company and Millennium Court II LLC to allow the jobs of other tenants in the facility to be counted towards the job goal if adequate annual reporting on jobs and payroll is provided, and to require that if at least 75% of the job creation requirement is not attained as of December 31, 2007, the project's real property tax savings from tax years 2006 and 2007 will be repaid and the Enterprise Zone Agreement will be dissolved with the 2007 tax year as the final year of abatement.

**Section 2.** That the Director of Development is hereby directed to notify the necessary local and state agencies of changes to the Enterprise Zone Agreement with The Trane Company and Millennium Court II LLC.

**Section 3.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

**Drafting Date:** 10/04/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The new classification of Construction Manager was approved by the Civil Service Commission at its September 2006 meeting. The classification is an important component to effectively managing the design, construction, renovation and repair of buildings and structures used throughout City operations. After reviewing the market for classifications with similar responsibilities, it is recommended that Pay Grade 95 be assigned. The acceptance of this ordinance will indicate Council's approval.

Any budget impact will be absorbed within the existing department budget.

**Title**

To amend Ordinance No. 2944-1999, as amended, by enacting Section 5(E)-C479, the classification of Construction Manager; and to declare an emergency.

**Body**

**WHEREAS**, the Civil Service Commission created the classification of Construction Manager at its September 2006 meeting; and

**WHEREAS**, it is recommended that Pay Grade 95 be assigned to the classification of Construction Manager after researching the market; and

**WHEREAS**, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the Management Compensation Plan thereby preserving the public health, peace, property, safety and welfare; Now, Therefore

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

**Section 1.** To amend Ordinance No. 2944-1999, as amended, by enacting Section 5(E)-C479 to read as follows:

Ord. Sec.	Class Code	Class Title	Pay Grade
5(E)-C479	1210	Construction Manager	95

**Section 2.** For the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

**Legislation Number:** 1803-2006

**Drafting Date:** 10/05/2006

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:**

The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title in and to real estate necessary for the **Milo-Grogan Recreation Center Expansion Project**.

**Fiscal Impact:**

Funding for this project is from the Department of Recreation and Parks Voted 1999 and 2004 Bond Fund.

**Emergency Justification: Emergency action:** Emergency action is requested to allow for the immediate filing of the necessary complaint for appropriation of the subject real property in order to clear title and assess just compensation to be paid for the foregoing described real property interests without delay.

**Title**To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title in and to real estate necessary for the **Milo-Grogan Recreation Center Expansion Project** and to declare an emergency.

**Body**

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the **Milo-Grogan Recreation Center Expansion Project**; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0139X-2006, on the 18th day of September, 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 Recreation and Parks Department, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project for the preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That fee simple title in and to the following described real property, be appropriated for the public purpose of the **Milo-Grogan Recreation Center Expansion Project, Project #510104**, 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;

Situated in this City of Columbus, County of Franklin and State of Ohio.  
Being lot number three hundred sixteen (316) in Bidleman's subdivision, as the lot is numbered and delineated upon the recorded plat thereof, of record in plat book P page 14A, Franklin County Recorder.  
Permanent Parcel Number 010-016106  
Unveiling and unfolding of the Truth Ministries, Inc.  
807 Saint Clair Avenue, Columbus, Ohio 43201  
First American Ordered No. 3439966

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

Section 3. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be One Hundred Thirty Seven Thousand Five Hundred Dollars (\$137,500.00).

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

Section 5. That 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:** 1864-2006

**Drafting Date:** 10/16/2006

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND** - This legislation authorizes the Director of the Department of Development to enter into an agreement with Campus Partners for Community Urban Redevelopment (Campus Partners) to facilitate acquisition, demolition and environmental remediation of the former Columbus Coated Fabrics site.

Last March, Campus Partners entered into a contract to purchase the Columbus Coated Fabrics site from its bankrupt owner, Decorative Surfaces International, Inc. (DSI). The Columbus Coated Fabrics site has been used for industrial purposes for more than 100 years, utilizing a myriad of hazardous substances.

In July, the Director of the Department of Development was authorized by Ordinance No. 1208-2006 to expend an amount not to exceed \$250,000 to help complete Phase II environmental assessments of the site to determine the extent and cost of clean up work.

The Phase II testing and analysis are complete and it is now estimated to cost approximately \$5 million to demolish the buildings and to prepare the site to meet restricted residential standards under the Ohio Voluntary Action Plan, which will allow redevelopment of the site, with residential and other uses contemplated by the Weinland Park Plan. The submittal of a Clean Ohio Revitalization Fund grant application is planned for early 2007 to cover the cost of much of the site remediation and some of the demolition.

The site poses a significant health and safety hazard where numerous fires and extensive vandalism have occurred presenting a constant threat to the Weinland Park Community and is a blighting influence on that Community.

The proposed agreement with Campus Partners requires the City to accept an assignment of Campus Partners purchase contract with Decorative Services International, Inc., the owner of the Columbus Coated Fabric site, and to purchase the property for \$385,000. Additional funding is required to pay for incidental expenses associated with the purchase not to exceed \$5,000, for a total expenditure authority under this ordinance of \$390,000.00.

Under the proposed agreement Campus Partners will agree to purchase the property from the City after the city has performed certain activities relating to the site, including submission and prioritization of the CORF application provided the City has completed asbestos abatement and demolition of all above grade structures and execution of a satisfactory Development Agreement for redevelopment of the site. Asbestos abatement and demolition of the above ground structures are now estimated to cost approximately \$1,600,000. Campus Partners' purchase price will be 50% of the City's cost to purchase the property, complete the asbestos abatement and demolition of the above ground structures, secure the site and pay the real estate taxes.

**FISCAL IMPACT:** The expenditure of \$390,000 from the Special Income Tax Fund.

### **Title**

To authorize the Director of Development to enter into an agreement, in substantially the form on file with the City Clerk, with Campus Partners for Community Urban Redevelopment for the purchase of the former Columbus Coated Fabric site

and the resale of the site to Campus Partners for Community Urban Redevelopment; to authorize the expenditure of \$390,000 from the Special Income Tax Fund; and to declare an emergency. (\$390,000)

**Body**

**WHEREAS**, this legislation authorizes the Department of Development to enter into an Agreement Concerning Decorative Surfaces International, Inc site (the "Agreement") with Campus Partners for Community Urban Redevelopment, ("Campus Partners"), to accept an assignment from Campus Partners of the contract to purchase the former Columbus Coated Fabrics site, (the "Site"), to purchase the Site pursuant to that contract and subject to the terms and conditions of the Agreement to resell the Site to Campus Partners; and

**WHEREAS**, the factory operation on the Site closed in 2001 and has remained closed, and the owner of the Site is bankrupt; and

**WHEREAS**, while the site has been closed, there have been numerous fires, break-ins, and the theft of many recyclable metals and materials at the Site, resulting in numerous unsafe conditions for both the public and for city service providers who must fight the fires on the site and the temporary closure of adjacent city streets; and

**WHEREAS**, the Site, as it exists in its current state, poses a significant threat to public health and safety necessitating immediate action to remove asbestos and demolish the above ground structures; and

**WHEREAS**, the Site as it exists in its current state also has a significant blighting influence on the predominately residential neighborhood of Weinland Park, in which the Site is located; and

**WHEREAS**, Campus Partners has worked with the city to obtain the right to purchase the site, to cause the Site to be secured to the extent possible and to assess the extent of environmental contamination of the City, the cost of remediation of that contamination and demolition of buildings and other structures on the Site and the alternatives for redevelopment of the site; and

**WHEREAS**, pursuant to Ordinance No. 1208-2006, the City authorized funding for part of the costs of Campus Partners' Phase II environmental assessments of the Site, assessment of costs of environmental remediation and demolition of the Site and preparation of a Clean Ohio Revitalization Fund grant application for the Site; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the Director of the Department of Development to enter into the agreement with Campus Partners for Community Urban Redevelopment, 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 to enter into the Agreement with Campus Partners for Community Urban Redevelopment, in substantially the form on file with the City Clerk.

**Section 2.** To authorize the expenditure of \$390,000, or so much thereof as may be necessary, from Fund 430, Department 44, OCA 430442, Object Level One 06, Object Level Three 6601, to purchase the Site and said funds are hereby deemed appropriated to carry out that purpose.

**Section 3.** For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.



# 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 - October 25, 2006 3:00 pm

SA002201 - HCWP ASBESTOS ABATEMENT & BOILER REPLACE

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 October 25, 2006 and publicly opened and read at the hour and place for construction of the Hap Cremean Water Plant Asbestos Hazard Abatement and Heating System Replacement Contract No. 1047, Project No. 690490. The work for which proposals are invited consists of furnishing all materials, equipment and labor necessary to abate the plant of asbestos material, replace the steam boilers and all boiler plant auxiliary equipment, completely replace all steam and condensate distribution piping and auxiliary equipment, install a new control system for the heating system, 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 \$235.00 per set and are available there on or after October 9, 2006. No refunds will be made. Checks for Contract Documents shall be made payable to Dynamix Engineering Ltd. . 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:

HAP CREMEAN WATER PLANT  
ASBESTOS HAZARD ABATEMENT AND HEATING SYSTEM REPLACEMENT  
CONTRACT NO. 1047 , PROJECT NO. 690490

CONTACT PERSON

The City of Columbus Contact person for this project is Miriam Siegfried, P.E. of the Division of Power and Water's Technical Support Section, Phone (614) 645-7100;  
e-mail: [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

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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 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: Dynamix Engineering Ltd., 1108 City Park Avenue, 3rd Floor, Columbus, Ohio 43206. (Phone 614-443-1178) at the costs of reproduction and postage.

**PRE-BID CONFERENCE**

A pre-bid conference for this project will be held on October 16, 2006 at 9:00 a.m., in the Conference Room of the Hap Cremean Water Plant, 4250 Morse Road, Columbus, Ohio 43230. 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. Any Contractor wishing to inspect the work in the plant must furnish their own steel toe shoes/boots and safety glasses/goggles.

**CITY BULLETIN DATES**

- 1). October 7, 2006
- 2). October 14, 2006

Each proposal shall contain the full name and address of every person, firm or corporation interested in the

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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 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 (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: September 30, 2006

SA002204 - BIG WALNUT SANITARY SEWER EXTENSION

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 its office, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time, on Wednesday, October 25th, 2006, and publicly opened and read at that hour and place for the construction of:

BIG WALNUT SANITARY TRUNK SEWER EXTENSION PART 6F1  
PART 1  
CAPITAL IMPROVEMENT PROJECT 033.6F1

The City of Columbus' contact person for this project is John Newsome, P.E., of the Sewerage and Drainage Division's Sewer System Engineering Section, telephone number 614/645-8460.

The Work for which Proposals are invited consists, in general, of the following:

1. Installation of 9,300 +/- lineal feet of 72" sanitary sewer tunnel using Centrifugally Cast Fiberglass Reinforced Polymer Mortar pipe (CCFRPM), or Reinforced Concrete Pipe (RCP) with PVC T-Lock liner for tunnel lining.
2. Installation of 598 +/- lineal feet of 72" sanitary sewer by trenchless construction methods selected by the Contractor.
3. Installation of five (5) access shafts/manhole structures.
4. Installation of 15 +/- lineal feet of 16" and 18" DIP, 20 +/- lineal feet of 36" sanitary PVC sewer pipe and two (2) Type "C" Manholes.
5. Installation of tangential inlet drop structure and associated Deaeration chamber and Appurtenances.
6. Associated site work and restoration.

**PURCHASING BIDDING DOCUMENTS:** Copies of the Bidding Documents may be purchased by prospective bidders through the office of DLZ Ohio Inc. (Attn: Jeff Murphy), 6121 Huntley Rd., Columbus, Ohio 43229-1003, upon payment of \$300.00 per set. No refunds will be made. Checks are to be made payable to DLZ Ohio, Inc.

**SUBMITTING A PROPOSAL:** Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked:

"BID FOR:  
BIG WALNUT SANITARY TRUNK SEWER EXTENSION PART 6F1  
PART 1  
C.I.P. NO. 033.6F1"

Bidding on this Project is strictly limited to Contractors proposing to comply with the entirety of the Contract Documents. Contractor's proposals that do not comply with the Contract Documents will be

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considered non-responsive.

**VIEWING BIDDING DOCUMENTS:** Copies of the Bidding Documents (CC-12846) will be on file after October 2nd, 2006, and may be examined at the following locations:

1. Division of Sewerage and Drainage, Sewer System Engineering Section, 1250 Fairwood Avenue, Columbus, Ohio 43206, (614) 645-7175.
2. DLZ Ohio, Inc., 6121 Huntley Rd., Columbus, Ohio 43229-1003, (614) 848-4141.
3. Plan Room, Builder's Exchange or Dodge Reports, 1175 Dublin Road, Columbus, Ohio 43215, (614) 486-6575.
4. Plan Room, Builder's Exchange, 981 Keynote Circle, Cleveland, Ohio 44131, (216) 661-8300.
5. F.W. Dodge Corporation, 655 Eden Park Drive, Suite 515, Cincinnati, Ohio 45202, (513) 345-8200.
6. Dodge/SCAN, 1255 Euclid Avenue, #305 Cleveland, Ohio 44115, (216) 901-1589.
7. Minority Contractor's Assistance Program, 1000 E. Main Street, Columbus, Ohio 43205, (614) 252-8005, Fax: (614) 252-9667.

**PRE-BID CONFERENCE:** There will be a Pre-bid Conference held on Tuesday, October 17th, 2006, at 1:00 p.m. eastern daylight savings time at DLZ Ohio, Inc., 6121 Huntley Rd., Columbus, Ohio 43229-1003 (614-848-4141). Attendance is encouraged.

**PROOF OF QUALIFICATIONS:** Bidders shall provide proof of qualifications to perform the Work as described in Paragraph 1.04 of the Instructions to Bidders (Section 00100).

**PROPOSAL GUARANTY OR BOND:** "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 10 percent of the Bidder's Proposal, conditioned upon execution of the contract and the furnishing of a performance bond in the event the contract is awarded to the bidder. The amount of the bid bond shall be expressed either as a percentage of the total bid (10%) or numerically in dollars and cents. The amount indicated in the proposal bond shall include the total amount of the bid including all alternates submitted which increase the bid. The bond amount shall be equal to or exceed 10 percent of this total amount."

**COMMENCEMENT AND COMPLETION:** Contract time of commencement and completion will be in accordance with the Contract.

**CONTRACT PERFORMANCE AND PAYMENT BOND:** A Contract Performance and Payment Bond of 100 percent of the amount of the Contract Sum (Bidders Grand Total - the sum of Pay Item Nos. 1 through 33 on the Bid Schedule) with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the Work.

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**LICENSING OF CORPORATIONS:** Particular attention is directed to the statutory requirements of the State of Ohio relative to licensing of entities incorporated under the laws of any other State.

**EQUAL EMPLOYMENT OPPORTUNITY:** No bid will be deemed responsive unless the Bidder's certification and other EEO information required by the specifications is submitted with the Bid.

**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 (CMSC), 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. The CMSC is not used to specify Bidding Requirements, Contract Forms, Contract (General) Conditions or the basis of payment. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad Street, 3rd Floor, Columbus, Ohio 43215, (614) 645-8290; at the offices of the Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219, (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, Columbus, Ohio 43215, (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS:** Each responsive Bidder shall submit, with its Bid, a currently valid City of Columbus Contract Compliance Certification Number (CCCN) or a completed application for City certification. Each Bidder shall identify, using the forms in the Proposal, the subcontractors it proposes to use, with the proposed value of the work to be sublet to each entity to fulfill the Contract, if awarded. Each Bidder shall also provide current CCCNs of all subcontractors, or completed applications for certification.

**BID CANCELLATION AND REJECTIONS:** The right is reserved, by the Director of Public Utilities of the City of Columbus, Ohio, to cancel this Advertisement for Bids, to reject any and/or all Bids, and to waive technicalities. The Director also has the right to hold Bids for a period of 180 days after the Bid opening and to make an award of the Contract at any time during that 180-day period. In addition, the Director reserves the right to advertise for new Proposals when such action is deemed by the Director to be in the best interests of the City.

**REQUIRED NAMES AND ADDRESSES:** Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:**

1. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provisions of this Equal Opportunity Clause.

2. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that the Contractor is an equal opportunity employer.

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3. It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

4. The Contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the Contractor shall be considered confidential.

5. The Contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

6. The Contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The Contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

7. The Contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a Contractor not holding a valid certification number as provided for in Article I, Title 39.

8. Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract.

**WITHHOLDING OF INCOME TAX:** All Bidders are advised that in order for a contract to bind the City each contract must contain the provisions found in Section 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All Bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with the City Auditor, is thereby incorporated into and made part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as part thereof.

**LOCAL CREDIT:** For all contracts except professional service contracts: The Contractor shall be compliant with revisions to Chapter 329 in the Columbus City Code as authorized by City Council on 4/29/02 (Ord. 0081-02).

**VIOLATING FACILITIES:** All prospective bidders shall be required to comply with all applicable standards, order, or requirements under Section 306 of the Clean Air Act, 42 USC 1857 (h), Section 508 of the Clean Water Act, 33 USC 1368, Executive Order 11738, and EPA regulations, 40 CFR Part 32, which prohibits the use under non-exempt Federal contracts, grants, or loans of facilities included on the EPA List of Violating Facilities.

Cheryl Roberto  
Director of Public Utilities

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ORIGINAL PUBLISHING DATE: September 30, 2006

SA002186 - Trucked Waste Disposal Facility Phase 2B

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 Director's office, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time, on Wednesday, October 25, 2006 and publicly opened and read at that hour and place for the construction of:

PROJECT NO. 650252  
TRUCKED WASTE DISPOSAL FACILITY, PHASE 2B

CONTRACT J208

The City of Columbus' contact person for this project is Donald O. Cruden, P.E., Project Engineer, Division of Sewerage and Drainage, (614) 645-7363. The work for which Proposals are invited, consists in general of the following:

Construction of a Trucked Waste Disposal Facility, Trucked Waste Disposal Facility Office, Vehicle Storage Building, Septage Disposal Station, Concrete Grit Pad, Roadway and various miscellaneous site work.

BASIS OF BIDS: Bids shall be a Lump Sum or Unit Price basis as shown in the Proposal.

VIEWING BIDDING DOCUMENTS: Copies of the Bidding Documents as defined in General Conditions (Section 00700, Article 1, Paragraph 1.01 A.1) are or will be on file and may be examined at the following locations:

Division of Sewerage and Drainage  
Treatment Engineering  
1250 Fairwood Avenue, Room 0020  
Columbus OH 43206  
(614/645-7363)

Burgess & Niple, Inc.  
5085 Reed Road  
Columbus OH 43220

Builder's Exchange, Plan Room  
1175 Dublin Road  
Columbus OH 43215

F.W. Dodge Corporation  
1175 Dublin Road  
Columbus OH 43215

Central Ohio Minority Business Development Center  
1000 East Main Street  
Columbus, Ohio 43205

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EBOC Office  
109 North Front Street, Room 429  
Columbus, OH 43215

Copies of a compact disc (CD) containing the Project Manual files in PDF format and Drawings in TIF format may be purchased for viewing purposes through the office of Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220, upon payment of \$30.00 each. The purchaser of said CD will NOT be considered a Planholder, will NOT receive Addendums and will NOT be able to submit a Proposal using this CD. No refunds will be made for return of this compact disc. Checks are to be made payable to Burgess & Niple, Inc.

**PURCHASING BIDDING DOCUMENTS:** Copies of the Bidding Documents may be purchased by prospective bidders through the office of Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220, upon payment of \$250.00 per set. No refunds will be made for return of these documents. Checks are to be made payable to Burgess & Niple, Inc.

**SUBMITTING A PROPOSAL:** Proposals must be submitted on the Proposal forms contained in Volume I of the Project Manual and the said Volume of the Project Manual shall be submitted IN ITS ENTIRETY in a sealed envelope marked:

"BID FOR: PROJECT NO. 650252, TRUCKED WASTE DISPOSAL FACILITY, PHASE 2B,  
CONTRACT J208"

**PRE-BID CONFERENCE:** There will be a Pre-bid Conference held at the Jackson Pike Wastewater Treatment Plant, Administration Building Conference Room, 2104 Jackson Pike, Columbus, Ohio, on October 11, 2006, at 10:00 AM. Following the conference, a tour will be made to allow the prospective Bidders to inspect typical project areas and existing facilities. Bidders are required to attend this conference and tour, in addition to any personal examinations of the work sites they make.

**PROOF OF QUALIFICATIONS:** Bidders shall provide proof of their qualifications to perform the Work as described in Paragraph 1.04 of the Instructions to Bidders (Section 00100).

**PROPOSAL GUARANTY:** The Bidder is required to submit a Proposal Guaranty (certified check or Proposal Bond in the form provided) in accordance with Paragraph 1.10 of the Instructions to Bidders. The amount of the Guaranty shall not be less than ten (10) percent of the Bid submitted.

**COMMENCEMENT AND COMPLETION:** Contract time of commencement and completion will be in accordance with the Contract.

**CONTRACT PERFORMANCE AND PAYMENT BOND:** A Contract Performance and Payment Bond of 100 percent of the amount of the Contract, with a satisfactory surety or sureties, as described in Paragraph 1.19 of the Instructions to Bidders, will be required to assure the faithful performance of the Work.

**LICENSING OF CORPORATIONS:** Particular attention by Bidders is called to the statutory requirements of the State of Ohio relative to licensing of entities incorporated under the laws of any other State.

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**OHIO WATER POLLUTION CONTROL LOAN FUND PROVISIONS:** Any Contract or Contracts awarded under this Advertisement may be funded in whole or in part by a loan from the Ohio Water Pollution Control Loan Fund (WPCLF). Neither the State of Ohio or the United States nor any of their Departments, Agencies or employees is or will be a party to this Advertisement or any resulting Contract. Contracts funded by this source will be subject to the following provisions:

- (1) **RESPONSIBILITY FOR PAYMENT:** The City is responsible for making monthly progress payments, even when the Owner's failure to comply with the loan conditions, delay or disqualify further payment from the WPCLF.
  - (2) **OTHER PROVISIONS:** The successful Bidder also must comply with all the provisions of (a) All provisions of OSHA governing the work; Contract Work Hours and Safety Standards Act; (b) Title IV of the Civil Rights Act of 1964; and (c) Ohio EPA policy of encouraging the participation of Small Business in Rural Areas (SBRAs)
  - (3) **NONDISCRIMINATION IN EMPLOYMENT:** Bidders will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for Bidders and Contractors under this order are explained in the specifications and in 41 CFR 60-4.
  - (4) **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS:** Bidders will be required to comply with the President's Executive Order No. 12549. The requirements for Bidders and Contractors under this order are explained in the specifications and in 40 CFR Part 32.
  - (5) **WPCLF MBE/WBE FAIR SHARE UTILIZATION REQUIREMENTS:** WPCLF funding provisions include Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) "fair share" participation requirements. All responsive bidders are required to complete the MBE/WBE Fair Share Utilization information forms provided in the Proposal.
  - (6) **CONTRACT PREVAILING WAGE DETERMINATION:** The Contractor to whom the award is made and all its subcontractors shall pay not less than the prevailing rate of wages for the classes of work called for by this public improvement in the locality where the Work is to be performed.
  - (7) **NON-SEGREGATED FACILITIES:** Bidders will be required to provide a "Certification of Non-segregated Facilities." The certification provides that the Bidder does not maintain or provide for its employees facilities which are segregated on a basis of race, creed, color, or national origin, whether such facilities are segregated by directive or on a de facto basis.
  - (8) **VIOLATING FACILITIES:** By submission of a Bid, the Contractor agrees to comply with all applicable standards, orders or requirements under: Section 306 of the Clean Air Act, 42 United States Code (USC) 1857 (b); Section 508 of the Clean Water Act, 33 USC 1368; Executive Order 11738; and EPA Regulations, 40 CFR Part 15, which prohibit the use under non-exempt Federal contracts, grants, or loans, of facilities included on the EPA List of Violating Facilities.
- EQUAL EMPLOYMENT OPPORTUNITY:** No bid will be deemed responsive unless the Bidder's certification and other EEO information required by the specifications is submitted with the Bid.

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**CONTRACT COMPLIANCE REQUIREMENTS:** Each responsive Bidder shall submit, with its Bid, a currently valid City of Columbus Contract Compliance Certification Number (CCCN) or a completed application for City certification. Each Bidder shall identify, using the forms in the Proposal, the subcontractors they propose to use, with the proposed value of the work to be sublet to each entity to fulfill the Contract, if awarded. Each Bidder shall also provide current CCCNs of all subcontractors, or completed applications for certification.

**BID CANCELLATION AND REJECTIONS:** The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel this Advertisement for Bids, to reject any and/or all Bids, to waive technicalities, to hold Bids for a period of 180 days after the Bid opening, to make an award of the Contract at any time during that 180 day period, and/or advertise for new Proposals, when such action is deemed by the Director to be in the best interests of the City.

**REQUIRED NAMES AND ADDRESSES:** Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

**EQUAL OPPORTUNITY CLAUSE:**

- (1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provisions of this Equal Opportunity Clause.
- (2) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that the Contractor is an equal opportunity employer.
- (3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.
- (4) The Contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the Contractor shall be considered confidential.
- (5) The Contractor will not obstruct or hinder the Executive Director or his deputies, staff and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.
- (6) The Contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The Contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.
- (7) The Contractor agrees to refrain from subcontracting any part of this contract or contract modification

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thereto to a Contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract.

**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 the City Auditor, is thereby incorporated into and made part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as part thereof.

**LOCAL CREDITS:** 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 the purpose 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 the County of Franklin.

**ORIGINAL PUBLISHING DATE:** September 21, 2006

SA002210 - Livingston Ave Booster Station

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ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities of the City of Columbus, Ohio, located at 910 Dublin Road, 4th Floor, Columbus, Ohio, until 3:00 pm local time, on October 25, 2006, and publicly opened and read at the hour and place for Livingston Avenue Booster Station. The work for which proposals are invited consists of the construction of a booster station and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans are on file in the office of the Water Distribution Design Engineer, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio, 43215, and are available to prospective bidders through the office of URS Corporation, 277 W. Nationwide Blvd, Columbus, Ohio 43215 after October 9, 2006. The cost of each set of Contract Documents is \$100.00 (One Hundred Dollars).

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:

LIVINGSTON AVENUE BOOSTER STATION,  
DIVISION OF POWER & WATER, CONTRACT NO. 1017, CIP NO. 690375

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, latest edition, and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the

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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 Construction Inspection office 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 the bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 60 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

**CITY BULLETIN DATES**

- 1).October 7, 2006
- 2).October 14, 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:**

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

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(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Administrator for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Administrator by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Administrator or his deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract or any other action prescribed in C.C. 3905.05.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractors' employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor, a statement of Delinquent Personal Property Tax. Such statement is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**CONTACT PERSON:** M. Joseph Clouse, P.E., Division of Power & Water, Water Distribution Engineering Office, 910 Dublin Road, 2nd Floor, Columbus, Ohio, 43215, (614) 645-7677.

**ORIGINAL PUBLISHING DATE:** October 05, 2006

BID OPENING DATE - October 26, 2006 11:00 am

SA002159 - AUTOMTD SCHDULNG MGT SFTWRE - FIRE/POLCE

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The intent of this Request for Proposal (RFP) is to search for qualified supplier to provide an automated scheduling and staff management software program to the City of Columbus, Ohio. On behalf of the Division of Fire and Police, the Director of the Department of Finance and Management will establish a Universal Term Contract. This multi-year agreement will be available to all city agencies to purchase the global scheduling software.

1.2 Classification: The City of Columbus, Ohio is looking for an automated staffing software program, designed for the public safety industry, to place outbound calls and interface with inbound phone calls without the need for human intervention 24/7. A suitable product will have the capabilities listed below. Moreover, it should have proven successful installations in at least three (3) Police agencies and (3) Fire agencies with more than 1000 personnel that have been "LIVE" for more than three (3) years utilizing the capabilities outlined within this document.

1.2.1 Questions can be submitted via email at [asms@columbus.gov](mailto:asms@columbus.gov) from 10:00 AM EST September 11, 2006 until 12:00 AM, EST, September 19, 2006.

1.2.2 No later than 12:00 PM EST September 26, 2006 all questions and answers will be displayed on website page <http://www.columbus.gov/asms.asp>. The web page will be available for viewing until 11:00 AM EST October 26, 2006.

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: September 01, 2006

SA002175 - ASSET MGMNT/MAINT SOFTWARE

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1.0. Scope and Classification

1.1 Scope

1.1.1 The Department of Safety/Support Services is seeking bids for off the shelf Asset Management and Maintenance tracking solution designed specifically for Public Safety Communication Departments.

1.2 Classification

1.2.1 The City of Columbus, Division of Support Services is replacing an existing database system in order to keep pace with current technologies and provide a more reliable and effective way in maintaining our asset, service and billing records.

1.2.2 This project is initially to help facilitate and manage the 800 MHz Rebanding project, which includes approximately 12,000 radios and associated radio equipment for the City of Columbus 800 MHz radio system.

1.2.3 Each bid for this project shall validate their firm's experience in the Public Safety sector by providing at least five references in which their proposed system is currently operating.

1.2.4 Each supplier bidding on this specification who responds as "No, will not specifically comply" shall include a separate sheet explaining the proposed difference from the specification. Each explanation shall be identified by specification line number.

ORIGINAL PUBLISHING DATE: September 22, 2006

SA002178 - Hydraulic & Pneumatic Portable Tools UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Power and Water to purchase hydraulic and pneumatic portable tools. The tools are intended to be used by mainline crews performing routine maintenance and repair of the Cities infrastructure in wet and muddy conditions.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of Wachs manufactured hydraulic and pneumatic tools with fittings and hoses. Alternate manufacturers products will be considered if they fully conform to operation and specifications of the products specified. Only bids from authorized manufacturer representatives will be considered. The equipment shall be fully assembled and operator training shall be available upon request.

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: September 28, 2006

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA002208 - PURCHASE OF LIQUID SODIUM BISULFITE

1.1 Scope: This proposal is to provide the City of Columbus, Division of Sewerage and Drainage with a Universal Term Contract (blanket type) to purchase an estimated 150,000 gallons of Liquid Sodium Bisulfite (NaHSO<sub>3</sub>) for use in the wastewater treatment applications. The proposed contract shall be in effect through March 31, 2010

1.2 Classification: The successful bidder will provide, deliver, and unload bulk quantities of 38% Liquid Sodium Bisulfite (NaHSO<sub>3</sub>). The supplier will also be required to provide specified safety training sessions.

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: October 06, 2006

SA002199 - POWER & WATER/POTHOLE PATCHING TRUCK

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities, Division of Power and Water to obtain formal bids to establish a contract for the purchase of a 56,000 GVW tandem axle asphalt pothole patching truck for use in the City of Columbus and County of Franklin.

1.2 Classification: This is a formal bid to be bid through the City of Columbus' Purchasing Department. 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: September 28, 2006

SA002200 - COMPOST/WINDROW TURNER/MIXER (RE-BID)

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**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

1.1 Scope: These specifications describe a new, BACKHUS MODEL 16.50 Compost Windrow Turner / Mixer or approved equal (hereafter referred to as MIXER) in order to secure bids for the City of Columbus. The MIXER will be used by the Southwesterly Compost Facility of Sewerage & Drainage Division, City of Columbus to mix various bulking agents with sewage sludge cake within a composting facility for processing sewage sludge into composted mulch and soil conditioner.

1.2

The MIXER shall be a current model in standard production by the manufacturer.

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: September 28, 2006

**SA002216 - WATER & POWER/PERSONNEL CARRIERS**

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities, Division of Power and Water to obtain formal bids to establish a contract for the purchase of Personnel/Burden carriers for use in water plant facilities and around water basins.

1.2 Classification: This is a formal bid to be bid through the City of Columbus' Purchasing Department. 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: October 07, 2006

**SA002195 - COMPOST/COMPOST SCREEN w/TRADE-IN**

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1.1 Scope: It is the intent of these specifications to describe a diesel powered Doppstadt SM 720 screen or approved equal. All parts not specifically mentioned, which are necessary to provide a complete unit, shall be included in the bid and conform in strength and quality of material and workmanship to what is usually provided to the trade in general. The screen shall be a current model under standard production by the manufacturer for at least the past two years and appropriately sized for work described herein.

1.2 Classification: Any units not conforming to these specifications may be rejected, and it will be the responsibility of the manufacturer to conform with the requirements unless deviations have been specifically cited by the bidder and acceptance made on the basis of the exceptions.

Each bidder is required to respond to every blank in this specification with an appropriate explanation of the nature and type of equipment bid. Failure to do so may be used as a basis for rejection of the bid.

Each bidder shall demonstrate the "in-production model" as bid, (approved equivalent make, model, and set-up such as screen and engine size) at the City of Columbus Composting Facility, 7000 Jackson Pike, Lockbourne, Ohio 43137. The demonstration shall test the ability of the screen to separate biosolids compost from wood chips and yard waste when feed material moisture ranges between 40 and 50 percent. Qualified bidders shall demonstrate the proposed unit (same make, model, and options) no later than 45 days following bid opening. Bidder may propose more than one model on proposal page.

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: September 27, 2006

SA002203 - Allis Chalmers Sludge Pump Parts UTC

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1.1 Scope: It is the intent of the City of Columbus, Division of Power and Water to solicit bids to establish an option contract(s) to purchase Allis Chalmers Sludge Pump Parts. The City of Columbus estimates spending \$40,000.00 annually for this contract. The contract will be in effect from the date of execution by the City to and including December 31, 2008.

1.2 Classification: The contract resulting from this proposal will provide for the purchase and delivery of replacement parts for Allis Chalmers Sludge Pumps. The pump models currently in use are listed herein, and bidders are asked to bid on commonly purchased replacement parts for those pumps, as identified. In addition, bidders are asked to state a list price discount for replacement/repair parts for the pump models listed in Section 3.5, and to supply pricing lists for standard replacement parts for the models mentioned.

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: October 04, 2006

SA002211 - Police/Trade of weapons

1.1 Scope: The City of Columbus, Department of Public Safety, Division of Police seeks to trade with licensed weapon dealers confiscated (66) rifles and (101) shotguns for Shotforce Buttstock with butt pads and Shotforce shotshell holders.

1.2 Classification: Rifles and shotguns to be auctioned via this proposal as a trade-in credit towards the purchase of weapons supplies leaving a net balance due of \$1.00 by the City of Columbus. The dealer who provides the greatest quantity/dollar value of items in exchange for the entire collection of rifles and shotguns will be declared the best bidder.

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: October 05, 2006

SA002212 - Police/Digital Copier-Scanner-Printers

**THE CITY BULLETIN**  
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1.1 Scope: The City of Columbus Department of Public Safety is seeking bids to immediately supply the Division of Police with one (1) color and two (2) monochrome digital copier/scanner/printers and associated maintenance and supplies to meet the Division's need for mass communications reproduction in an effective and efficient manner.

1.1.1 The supplier will be required to install new, unused equipment, maintain equipment, train personnel and supply all expendables except paper.

1.1.2 The Division of Police needs installation of new equipment to be conducted in a way so that continuing service is able to be provided to the Division. The equipment will be connected to our network for printing.

1.2 Classification: All suppliers are required to bid fixed, firm pricing for 36 month lease period with a fair market type buyout option at the end of the lease term. The buyout quote is to be a not-to-exceed dollar amount since the City requires to know the total cost of the contract. Buyout option price (not to exceed dollar amount) at the end of the term to be provided with bid. There shall be a 36 month agreement for maintenance, parts and supplies (OEM) for digital copier/scanner/printers expressed as a cost per copy (paper and staples excluded).

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: October 05, 2006

BID OPENING DATE - October 27, 2006 4:00 pm

SA002206 - RFSQ Engineering Consulting Services

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PROFESSIONAL SERVICES  
REQUEST FOR STATEMENTS OF QUALIFICATIONS (RFSQ)

The City of Columbus, Ohio, Division of Sewerage and Drainage (DOSD), Sewer Systems Engineering Section (SSES) has a need to initiate new projects and is hereby requesting Statements of Qualifications (SOQ) for Engineering Consulting Services in accordance with City Code Chapter 329.09 through 329.12.

All offerors are required to obtain a copy of the Information Package, which includes preliminary project information, Qualifications Questionnaire and general policy and procedure. The Information Package is available upon request (no fee) at the DOSD Permit Office, 910 Dublin Road, 3rd Floor, Room 3044.

SOQs must be submitted to the City by COB Friday, October 27, 2006 4:00 PM (EST), to be considered for the currently advertised projects. Four (4) SOQ copies shall be submitted. The Statements of Qualifications will be reviewed by the City, and at least three firms will be selected to receive a Request for Proposal (RFP) for each project. Statements of Qualifications will be received by the Department of Public Utilities, Division of Sewerage and Drainage. The SOQs are to be sent to:

Herbert M. Johanson, P.E.  
Sewer Systems Engineering Section Manager  
Division of Sewerage and Drainage  
1250 Fairwood Avenue, Room 1021  
Columbus, Ohio 43206

Projects for which SOQs are solicited at this time:

CIP 610758 - Eastside Neighborhood Stormwater System Improvements  
CIP 610759 - Northeast Neighborhood Stormwater System Improvements  
CIP 610760 - Northwest Neighborhood Stormwater System Improvements  
CIP 610761 - Safford/Union Area Stormwater System Improvements  
CIP 610782 - Linworth Road/Meeklyn Drive Stormwater System Improvements  
CIP 610976 - Maryland Avenue Drainage Improvements  
CIP 610977 - Ashburton and Mayfair Drainage Improvements  
CIP 610978 - Ashburton and Dale Avenues Drainage Improvements

General Description: Anticipated tasks for the projects may include, but are not limited to, the following: Review existing files, reports and complaint records; field surveying for planimetrics, topography, preliminary and detailed design purposes, and locations of existing utilities and easements; preparing metes and bounds legal easement descriptions; verifying watershed boundaries; simple and complex hydraulic and hydrologic analyses; preparing reports detailing the research, assumptions, investigations and evaluations performed; and performing detailed design of system improvements.

Notice For Equal Business Opportunity Requirements - Minority and Female Business Enterprise (MBE and FBE) Participation: The City of Columbus encourages the participation of City certified minority and female business enterprises. All bidders/offerors shall identify all subcontractor(s) who will perform any type of contracting on City bid/proposal(s). All bidders/offeror(s) shall include in their bid/proposal response the anticipated cost and scope of work performed by all subcontractor(s), along with their contract compliance number(s). If the bidders/offerors do not have minority/female business participation in the

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bid/proposal an explanation must be given and included with the bid/proposal in order to satisfy this requirement.\*

All bidders/offerors and subcontractors that do not have (1) an application in their bid/proposal(s) to secure a contract compliance number or (2) a valid contract compliance number at the time the bid/proposal is submitted the bid/proposal will be deemed non-responsive and will not be considered.

Expired contract compliance numbers will be given 7 business days after the submittal date to update their contract compliance information. If information has not been updated after 7 business days the bid/proposal will be deemed non-responsive and will no longer be considered.

This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO for assistance with identifying potential M/FBE contractors or to check the status of your contract compliance numbers.

Equal Business Opportunity Commission Office  
109 N. Front Street, 4th Floor  
Columbus, Ohio 43215  
(614) 645 -4764

M/FBE Certification Tia Roseboro (614) 645-2203  
Contract Compliance Ginger Cunningham (614) 645-2192

\*While the participation and or partnering of certified minority and female owned businesses is encouraged the level of minority and female participation will not be a condition of the bid award.

Selection Procedure: The DOSD, Sewer Systems Engineering Section has promulgated a written General Policy and Procedure to be followed to request and evaluate SOQs and Proposals for Professional Service Contracts in accordance with Columbus City Code, Chapter 329.09 through 329.12. The procedure for procurement of consulting engineering services is summarized as follows: (1)Public Notice requesting Statements of Qualifications, (2) Statements of Qualifications submitted, (3) Evaluation and initial screening of SOQs, (4) Request for Proposals issued to three firms, (5) Review of Proposals (6) Interview (may be requested during proposal evaluation) (7) Selection, (8) Negotiation with selected firm, (9) Award of Contract.

Evaluation Criteria: The Evaluation criteria and point values are listed in the General Policy and Procedure located in the Information Package.

The contact person for the selection process shall be Mike Griffith, P.E. (614) 645-2416,  
MPGriffith@columbus.gov

ORIGINAL PUBLISHING DATE: October 04, 2006

BID OPENING DATE - October 31, 2006 11:00 am

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA002220 - r&p-holton park improvements

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, October 31, 2006, and publicly opened and read immediately thereafter for:

Holton Park Improvements

The work for which proposals are invited consists of removal and installation of concrete paving and curbing, removal and installation of asphalt paving, painting metal roofing and entry doors, supply and install shelters, supply and install site furnishings, replacement of bridge deck and railing, supply and install metal railing, supply and install segmented retaining wall, supply and install site drainage, supply and install exterior signage, supply and install exterior site lighting, relocation of entry signage and plant material, relocation of flag pole and supply and install seeding and plant material, and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on June 12, 2006 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, [www.atlasblueprint.com](http://www.atlasblueprint.com) upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint. Questions about the project should be directed to Kathy Spatz, 645-0487.

Proposals must be submitted on the proper forms, P-1 through P-35, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "Holton Park Improvements".

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. A certified copy of the authority to act must accompany all bonds signed by an agent.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

**CONSTRUCTION AND MATERIAL SPECIFICATIONS**

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

**OSHA/EPA/ADA REQUIREMENTS**

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Thomas L. Kaplin, President  
Recreation and Parks Commission

Trudy A. Bartley, Interim Director  
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: October 12, 2006

SA002218 - r&p-street trees spring 2007

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 200 Greenlawn Ave., until 11:00 a.m. on Tuesday, October 31, 2006, and publicly opened and read immediately thereafter for:

STREET TREE INSTALATION SPRING 2007

The work for which proposals are invited consists of street tree plantings and other such work as may be necessary to complete the contract in accordance with the plans and specifications

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 2/14/06 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, [www.atlasblueprint.com](http://www.atlasblueprint.com) upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made payable to Atlas Blueprint. Questions about the project should be directed to Jack Low at 645-6648.

Proposals must be submitted on the proper forms, P-1 through P-36, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "STREET TREE INSTALLATION SPRING 2007."

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.

Section 102.08 of the CMSC is revised and amended as follows:

"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 10 percent of the Bidder's Proposal, conditioned upon execution of the contract and the furnishing of a performance bond in the event the contract is awarded to the bidder. The amount of the bid bond shall be expressed either as a percentage of the total bid (10%) or numerically in dollars and cents. The amount indicated in the proposal bond shall include the total amount of the bid including all alternates submitted which increase the bid. The bond amount shall be equal to or exceed 10 percent of this total amount. "

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract will be required to assure the faithful performance of the work. Bonds shall be with a surety or sureties licensed to conduct business in the State of Ohio, according to Section 103.5 of the City of Columbus Construction and Materials Specifications, latest edition.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

**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 the Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., Room 301, Columbus, Ohio 43215 (614) 645-8290, at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunities Commission Office, 109 N. Front Street, 4th Floor, Columbus, Ohio 43215 (614) 645-4764.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Executive Director of Recreation and Parks of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, and/or to advertise for new proposals, when it is in the best interests of the City.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

**OSHA/EPA/ADA REQUIREMENTS**

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this requirement.

Thomas L. Kaplin, President  
Recreation and Parks Commission

Trudy A. Bartley, Interim Director  
Recreation and Parks Department

ORIGINAL PUBLISHING DATE: October 11, 2006

BID OPENING DATE - November 1, 2006 3:00 pm

SA002202 - Morse Elks Area Sewer Improvements

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 4190, until 3:00 pm, Local Time, on November 1, 2006 and publicly opened and read at that hour and place for the following project:

MORSE/ELKS AREA SANITARY IMPROVEMENTS C.I.P No. 679

The City of Columbus' contact person for this project is Gary W. Gilbert, P.E., of the Division of Sewerage and Drainage's Sewer System Engineering Section, 645-7436. The work for which proposals are invited consists of all labor and materials for repair and rehabilitation of 14,042 feet of 8-inch diameter, 561 feet of 10-inch diameter, 336 feet of 12-inch diameter, and 640 feet of 15-inch diameter sanitary sewer utilizing Cured-in-Place Pipe (CIPP). The work includes cleaning, video inspection, lateral sewer reestablishment, bypass pumping, maintenance of traffic, open cut point repairs, and other associated work. This work also includes the installation of a small section of storm sewer on Fairway Drive, the installation of 5 new sanitary manholes where cleanouts currently are located, and the rehabilitation of 65 manholes, including the replacement of the frames and cover, cementitious lining, and the installation of a flexible manhole sealant coating and other such work as may be necessary to complete the contract in accordance with the plans (CC-14356) and specifications. Copies of the Contract Documents, plans, videos and logs 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 and will be available October 2, 2006. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents. The Bid Submittal Documents containing the Proposal must be submitted IN ITS ENTIRETY in a sealed envelope marked:

MORSE/ELKS AREA SANITARY IMPROVEMENTS C.I.P No. 679

The project includes the requirement to perform such other work as may be necessary to complete the contract in accordance with the applicable plans and specifications.

PROJECT BIDDING - CURED-IN-PLACE PIPE

This project has been designed utilizing cured-in-place pipe (CIPP) rehabilitation methods and materials. The City of Columbus, Division of Sewerage and Drainage, has evaluated and approved the following cured-in-place rehabilitation methods/materials for use within the sanitary sewer system:

1. INSITUFORM
2. IN LINER USA
3. CIPP CORP
4. NATIONAL LINER
5. SPINIELLO LINER
6. UNITED LINER

Bidding on this project is strictly limited to Contractors proposing utilization of any of the approved systems. Contractor's proposals for other non-approved systems will be considered non-responsive.

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**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.

**CONTRACT PREVAILING WAGE DETERMINATION**

As a condition of Federal financial participation in the construction cost of this Contract, the prevailing rates of wages as required by the Ohio Revised Code as shown by the following wage schedule are a part of this Contract. The Contractor to whom the award is made and all its subcontractors shall pay not less than the prevailing rate of wages for the classes of work called for by this public improvement in the locality where the Work is to be performed. These rates were obtained from the Ohio Dept of Commerce, Div. Of Labor and Worker Safety, Wage and Hour Bureau, and it is believed that they are the latest rates in effect. The City assumes no responsibility in the event of an error in listing the rates. The Bidder and/or Contractor shall verify the correctness thereof. The prevailing wage rates applicable to this project as determined by the Wage & Hour Bureau are included in the Specification. The Contractor shall submit to the City's Prevailing Wage Coordinator, Transportation Division, 1800 East 17th Avenue, Columbus, OH 43219, weekly certified payrolls of its labor forces and all subcontractor's labor forces for review of compliance to the prevailing wage rates. Payment of any partial or final payment estimate otherwise due to the Contractor will be withheld when the Prevailing Wage Coordinator finds the Contractor to be delinquent in the furnishing of payment information or to be out of compliance with the requirements for payment of prevailing wages.

**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 Street, 3rd Floor, Columbus, Ohio 43215 (614) 645-8290; at the offices of the Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

**CONTRACT COMPLIANCE REQUIREMENTS**

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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.

The City of Columbus encourages the participation of City certified minority and female business enterprises. All bidders/offerors shall identify all subcontractor(s) who will perform any type of contracting on City bid/proposal(s). All bidders/offeror(s) shall include in their bid/proposal response the anticipated cost and scope of work performed by all subcontractor(s), along with their contract compliance number(s). If the bidders/offerors do not have minority/female business participation in the bid/proposal an explanation must be given and included with the bid/proposal in order to satisfy this requirement.\*

All bidders/offerors and subcontractors that do not have (1) an application in their bid/proposal(s) to secure a contract compliance number or (2) a valid contract compliance number at the time the bid is submitted will be deemed non-responsive and will not be considered.

Expired contract compliance numbers will be given 7 business days after bid submittal date to update their contract compliance information. If information has not been updated after 7 business days the bid/proposal will be deemed non-responsive and will no longer be considered.

This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO for assistance with identifying potential M/FBE contractors or the check the status of your contract compliance numbers.

Equal Business Opportunity Commission Office  
109 N. Front Street, 4th Floor  
Columbus, Ohio 43215

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

(614) 645 -4764

M/FBE Certification Tia Roseboro 645-2203  
Contract Compliance Ginger Cunningham 645-2192

\*While the participation and or partnering of certified minority and female owned businesses is encouraged the level of minority and female participation will not be a condition of the bid award.

**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 270 calendar days after the effective date of the Notice to Proceed.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

**OHIO AND U.S. EPA MBE/WBE FAIR SHARE UTILIZATION REQUIREMENTS**

This project is a candidate for receiving assistance from the Water Pollution Control Loan Fund. All responsive bidders shall complete the required Subcontractor Utilization and Certification forms provided within the Contract Proposal.

Determination of MBE/FBE Fair Share Utilization: All documentation submitted by bidders not assured of achieving the fair share goals will be reviewed by the Procedural Compliance Unit, Division of Environmental and Financial Assistance. Based on the feasibility of subcontracting, the availability of MBEs and WBEs in the area (generally a 100-mile radius), and the Contractor's history of compliance, the Procedural Compliance Unit will determine whether the Contractor has made a good faith effort to achieve the fair share goals. If the effort is not satisfactory, the Contractor will be required to provide additional or sufficient minority and women's business participation, within 15 days, to demonstrate a good faith effort to achieve the fair share goals.

Questions or inquiries with regard to this provision should be forwarded to the Ohio EPA, Procedural Compliance Unit, Division of Environmental and Financial Assistance, P. O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2832.

**SMALL BUSINESS IN RURAL AREA PROVISION (SBRA)**

This procurement is subject to the EPA Policy of encouraging the participation of small businesses in rural areas (SBRAs) It is EPA Policy that recipients of EPA financial assistance awards utilize the services of small businesses in rural areas (SBRAs), to the maximum extent practicable. The objective is to assure that

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**BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS**

such small business entities are afforded the maximum practicable opportunity to participate as subcontractors, suppliers and otherwise in EPA-awarded financial assistance programs. This policy applies to all contracts and subcontracts for supplies, construction, and services under EPA grants or cooperative agreements. Small purchases are also subject to this policy.

**VIOLATING FACILITIES**

All prospective bidders shall be required to comply with all applicable standards, order, or requirements under Section 306 of the Clean Air Act, 42 USC 1857 (h), Section 508 of the Clean Water Act, 33 USC 1368, Executive Order 11738, and EPA regulations, 40 CFR Part 32, which prohibits the use under non-exempt Federal contracts, grants, or loans of facilities included on the EPA List of Violating Facilities.

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Cheryl Roberto

Director of Public Utilities

ORIGINAL PUBLISHING DATE: September 29, 2006

BID OPENING DATE - November 2, 2006 11:00 am

**SA002213 - DOPW-3 Wheeled Electric Forklift Truck**

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities, Division of Power and Water to obtain formal bids to establish a contract for the purchase of a three-wheeled electric powered forklift truck to move pallets of water meters.

1.2 Classification: The specifications describe a Jungheinrich Model EFG220 4,000 pound capacity three wheeled electric forklift or equal. Alternate manufacturers products will be considered if they fully conform to operation and specifications of the product specified. Only bids from authorized manufacturer representatives will be considered. Bids must include optional items, manuals, and training as specified and provide a local service and parts facility that will handle service and repairs to the unit.

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: October 12, 2006

**SA002215 - WATER & POWER/DIGGER/ DERRICK TRUCK**

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities, Division of Power and Water to obtain formal bids to establish a contract for the purchase of a Derrick/Digger Truck for use on the streets of the City of Columbus.

1.2 Classification: This is a formal bid to be bid through the City of Columbus' Purchasing Department. There is a local vendor component of 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: October 07, 2006

SA002223 - FLEET/REPAIR OF AUTO/TRUCK SPRINGS

1.1 Scope: It is the intent of the City of Columbus, Fleet Management Division to obtain formal bids to establish a Universal Term Contract (UTC) for the purchase of Automotive / Truck Springs for use of repairing city auto & truck springs through October 31, 2008.

1.2 Classification: Bids are invited on a discount basis. Bidder shall indicate on the proposal page each applicable parts price list and the percentage discount to be applied to each list.

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: October 14, 2006

SA002214 - PU/UTC/Turbidimeters

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Specifications For: Turbidity Analyzers and Controllers.

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Division of Power and Water to establish a Universal Term Contract for the purchase of turbidity analyzers and controllers. These parts are part of a water treatment control system located at the Morse Road Water Plant and will be utilized to measure water quality. The City estimates it will spend \$24,000.00 per year on this contract. The contract will be in effect for a period of two (2) years from the date of execution by the City to and including August 31, 2008

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of turbidity analyzers and controllers, as specified herein, only. The City will provide all installation requirements.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: October 12, 2006

SA002217 - Pole Line Hardware UTC/Div of P&W

1.1 Scope: This bid proposal is to provide the City of Columbus, Division of Power and Water (Power) with a "firm" offer for sale" blanket type option contract that will allow the purchase of Pole Line Hardware items that will be used for new installations and maintenance for daily operations. The proposed contract will be through November 30, 2007. The annual estimated expenditure for these items is \$150,000.00.

1.2 Classification: This bid proposal and resulting contract(s) will provide for the purchase of Bolts, Hooks, Nuts, Screws, Washers, Braces, Brackets, Clevis, Pins, Racks, Adapters, Anchors, Grips, Connectors, Sleeves, Terminators, Clamps, Spacers, Insulators, Links, Braids, Staples, Arresters, Cutouts, Switches, Fuses, Elbows, Grounding Devices, Splice Kits, Junctions, Inserts, Conduit, Duct, Couplings, Pull boxes, Lids, Caps and Tape as specified herein. The City will provide all installation.

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: October 12, 2006

BID OPENING DATE - November 8, 2006 3:00 pm

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SA002219 - REPAIR OF FIRE HYDRANTS - 2007

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities of the City of Columbus, Ohio, located at 910 Dublin Road, 4th Floor, Columbus, Ohio, until 3:00 pm local time, on November 8, 2006, and publicly opened and read at the hour and place for Fire Hydrant Repairs - 2007 . The work for which proposals are invited consists of the repair of existing fire hydrants and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans are on file in the office of the Water Distribution Design Engineer, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio, 43215.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for:

FIRE HYDRANT REPAIRS - 2007  
CONTRACT #1098

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, latest edition, and will become part of the terms

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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 Construction Inspection office 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 the bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

**BID CANCELLATION AND REJECTIONS**

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 60 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

**SPECIAL REQUIREMENTS**

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

**CITY BULLETIN DATES**

- 1). October 21, 2006
- 2). October 28, 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:**

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

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(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Administrator for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Administrator by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Administrator or his deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract or any other action prescribed in C.C. 3905.05.

**WITHHOLDING OF INCOME TAX:** All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractors' employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

**DELINQUENT PERSONAL PROPERTY TAX:** All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor, a statement of Delinquent Personal Property Tax. Such statement is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

**CONTACT PERSON:** Gregory J Moore, Division of Power & Water, Water Distribution Engineering Office, 910 Dublin Road, 2nd Floor, Columbus, Ohio, 43215, (614) 645-7677.

**ORIGINAL PUBLISHING DATE:** October 11, 2006

SA002221 - Power/Bonding & Grounding Str. Ltg. - 2

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**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 November 8, 2006 and publicly opened and read at the hour and place for Underground Street Lighting System Rehabilitation and Betterments (Southeast, Southwest Quadrants and Miscellaneous Circuits). The work for which proposals are invited consists of furnishing all labor, material and equipment required to upgrade 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 (Southeast, Southwest Quadrants and Miscellaneous Circuits).

**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) October 21, 2006
- 2) October 28, 2006

BID PACKAGES WILL BE AVAILABLE FOR PURCHASING, MONDAY, OCTOBER 23, 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:

dmcsweney2@columbus.gov

ORIGINAL PUBLISHING DATE: October 12, 2006

BID OPENING DATE - November 9, 2006 11:00 am

SA002224 - Fire/Nuclear/Radiation Detection Kits/HS

**1.0 SCOPE & CLASSIFICATION**

1.1 SCOPE: The City of Columbus, Division of Fire is obtaining bids on behalf of the Columbus Urban Area Homeland Security Advisory Committee and in conjunction with a grant from the Division of Police for a one-time purchase of new and unused Nuclear/Radiation Detection Kits for the Division of Fire.

1.2 CLASSIFICATION: The purchase will consist of four (4) Identifinder Isotope Identifiers NaI/He3 with accessories. The instruments will be used to outfit the Bomb Squad during special events and emergency response incidents to detect and identify radiation.

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: October 17, 2006

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA002225 - Fire/Logos Digital Imaging System

1.1 SCOPE: The City of Columbus, Division of Fire is obtaining bids to establish a contract for the purchase of Logos Digital Imaging System, Radiographic Equipment.

1.2 CLASSIFICATION: One (1) Portable Image Plate Scanner, Computer and accessories will be purchased immediately. Based upon additional funding, the Division of Fire may purchase one or two additional systems. The Digital Imaging system will be used to outfit the Bomb Squad with the capability to digitally image (x-ray) 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

Type of Bid: IFB

Requested By: Captain Steve Saltsman

Contact for SPECS: Captain Steve Saltsman  
Phone (Voice/Fax) 614-724-0730

Contact for DELIVERY: Captain Steve Saltsman  
Phone (Voice/Fax) 614-724-0730

Contact for PAYMENT: Cindy White  
Phone (Voice/Fax) 614-645-4641

Brief Description/Purpose: purchase of logos digital imaging system for bomb detection through the buffer zone grant.

Duration of Proposed Contract: one-time purchase

COMPLETE ALL FIELDS THAT APPLY

PREBID CONFERENCE? no

PREVAILING WAGE? no

WORKER'S COMPENSATION? no

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

UNIVERSAL TERM CONTRACT(UTC)? no

GENERAL LIABILITY INSURANCE? no

OTHER INSURANCE? no

PERFORMANCE BOND & PERCENTAGE?

BID/PROPOSAL BOND & PERCENTAGE?

OSHA REQUIREMENTS? no

PRIOR YEAR BID AND/OR CONTRACT NUMBER: none

ORIGINAL PUBLISHING DATE: October 17, 2006

SA002209 - Sale of Miscellaneous Surplus Equipment

1.1 Scope: It is the intent of the City of Columbus to obtain bids for the sale of miscellaneous surplus equipment.

1.2 Classification: This is a formal bid for the sale of miscellaneous surplus equipment. The bid will be opened by the Purchasing Office on behalf of the Public Service Department, Fleet Management Division. There are equipment payment and removal requirements in this bid.

If you have an interest in receiving this bid, 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. Specifications are also available for pickup by visiting the Purchasing Office at 50 West Gay Street, Beacon Building, 1st Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: October 13, 2006

SA002222 - DOPW-138 kW Group Operated Switches

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: This bid proposal is to provide the City of Columbus, Division of Power and Water (Power) with a contract for the immediate purchase of eight (8) replacement 138kV Group Operated Switches. These switches are a vital component of the City of Columbus, Division of Power and Water's 138kV transmission lines.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of eight (8) 138kV group operated switches, as specified herein, only. The City will provide all installation. Specifications describe Royal Switchgear Model AV13812. Alternate manufacturers products will be considered if they fully conform to operation and specifications of the product specified. Only bids from authorized manufacturer representatives will be considered.

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: October 17, 2006

BID OPENING DATE - November 15, 2006 3:00 pm

SA002205 - HCWP BASIN IMPROVEMENTS - COLLECTOR ARMS

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities until 3:00 P.M. local time, on November 15, 2006 and publicly opened and read at the hour and place for construction of the HAP CREMEAN WATER PLANT BASIN IMPROVEMENTS - COLLECTOR ARMS, Contract No. 1096, Project No. 690443. The work for which proposals are invited consists of furnishing of all materials; equipment and labor necessary to rehabilitation of collector arms. The work shall include the following tasks: removal of existing collector arms, coating of collector arms, walkways, center piers, and ice breakers, installation of new collector arms, system startup and performance testing, and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Bid Submittal Documents will be on file and available to be purchased by prospective bidders on or after October 10, 2006 at Atlas Blueprint, 374 West Spring Street, Columbus, Ohio 43215 at 614-224-5149 or via PlanWell at [www.atlasblueprint.com](http://www.atlasblueprint.com) upon payment of \$42 plus tax per set. Payment shall be made payable to Atlas Blueprint. No refunds will be made.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for:

HAP CREMEAN WATER PLANT  
BASIN IMPROVEMENTS - COLLECTOR ARMS  
CONTRACT NO. 1096, PROJECT NO. 690443

CONTACT PERSON

The City of Columbus Contact person for this project is Michael Hurd of the Division of Power and Water's, Water Supply Group, Technical Support Section, Phone (614) 645-7100, email - [mjhurd@columbus.gov](mailto:mjhurd@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

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

**CONSTRUCTION AND MATERIAL SPECIFICATIONS**

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Materials Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the 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.

**PRE-BID CONFERENCE:**

A pre-bid conference for this project will be held on October 18, 2006 at 10:00 a.m. and November 8, 2006 at 10:00 a.m. at the Hap Cremean Water Plant Maintenance Facility Conference Room, 4250 Morse Road, Columbus, Ohio 43230. These conferences are 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. Any Contractor wishing to inspect the work in the plant must furnish their own steel toe shoes/boots and safety glasses/goggles.

Any Contractor wishing to inspect the work in Confined Space Areas must furnish their safety harness, air monitoring equipment, and locks for the plant lock-out system.

**CITY BULLETIN DATES**

- 1). October 7, 2006
- 2). October 14, 2006

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

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.

**ORIGINAL PUBLISHING DATE:** September 30, 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

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**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:** PN0147-2006

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

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Health Housing Human Services

**Contact Name:** Bo Chilton

**Contact Telephone Number:** (614) 645-8580

**Contact Email Address:** Rechilton@columbus.gov

**Body**

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**Legislation Number:** PN0181-2006

**Drafting Date:** 09/06/2006

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** University Review Board Meeting Schedule

**Contact Name:** Ken Klare

**Contact Telephone Number:** 614-645-8654

**Contact Email Address:** keklare@columbus.gov

**Body**

Typically held on the fourth Thursday of the month with the submittal deadline being 10 days prior, the regular monthly meeting of the University Area Review Board is scheduled be held on the following dates:

Thursday, September 28, 2006

Thursday, October 26, 2006

Thursday, November 30, 2006

Thursday, December, 28, 2006

Meetings are held at 109 N. Front Street, Room 205 at 6:30 p.m. Copies of the agenda may be obtained by calling 645-8654 or by e-mailing keklare@columbus.gov. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Planning 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 645-8654 or TDD 645-6802.

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**Legislation Number:** PN0202-2006

**Drafting Date:** 10/06/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title Public Service:**

**Notice/Advertisement Title:** Director's Order, Placement of Traffic Control Devices as Recommended by the Transportation Division.

**Contact Name:** Sandra L. LaVaughn

**Contact Telephone Number:** 614-645-7881

**Contact Email Address:** sllavaughn@columbus.gov

Effective: 9.19.06

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**Legislation Number:** PN0205-2006

**Drafting Date:** 10/11/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Board of Zoning Adjustment October Meeting Agenda

**Contact Name:** Denise Powers

**Contact Telephone Number:** 614-645-1788

**Contact Email Address:** dapowers@columbus.gov

**Body**

BOARD OF ZONING ADJUSTMENT AGENDA  
CITY OF COLUMBUS, OHIO  
OCTOBER 24, 2006

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on TUESDAY, OCTOBER 24, 2006 at 6:00 P.M. in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M., AFTER ANY APPEAL(S):

1. ODS No.: 06310-00072

Location: 228 GARDEN ROAD (43214), located at the northwest corner of Garden Road and Sellers Avenue.

Area Comm./Civic: Clintonville Area Commission

Existing Zoning: R-3, Residential District

Request: Variance(s) to Section(s):

1. 3332.21, Building lines. To reduce the building line from 10 feet to 7± feet along the Sellers Avenue street side.
2. 3332.30, Vision clearance. To reduce the clear vision setback at or abutting a vehicular access point to a street from 12 feet to 7± feet along the Sellers Avenue street line (property line).

Proposal: To build a room addition onto the dwelling.

Applicant(s):

Timothy J. & Jennifer L. O'Brien  
228 Garden Rd.  
Columbus, OH 43214

Property Owner(s): Applicants

Case Planner: Denise Powers, 645-1788

E-mail: DAPowers@columbus.gov

2. ODS No.: 06310-00074

Location: 4311 NORTH HIGH STREET (43214), located on the west side of North High Street between Cooke and Aldrich Roads.

Area Comm./Civic: Clintonville Area Commission

Existing Zoning: C-4, Commercial District

Request: Variance(s) to Section(s):

1. 3342.07, Drive-in stacking area. To reduce the minimum number of stacking spaces required from 18 to 13.
2. 3372.609 A., Setback requirements. To increase the allowable principal building maximum setbacks from 10 ft. to 45 ft. along High St.; from 10 ft. to 152 ft. along W. Cooke Rd. and; from 10 ft. to 47 ft. along Aldrich Rd. Also, to increase the allowable building setbacks for an accessory building from 10 ft. to 78 ft. along High St.; from 10 ft. to 11 ft. along W. Cooke Rd. and; from 10 ft. to 47 ft. along Aldrich Rd.
3. 3372.609 B., Setback requirements. To permit an accessory building not to be located at the rear of the principal building.
4. 3372.611 B., Design standards. To permit the buildings not to have vertical visual elements or vertical piers.
5. 3372.611 C., Design standards. To reduce the area of window glass required from between 2 ft. and 10 ft. above the nearest sidewalk grade from 60% to 16% on the north elevation; 44% on the east elevation and; 0% on the south elevation.
6. 3372.611 I., Design standards. To not screen the existing parking lot fronting on High St. and Aldrich Rd.
7. 3372.613, Drive-thru uses. To allow a drive-through pick-up accessory structure to front along W. Cooke Rd. and not to be attached to the rear or side of the principal building.
8. 3372.615, Parking and circulation. To allow parking, stacking and circulation aisles between the street right-of-way line and the principal building.

Proposal: To remodel an existing bank building and add a detached drive through facility.

Applicant(s):

Chris Humphrey  
4495 Millwater Dr.  
Powell, OH 43065

Property Owner(s):

Kemba Financial Credit Union, Inc.  
555 Offcenter Pl.  
Gahanna, OH 43230

Case Planner: Dave Reiss, 645-7973  
E-mail: DJReiss@Columbus.gov

3. ODS No.: 06310-00069

Location: 1939 STRATFORD WAY (43219), located on the south side of Stratford Way, 140± feet west of Greenway North.

Area Comm./Civic: Near East Area Commission

Existing Zoning: C-4, Commercial District and R-3, Residential District

Request: Variance(s) to Section(s):

1. 3342.28, Minimum number of parking spaces required. To reduce the minimum number of off-street parking spaces required from 86 to 62.

Proposal: To construct an elementary school.

Applicant(s):  
Board of Education of the Columbus Public Schools  
c/o David L. Hodge, Atty.  
Smith & Hale  
37 W. Broad St., Suite 725  
Columbus, OH 43215

Property Owner(s): Applicant

Case Planner: Jamie Freise, 645-6350  
E-mail: JFFreise@Columbus.gov

4. ODS No.: 06310-00075

Location: 519 TREVITT STREET (43203), located at the southwest corner of Hallidon Ave. & Trevitt St.

Area Comm./Civic: Near East Area Commission

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

1. 3342.28, Minimum number of parking spaces required. To reduce the required number of parking spaces from 117 to 72 (45 spaces).

Proposal: To construct a 59,193 sq. ft. elementary school building.

Applicant(s):  
Board of Education of the Columbus Public Schools  
c/o David L. Hodge; Smith & Hale  
37 W. Broad St., Suite 725  
Columbus, Ohio 43215

Property Owner(s):  
Board of Education of the Columbus Public Schools  
270 E. State St.  
Columbus, Ohio 43215

Case Planner: Dave Reiss, 645-7973  
E-mail: DJReiss@Columbus.gov

5. ODS No.: 06310-00076

Location: 764-766 HAMLET STREET (43215), located on the east side of Hamlet St., 60.28 ft. north of Warren St.

Area Comm./Civic: Italian Village

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

1. 3332.05, Area district lot width requirements. To reduce the minimum lot width of 50 ft. to be 30 ft. for a two-family dwelling.
2. 3332.14, R-2F area district requirements. To reduce the minimum lot area for a two-family dwelling from 6,000 sq. ft. to 3,960 sq. ft.
3. 3332.15, R-4 area district requirements. To reduce the minimum lot area for a two-family dwelling from 6,000 sq. ft. to 3,960 sq. ft.
4. 3332.18 (C), Basis of computing area. To allow the basis for computing area for density purposes to be based upon 3,960 sq. ft. plus the applicable alley area (30 sq. ft.) instead of being computed using the maximum lot depth of three (3) times the width resulting in 2,700 sq. ft.
5. 3332.18 (D), Basis of computing area. To allow 53% of the lot to be covered by buildings instead of 50% maximum lot coverage.
6. 3332.26, Minimum side yard permitted. To allow both minimum side yards to be 3 ft. for a two-family dwelling on a platted lot of 30 ft., while the code requires a minimum side yard of 5 ft. for a two-family dwelling on a lot 50 ft. in width or greater. (There is no provision for a two-family on a lot smaller than 50 ft. wide.)
7. 3342.28, Minimum number of parking spaces required. To reduce the minimum number of parking spaces for a two-family dwelling from 4 to not less than 2.

Proposal: To construct a two-family dwelling on a sub-standard lot.

Applicant(s):  
Wood Real Estate, L.L.C.  
c/o Donald Plank; Plank & Brahm  
145 E. Rich St.  
Columbus, Ohio 43215

Property Owner(s): Applicant

Case Planner: Jamie Freise, 645-6350  
E-mail: JFFreise@Columbus.gov

6. ODS No.: 06310-00078

Location: 760 NORTHLAWN DRIVE (43214), located at the northwest corner of Northlawn Dr. & Knightsbridge Blvd.

Area Comm./Civic: Northwest Civic Association

Existing Zoning: C-2, Commercial District

Request: Variance(s) to Section(s):

1. 3342.28, Minimum number of parking spaces required. To reduce the required number of additional parking spaces from 6 to 0.

Proposal: To construct a two-story, 1,650 sq. ft., climate-controlled computer equipment room for an office building.

Applicant(s):

Twenty-First Century Communications  
c/o Donald Plank; Plank & Brahm  
145 E. Rich St.  
Columbus, Ohio 43215

Property Owner(s):

760 Northlawn Dr., L.L.C.  
c/o Donald Plank; Plank & Brahm  
145 E. Rich St.  
Columbus, Ohio 43215

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

7. ODS No.: 06310-00079

Location: 62 EAST MITHOFF STREET (43206), located at the northeast corner of East Mithoff Street and City Park Avenue.

Area Comm./Civic: Merion Village Civic Association

Existing Zoning: R-2F, Residential District

Request: Variance(s) to Section(s):

1. 3332.22, Building lines on corner lots; exceptions. To reduce the building line from 10 feet to 1 foot along City Park Avenue.

2. 3332.30, Vision clearance. To reduce the clear vision setback at or abutting a vehicular access point to a street from 12 feet to 1± foot along the City Park Avenue street line (property line).

Proposal: To construct a 9 ft. X 24 ft. addition to the west side of an existing detached garage.

Applicant(s):

Douglas E. Alfred & Michael L. Vorbroker  
62 E. Mithoff St.  
Columbus, OH 43206

Property Owner(s): Applicants

Case Planner: Denise Powers, 645-1788

E-mail: DAPowers@columbus.gov

THE FOLLOWING CASES WILL NOT BE HEARD BEFORE 7:00 P.M.:

8. ODS No.: 06310-00080

Location: 828 HILOCK ROAD (43207), located on the north side of Hilock Road, 330± feet east of Hilock Court.

Area Comm./Civic: Save Our Southside Civic Association

Existing Zoning: R-2, Residential District

Request: Variance(s) to Section(s):

1. 3332.19, Fronting. To allow a dwelling not fronting on a public street.
2. 3342.24, Surface. To allow a driveway to be gravel.

Proposal: To allow the placement of a single-family industrialized unit on a nonconforming lot.

Applicant(s):

Greenlawn Realty Company  
c/o Donald Plank, Atty.  
Plank & Brahm  
145 E. Rich St. 3rd Fl.  
Columbus, OH 43215

Property Owner(s):

Tennie E. & Kenneth B. Evans  
c/o Donald Plank, Atty.  
Plank & Brahm  
145 E. Rich St. 3rd Fl.  
Columbus, OH 43215

Case Planner: Denise Powers, 645-1788

E-mail: DAPowers@columbus.gov

9. ODS No.: 06310-00081

Location: 1062 SOUTH JAMES ROAD (43227), located on the east side of South James Road, 250± feet north of Brownlee Road.

Area Comm./Civic: None

Existing Zoning: R-3, Residential District

Request: Variance(s) to Section(s):

1. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 5 feet to 4.4± feet along the south side of a dwelling.
2. 3342.08, Driveway. To reduce the minimum width of a residential driveway from 10 feet to 9.5 feet to legitimize an existing driveway.

Proposal: To rebuild a single-family dwelling that was more than 50% destroyed by fire, on the existing foundation.

Applicant(s):

James S. Gardner, Jr.  
G&C Homes, LLC  
1854 Oak St.  
Columbus, OH 43205-9983

Property Owner(s): Applicant

Case Planner: Denise Powers, 645-1788

E-mail: DAPowers@columbus.gov

10. ODS No.: 06311-00008

Location: 5414 ROBERTS ROAD (43228), located on the north side of Roberts Rd., approximately 209 ft. east of Rome-Hilliard Rd.

Area Comm./Civic: None

Existing Zoning: LC-4, Limited Commercial District

Request: Special Permit(s) to Section(s):

1. 3389.03, Field, park or arcade. To permit the installation of up to twelve (12) arcade game machines as an ancillary use to a bar.

Proposal: To permit the installation of up to twelve (12) coin-/token-activated devices and/or attractions as an ancillary use to a bar.

Applicant(s):

243 L.L.C. Holdings  
c/o Todd Neuman  
21 W. Broad St., Suite 400  
Columbus, Ohio 43215

Property Owner(s):

One Hilliard Company, L.L.C.  
P.O. Box 233  
Hudson, Ohio 44236

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

11. ODS No.: 06310-00060

Location: 53 WEST FOURTH AVENUE (43201), located on the south side of West 4th Avenue, 377± feet west of North High Street.

Area Comm./Civic: Victorian Village Commission

Existing Zoning: AR-1, Apartment Residential District

Request: Variance(s) to Section(s):

1. 3332.26, Minimum side yard permitted. To reduce the minimum side yard from 5 feet to zero along the west lot line for a decorative masonry wall only.

Proposal: To legitimize a decorative, masonry wall that has been built along the west property line in the rear of the dwelling.

Applicant(s):

Richard A. Becker  
51 W. 4th Av.  
Columbus, OH 43201

Property Owner(s): Applicant

Case Planner: Jamie Freise, 645-6350  
E-mail: JFFreise@Columbus.gov

12. ODS No.: 04311-00007

Location: 3535 OLENTANGY RIVER ROAD (43214), located at the northwest corner of W.N. Broadway St. & Olentangy River Rd.

Area Comm./Civic: None

Existing Zoning: C-3, Commercial District

Request: Variances & Special Permit(s) to Section(s):

1. 3342.25, Vision clearance. To reduce the clear vision triangle at driveway intersections to streets from 10 ft. to as little as 0 ft. for certain ground signs.
2. 3389.03, Field, park or arcade. To grant a special permit for a heliport.

Proposal: To allow graphics in clear vision triangles and/or at reduced building setbacks and to establish a heliport.

Applicant(s):

Ohio Health Corporation  
c/o Jeffrey L. Brown  
37 W. Broad St., Suite 725  
Columbus, Ohio 43215

Property Owner(s):

Ohio Health Corporation  
3535 Olentangy River Rd.  
Columbus, Ohio 43214

Case Planner: Dave Reiss, 645-7973  
E-mail: DJReiss@Columbus.gov

13. ODS No.: 06311-00006

Location: 477 CLAYCRAFT ROAD (43230), located at the terminus of Claycraft Rd. west of I-270 and east of Big Walnut Creek and the Airport Golf Course.

Area Comm./Civic: None

Existing Zoning: M, Manufacturing District

Request: Special Permit(s) to Section(s):

1. 3389.07, Junk or salvage. To permit the operation of a recycling facility.
2. 3363.41(b), Storage. To allow a junk yard and salvage yard to exist within 600 ft. of a residential zoning district.
3. 3392.12, Prohibited location. To allow the operation of a junk yard or salvage yard to be operated within 600 ft. of a residential zoning district.
4. 3392.10, Performance requirements. To be exempt from the requirement to install a non-transparent fence at least 7 ft. in height along the property boundary.
5. 3389.12, Portable building. To allow the use of portable buildings to operate a recycling business.

Proposal: To allow a recycling facility to operate.

Applicant(s):  
Geiger Excavating, Inc.  
c/o Michael N. Schaeffer  
88 W. Mound St.  
Columbus, Ohio 43215

Property Owner(s):  
Morrison Road Development Co., Inc.  
477 Claycraft Rd., #B  
Columbus, Ohio 43230

Case Planner: Dave Reiss, 645-7973  
E-mail: DJReiss@Columbus.gov

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**Legislation Number:** PN0206-2006

**Drafting Date:** 10/11/2006

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** City Council Zoning Agenda for 10/23/2006

**Contact Name:** Adam Knowlden

**Contact Telephone Number:** (614) 645-4605

**Contact Email Address:** apknowlden@columbus.gov

**Body**

**1632-2006**

To amend Ordinance #802-1995, passed April 24, 1995, for property located at 5301 NIKE DRIVE (43026), by amending the limitation overlay text in Section 3 as it pertains to landscaping and mounding requirements along the Hilliard-Rome Road frontage (Z94-115A).

**1666-2006**

To rezone 102 DERRER ROAD (43204), being 0.69± acres located at the northeast corner of Derrer Road and Olive Street, From: C-4, Commercial District, To: R-3, Residential District (Rezoning # Z06-052).

**1699-2006**

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 Apartment Residential District; 3333.09, Area requirements; 3332.16, Fronting; 3333.22, Maximum side yards required; 3333.23(a), Minimum side yard permitted; 3333.24, Rear yard; 3342.28, Minimum number of parking spaces required, for the property located at 54 WEST SECOND AVENUE (43201), to permit a second single-family dwelling (carriage house) and conform an existing single-family dwelling with reduced development standards on a lot zoned in the ARLD, Apartment Residential District. (Council Variance #CV06-045)

**1441-2006**

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; and 3332.19, Fronting on a public street; of the Columbus City codes, for the property located at 1123 NEIL AVENUE (43201), to permit a second single-family dwelling (a carriage house) on a lot developed with a single-family dwelling in the R-4, Residential District (Council Variance CV06-035).

*(TABLED 10/16/06)*

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**Legislation Number:** PN0207-2006

**Drafting Date:** 10/16/2006

**Current Status:** Clerk's Office for Bulletin

Version: 1

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 special meeting held on Monday, October 16, 2006, the Civil Service Commission passed a motion to revise Civil Service Commission Rule VII(E)(1) to read as follows:

RULE VII

EXAMINATIONS

E. Veteran's Preference

1. Veteran Defined. A person who (a) served on active military duty in the armed forces of the United States (other than in the Reserves or National Guard) for a period of more than 180 days and was discharged or released under honorable conditions; or (b) was a member of a reserve component (including the Army or Air National Guard) who served on active military duty during a period of war or in a campaign or expedition for which a campaign badge was authorized and was discharged or released from such duty under honorable conditions; or (c) was a member of a reserve component (including the Army or Air National Guard) who served on active military duty for a period of more than 180 consecutive days any part of which occurred after September 11, 2001 and was discharged or released from such duty under honorable conditions.

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Legislation Number: PN0208-2006

Drafting Date: 10/18/2006

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Version: 1

Matter Type: Public Notice

**Title**

Notice/Advertisement Title: Public Notice Department of Public Utilities - Industrial Wastewater Discharge Permit

Contact Name: Jeffrey L. Bertacchi

Contact Telephone Number: (614) 645-5876

Contact Email Address: jlb Bertacchi@columbus.gov

**Body**

The Administrator of the Division of Sewerage and Drainage announces intent to issue a wastewater discharge permit to the below listed companies on or about November 6, 2006. The Draft Permit will be available for review at City of Columbus Pretreatment Section, 1250 Fairwood Avenue, Suite 186, Columbus, OH 43206-3372 on weekdays between the hours of 7:30 a.m. to 4:30 p.m. beginning Monday, October 23, 2006. FAX: (614) 645-0227. The Administrator will accept written comments on the Draft Permit until 5:00 p.m. Sunday, November 5, 2006 at the above location. This Notice is made according to Columbus City Code Chapter 1145.44 (B). NAME and COMPANY ADDRESS: Cintas Corporation, 1275 Research Road, Blacklick, OH 43004, Coloramics, LLC, 4077 Weaver Court South, Hilliard, OH 43026.

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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.

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE  
TRANSPORTATION DIVISION  
EFFECTIVE DATE:

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

**SECTION 2105.08 STOP AND YIELD INTERSECTIONS**

**Stop signs shall be installed at intersections as follows:**

AUTO MALL PARKWAY shall stop for AUTO MALL DR  
BIRCHTON ST shall stop for WELLAND ST

**Yield signs shall be installed at intersections as follows:**

SPRING ST shall yield to TALMADGE ST & NAMELESS ALLEY

**SECTION 2105.11 THROUGH TRUCKS**

**Through trucks shall be prohibited as follows:**

On HARDING RD  
between BROAD ST and FAIR AVE

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: HENRY GUZMÁN, PUBLIC SERVICE DIRECTOR

cc: City Bulletin  
Traffic  
Deputy Chief Patrol Subdivision East  
Deputy Chief Patrol Subdivision West

## PARKING REGULATIONS

The parking regulations on the 317 foot long block face along the S side of GATES ST from WAGER ST extending to ANN ST shall be

Range in feet	Code Section	Regulation
0 - 248	2151.01	(STATUTORY RESTRICTIONS APPLY)
248 - 271	2105.03	HANDICAPPED PARKING ONLY
271 - 317	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 623 foot long block face along the S side of LONG ST from WILLOW ST extending to HAMILTON AVE shall be

Range in feet	Code Section	Regulation
0 - 340	2105.17	NO STOPPING ANYTIME
340 - 575	2105.17	TWO HOUR PARKING 8AM - 8PM WEEKDAYS
575 - 623	2105.17	NO STOPPING ANYTIME

The parking regulations on the 690 foot long block face along the E side of MCGUFFEY RD from MAYNARD AVE extending to CLINTON ST shall be

Range in feet	Code Section	Regulation
0 - 305	2151.01	(STATUTORY RESTRICTIONS APPLY)
305 - 328	2105.03	HANDICAPPED PARKING ONLY
328 - 690	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 365 foot long block face along the E side of OAKLEY AVE from VIOLET ST extending to GRACE ST shall be

Range in feet	Code Section	Regulation
0 - 296		(STATUTORY RESTRICTIONS APPLY)
296 - 319	2105.03	HANDICAPPED PARKING ONLY
319 - 365		(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 435 foot long block face along the N side of SIEBERT ST from SEVENTEENTH ST extending to EIGHTEENTH ST shall be

Range in feet	Code Section	Regulation
0 - 174	2151.01	(STATUTORY RESTRICTIONS APPLY)
174 - 197	2105.03	HANDICAPPED PARKING ONLY
197 - 412	2151.01	(STATUTORY RESTRICTIONS APPLY)
412 - 435	2105.17	NO STOPPING ANYTIME

The parking regulations on the 610 foot long block face along the E side of TWENTY - SECOND ST from LIVINGSTON AVE extending to NEWTON ST shall be

Range in feet	Code Section	Regulation
0 - 50	2105.17	NO STOPPING ANYTIME
50 - 155	2151.01	(STATUTORY RESTRICTIONS APPLY)
155 - 168		(NAMELESS ALLEY)
168 - 544	2151.01	(STATUTORY RESTRICTIONS APPLY)
544 - 567	2105.03	HANDICAPPED PARKING ONLY
567 - 586	2151.01	(STATUTORY RESTRICTIONS APPLY)
586 - 610	2105.17	NO STOPPING ANYTIME

The parking regulations on the 631 foot long block face along the E side of WESTMOOR AVE from BROAD ST extending to GRACE ST shall be

Range in feet	Code Section	Regulation
0 - 160	2105.17	NO PARKING ANY TIME
160 - 172		(NAMELESS ALLEY)
172 - 383	2151.01	(STATUTORY RESTRICTIONS APPLY)
383 - 406	2105.03	HANDICAPPED PARKING ONLY
406 - 631	2151.01	(STATUTORY RESTRICTIONS APPLY)

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: HENRY GUZMÁN, PUBLIC SERVICE DIRECTOR