

Columbus City Bulletin



Bulletin #51
December 20, 2008

Proceedings of City Council

Saturday December 20, 2008



SIGNING OF LEGISLATION

(With the exception of Ordinances 1859-2008 and 1882-2008 which were signed by President Pro-Tem Kevin L. Boyce on the night of the Council meeting, *Monday, December 15, 2008* all other legislation listed in this Bulletin was signed by Council President Michael C. Mentel, on the night of the Council meeting, *Monday, December 15, 2008*; Mayor, Michael B. Coleman on Tuesday, *December 16, 2008*; and attested by the City Clerk, Andrea Blevins prior to Bulletin publishing.)

The City Bulletin Official Publication of the City of Columbus

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215, 614-645-7380. The City Bulletin contains the official report of the proceedings of Council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, public notices; and details pertaining to official actions of all city departments. If noted within ordinance text, supplemental and support documents are available upon request to the City Clerk's Office.

Council Journal (minutes)



City of Columbus
Journal - Final
Columbus City Council

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

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

Monday, December 15, 2008

5:00 PM

Columbus City Council

Columbus City Council

Journal

December 15, 2008

**REGULAR MEETING NO. 68 OF COLUMBUS CITY COUNCIL, DECEMBER 15,
2008 at 5:00 P.M. IN COUNCIL CHAMBERS.**

ROLL CALL

Absent: 1 - Tyson

Present: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms.
Tavares, Craig and President Mentel

READING AND DISPOSAL OF THE JOURNAL

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms.
Tavares, Craig and President Mentel

C0040-2008

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY
CLERK'S OFFICE AS OF WEDNESDAY, DECEMBER 10, 2008:

New Type: C1, C2
To: Airpointe Wine and Spirits LLC
DBA Airpointe Wine & Spirits
1512 N Cassady Av
Columbus OH 43219
Permit # 0082400

New Type: D1
To: Daniel L Pizzurro
DBA Hilltop Café
2142 Sullivant Av 1st Fl Bsmt & Patio
Columbus Oh 43223
Permit # 69524490060

New Type: C1, C2
To: Midwest Fuel LLC

DBA Midwest Fuel Service
849 E 5th Av
Columbus OH 43201
Permit # 5930919

New Type: D2
To: Pei Wei Asian Diner Inc
DBA Pei Wei Asian Diner
2050 Polaris Pkwy
Columbus OH 43240
Permit # 67919310010

Transfer Type: C1, C2
To: Salah Inc
DBA McGuffey Market
1066 E Hudson St
Columbus OH 43211
From: Jumanah LLC
DBA McGuffey Market
1066 E Hudson St
Columbus OH 43211
Permit # 7670500

Transfer Type: D5, D6
To: Sober Enterprises Inc
1st FI Mezzanine & Patio
281 & 283 E Spring St
Columbus OH 43215
From: Fever Entertainment LLC
1st FI Mezzanine & Patio
281 & 283 E Spring St
Columbus OH 43215
Permit # 8343146

Transfer Type: D5, D6
To: Los Jalapeños Mexican Grill &
Cantina LLC
DBA Los Jalapeños Mexican Grill &
Cantina
8134 E Broad St
Columbus OH 43068
From: El Llano LTD
DBA Casa Fiesta
8134 E Broad St
Columbus OH 43068
Permit # 52996240010

Advertise: 12/20/2008
Return: 12/24/2008

Read and Filed**ADDITIONS OR CORRECTIONS TO THE AGENDA**

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

JUDICIARY & COURT ADMINISTRATION: 1922-2008

HEALTH HOUSING & HUMAN SERVICES: 1951-2008, 1952-2008, 1953-2008

FIRST READING OF 30-DAY LEGISLATION

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

AFFIRMATIVE: 6 NEGATIVE: 0

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL

1866-2008 FR To authorize the Director of Public Utilities to modify and increase the professional engineering services contract with Korda/Nemeth Engineering, Inc. to design stormwater improvements within the Lenappe Drive, Canyon Drive, and Glenmont areas; to authorize the transfer and appropriation of \$119,000.00 from the Storm Sewer Reserve Fund; to authorize the expenditure of \$119,000.00 within the Storm Sewer Bond Fund; and to amend the 2008 Capital Improvements Budget; for the Division of Sewerage and Drainage. (\$119,000.00)

Read for the First Time

1892-2008 FR To authorize the Director of Public Utilities to modify the professional engineering services contract with URS Corporation-Ohio for the Big Walnut Augmentation/Rickenbacker Interceptor Tunnel Project, Big Walnut/Outfall Augmentation Sewer Tunnel Project, and Air Quality Control Facility Project; to authorize the transfer of \$13,448,624.24 and expenditure of \$1,227,541.00 from within the Sanitary Sewer Revenue Bonds Fund; to authorize the transfer of \$449,985.63 within the Voted Sanitary Sewer Bond Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$1,227,541.00)

Read for the First Time

1899-2008 FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order with ITT Flygt Corp for the purchase of Flygt Pump Services from an established Universal Term Contract for the Division of Sewerage and Drainage, and to authorize the expenditure of \$30,000.00 from the Sewerage System Operating Fund (\$30,000.00)

Read for the First Time**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. TAVARES CRAIG MENTEL**

1800-2008 FR To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for the US-40 Resurfacing Project for the Transportation Division. (\$0.00)

Read for the First Time

1823-2008 FR To authorize the City Attorney's Real Estate Division to contract for

professional services, including title and appraisal services, relative to the acquisition of those property rights needed for the Hudson Street and Joyce Avenue Improvement project; to amend the 2008 C.I.B.; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to authorize the City Attorney's Real Estate Division to expend \$75,000.00 from the Streets and Highways G.O. Bonds Fund for acquisition related expenses. (\$75,000.00)

Read for the First Time

- 1895-2008** FR To authorize the Director of Finance and Management to establish a purchase order for the purchase of pavement marking materials for the Division of Transportation per the terms and conditions of an existing citywide universal term contract; to authorize the expenditure of \$44,415.00 from the Streets and Highways G.O. Bonds Fund. (\$44,415.00)

Read for the First Time

HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE CRAIG MENTEL

- 1954-2008** FR To authorize the expenditure of \$77,860.86 from the HOME Fund to provide funding for various approved 2008 programs. (\$77,860.86)

Read for the First Time

CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION

BOYCE

- 0213X-2008** CA To commemorate the Columbus Urban League's African American Male Initiative Father 2 Father Program First Annual Celebration of Fatherhood.

Sponsors: Kevin L. Boyce, Hearcel Craig, Andrew Ginther, Maryellen O'Shaughnessy, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel

Adopted

- 0241X-2008** CA To recognize Indianola Informal K-8 Elementary School for encouraging an education incorporating global awareness and diversity through partnerships with the Sahwira Fund and Maulana School for Orphans in Epworth, Zimbabwe.

Sponsors: Kevin L. Boyce, Hearcel Craig, Andrew Ginther, Maryellen O'Shaughnessy, Charleta B. Tavares, Priscilla Tyson and Michael C. Mentel

Adopted

FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL

- 1873-2008** CA To reallocate \$24,755.39 from an existing Auditor's Certificate associated with Capital Improvements in the Facility Renovations - Various Projects fund; to authorize the Finance and Management Director to modify and increase a contract with Kone, Inc. for emergency repairs to the elevators at the Health Department, 240 Parsons Avenue; and to declare an emergency. (\$24,755.39)

Approved

- 1887-2008** CA To authorize and direct the City Auditor to modify present and future

contracts with Tier Technologies, Inc. to reflect a name and Federal Identification Number change to Cogsdale, Inc. as a result of their acquisition, and to authorize the assignment of all existing obligations to the City of Columbus by Tier Technologies, Inc., to Cogsdale, Inc. and to declare an emergency. (\$0.00)

Approved

- 1910-2008 CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Sewer Brick and Block with Hamilton Parker Holdings to authorize the appropriation and expenditure of one dollar to establish the contract from the Purchasing UTC Account; and to declare an emergency. (\$1.00)

Approved

- 1918-2008 CA To authorize and direct the Finance and Management Director to enter into contract for the option to purchase Jet Aviation Fuel with Arrow Energy, Inc. to authorize the appropriation and expenditure of one (1) dollar to establish the contract from the Purchasing UTC Account; and to declare an emergency. (\$1.00).

Approved

- 1925-2008 CA To authorize and direct the Finance & Management Director to enter into a contract to purchase Allis Chalmers Sludge Pump Repair Parts with Werner-Todd Pump Company, to authorize the appropriation of one (1) dollar to establish the contract from the Purchasing/UTC Fund; and to declare an emergency. (\$1.00).

Approved

- 1928-2008 CA To authorize the Finance and Management Director to modify and increase a contract with Mid Ohio Air Conditioning Corporation for emergency HVAC repairs to a Drycooler at the Central Safety building; to authorize the expenditure of \$26,500.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$26,500.00)

Approved

- 1933-2008 CA To authorize the Finance and Management Director to enter in a contract for the Facilities Management Division with Winnsapes for snow removal services for various City facilities; to authorize the expenditure of \$38,376.00 from the General Fund; and to declare an emergency.

Approved

- 1942-2008 CA To authorize and direct the Finance & Management Director to enter into a contract to purchase subsurface geologic investigations (borings), installation of monitoring wells, and the abandonment of monitoring wells with Lee Testing & Engineering, Inc., to authorize the appropriation of one (1) dollar to establish the contract from the Purchasing/UTC Account, and to declare an emergency. (\$1.00).

Approved

- 1956-2008 CA To authorize the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with ProCon Professional Construction Services for the renovation of apparatus bay drains at seven fire stations; to authorize the expenditure of \$136,710.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$136,710.00)

Approved

- 2001-2008** CA To authorize and direct the Columbus City Auditor to establish an Auditor's Certificate to be applied only after future City Council legislative approval to enter into contracts to purchase Video Surveillance Consulting Services and Powdered Activated Carbon, to authorize the appropriation of five (5) dollars to establish the contract from the Purchasing/UTC Account, and to declare an emergency. (\$5.00).

Approved**JUDICIARY & COURT ADMINISTRATION: CRAIG, CHR. GINTHER TYSON
MENTEL**

- 1685-2008** CA To authorize and direct the Franklin County Municipal Court Clerk to enter into a contract with Huntington National Bank for the provision of bank and credit card services; to authorize the transfer of \$20,000.00 within the Clerk's 2008 operating budget; to authorize an expenditure of \$41,517.00 from the General Fund; and to declare an emergency. (\$41,517.00)

Approved

- 1782-2008** CA To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Hilliard-Rome Road Improvement Project, to authorize the expenditure of \$62,589.00 from the Federal-State Highway Engineering Fund; and to declare an emergency. (\$62,589.00).

Approved

- 1949-2008** CA To authorize the Franklin County Municipal Court Clerk to modify the contract with General Temperature Control, Inc. for additional emergency services; to authorize an expenditure of \$18,300.00 from the Municipal Court Computer Fund; and to declare an emergency. (\$18,300.00)

Approved

- 1950-2008** CA To authorize and direct the Franklin County Municipal Court Clerk to modify all past, present and future purchase orders for support services with Maximus, Inc.; to reassign all rights and responsibilities to CourtView Justice Solutions, Inc; to authorize a supplemental appropriation of \$48,860.00 from the Clerk's computer fund; to authorize and direct the Clerk to enter into a contract with CourtView Justice Solutions, Inc.; to authorize the expenditure of \$278,860.00 from the Clerk's computer fund; and to declare an emergency (\$278,860.00).

Approved

- 1964-2008** CA To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, and the appropriation of grant funds in the amount of Forty-three Thousand Five Hundred Forty-three Dollars (\$43,543.00) for the funding of the Stalking Investigation program; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of Fourteen Thousand Five Hundred Fifteen Dollars (\$14,515.00); and to declare an emergency. (\$58,058.00)

Approved

- 1973-2008** CA To authorize and direct the Director of the Department of Finance and Management to establish a purchase order with Software House

International Inc. on behalf of the City Attorney's Office for Microsoft Office 2007 software; to authorize the City Auditor to transfer \$20,000.00 between object levels within the City Attorney's Office general fund budget; to authorize the expenditure of \$39,923.56 or so much thereof as may be needed; and to declare an emergency. (\$39,923.56)

Approved

- 2003-2008 CA To authorize a supplemental appropriation of \$19,623.70 from the unappropriated balance of the Municipal Court Clerk computer fund; to authorize and direct the Director of Finance and Management on behalf of the Municipal Court Clerk to establish a purchase order for the acquisition of Cisco hardware from a universal term contract with Pomeroy IT Solutions; to authorize an expenditure of \$19,623.70 from the Municipal Court Clerk computer fund; and to declare an emergency. (\$19,623.70)

Approved

SAFETY : GINTHER, CHR. BOYCE CRAIG MENTEL

- 1730-2008 CA To authorize the Columbus Fire Chief to accept a donation of pet air masks from ATT Telephone Pioneers for use by the Division of Fire in emergency response situations that require oxygen treatment for the pets of Columbus citizens.

Approved

- 1752-2008 CA To authorize the Fire Chief to accept a donation of data transmission equipment and services from The Ohio State University for Emergency Medical Services, and to declare an emergency.

Approved

- 1754-2008 CA To authorize the Public Safety Director to enter into a contract with Centre Learn for a computer based training content for use by the Fire Division's Training Bureau, to authorize the expenditure of \$114,900.00 from the General Fund, and to declare an emergency.(\$114,900.00)

Approved

- 1810-2008 CA To authorize an appropriation of \$29,502.38 from the unappropriated balance of the General Government Grant fund to the Division of Police to cover the costs of the Bulletproof Vest Partnership FY2008 program, and to declare an emergency. (\$29,502.38)

Approved

- 1831-2008 CA To authorize the Director of Finance and Management to enter into contract for the upgrade of the MILO Range System with IES Interactive Training for the Division of Police in accordance with the Sole Source procurement provisions of Columbus City Codes; to authorize the expenditure of \$6,500.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$6,500.00)

Approved

- 1843-2008 CA To authorize and direct the Finance and Management Director to issue a purchase order to Sagem Morpho, Inc. for the Division of Police to purchase a portable live scan fingerprinting workstation, to authorize the expenditure of \$42,010.00 from the Law Enforcement Drug Seizure Funds; and to declare an emergency. (\$42,010.00)

Approved

- 1847-2008 CA To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the FY08 Justice Assistance Grant (JAG) program from the Bureau of Justice Assistance, Office of Justice Programs via the Franklin County Office of Homeland Security and Justice Programs; to authorize Lt. Timothy Sansbury as the official City representative to act in connection with the subgrant; to authorize an appropriation of \$100,000.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police, and to declare an emergency. (\$100,000.00)

Approved

- 1863-2008 CA To authorize an appropriation in the Agency Fund titled BCI Background Checks, to authorize the Director of Public Safety to enter into a contract with the State of Ohio, Bureau of Criminal Identification, for expenses related to background checks, to authorize the expenditure of \$152,638.00 from the Agency Fund, to authorize a revenue and expenditure correction in this fund and the General Fund; and to declare an emergency. (\$152,638.00)

Approved

- 1867-2008 CA To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to The Ohio State University Hospitals for the Division of Police, to authorize the expenditure of \$26,805.00 from the General Fund; and to declare an emergency. (\$26,805.00)

Approved

- 1870-2008 CA To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital, for the Division of Police, to authorize the expenditure of \$61,274.07 from the General Fund; and to declare an emergency. (\$61,274.07)

Approved

- 1875-2008 CA To authorize and direct the Finance and Management Director to issue a purchase order for the purchase of a Genetic Analyzer from Applied Biosystems for the Division of Police Crime Lab in accordance with sole source procurement, to authorize the expenditure of \$70,923.00 from the General Government Grant Fund, and to declare an emergency. (\$70,923.00)

Approved

- 1876-2008 CA To authorize the Columbus Fire Chief to accept a grant award from Toys "R" Us, Inc. for the purchase of smoke detectors for the Fire Division distribution program, to appropriate \$5,000.00 from the unappropriated balance of the Special Revenue Private Grants Fund; and to declare an emergency. (\$5,000.00)

Approved

- 1900-2008 CA To authorize the Finance and Management Director to enter issue a purchase order with Boetcher's Lift Truck Service, Inc. for the purchase of a forklift for the Division of Police, to authorize the expenditure of \$23,831.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$23,831.00)

Approved

- 1912-2008** CA To authorize the Columbus Fire Chief to accept a grant award from the Wal-Mart Foundation for the purchase of medical equipment for the Division of Fire, to appropriate \$2,500.00 from the unappropriated balance of the Special Revenue Private Grants Fund, and to declare an emergency. (\$2,500.00)
Approved
- 1916-2008** CA To authorize and direct the Finance and Management Director to issue purchase orders for the purchase of computer switches and associated computer equipment in accordance with the terms and conditions of the universal term contracts from Smart Solutions, Inc., Pomeroy IT Solutions, and Echo 24 Inc. for the Division of Police, to authorize the expenditure of \$76,522.94 from the Safety Voted Bond Fund; and to declare an emergency. (\$76,522.94)
Approved
- 1929-2008** CA To authorize the Mayor of the City of Columbus to accept a 2008 Anti-Gang Initiative Renewal 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 Jeffrey Blackwell as the official city representative to act in connection with the grant, to authorize an appropriation of \$48,103.75 from the unappropriated balance of the General Government Grant fund, and to declare an emergency. (\$48,103.75)
Approved
- 1936-2008** CA To amend the Department of Public Safety's 2008 Capital Improvement Budget, to authorize the City Auditor to transfer leftover cash between projects in the Safety Voted Bond Fund to properly align funds with projected expenditures, and to declare an emergency. (\$913.50)
Approved

UTILITIES: GINTHER, CHR. CRAIG O'SHAUGHNESSY MENTEL

- 1827-2008** CA To authorize and direct the City Auditor's Office to appropriate \$68,201.00 to align with actual cash; and to authorize the expenditure of \$6,062.75 to allow the Transportation Division to re-establish funds needed for the Seventh Avenue water line improvements project; within the Waterworks Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$6,062.75)
Approved
- 1833-2008** CA To authorize the Director of Finance and Management to enter into a purchase order with E.H. Wachs Company for purchase of three Transportable Vacuum Clean Out Systems for the Division of Power and Water and to authorize the expenditure of \$39,735.00 from the Water System Operating Fund. (\$39,735.00)
Approved
- 1855-2008** CA To authorize the Director of Public Utilities to enter into a service agreement with Invensys Process Systems Inc. for the Maintenance Manager Service Agreement for the Foxboro I/A System in accordance with the sole source provisions of the Columbus City Code; and to authorize the expenditure of \$29,575.00 from the Sewerage System Operating Fund. (\$29,575.00).
Approved

1859-2008 CA To authorize the Director of Public Utilities to execute a construction contract with Complete Clearing, Inc. for the Upground Reservoir Tree Removal Project; to authorize the appropriation and transfer of \$83,265.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$83,265.00 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2008 Capital Improvements Budget; for the Division of Power and Water. (\$83,265.00)

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

Absent: 1 - Tyson

Abstained: 1 - President Mentel

Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares and Craig

1886-2008 CA To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Stantec Consulting Services, Inc., for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; to authorize the transfer and expenditure of \$972,976.00 from within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$972,976.00).

Approved

1906-2008 CA To authorize the Director of Finance and Management to enter into a purchase order with Southeastern Fabrications, LLC for the purchase of Dumpsters with Covers for the Division of Power and Water and to authorize the expenditure of \$52,000.00 from the Electricity Operating Fund. (\$52,000.00)

Approved

1959-2008 CA To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$35,000.00 from the Electricity Operating Fund for costs in connection with Metronet Indianola Fiber Optic Project, and to declare an emergency. (\$35,000.00).

Approved

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

1930-2008 CA To authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code; and to declare an emergency.

Approved

1999-2008 CA To appropriate monies on deposit in the Preserve Incentive Tax Equivalent Fund to be used to fund public infrastructure improvements benefiting or serving the Preserve Incentive District and further described in a Reimbursement Agreement by and among the City, The New Albany Company LLC and Lifestyle Communities, Ltd.; and to declare an emergency.

Approved

PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR. TAVARES CRAIG MENTEL

- 1878-2008** CA To authorize the Director of Finance & Management to establish purchase orders from an existing universal term contract for the purchase of traffic signal equipment; to authorize the expenditure of \$198,250.00 or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund. (\$198,250.00)
Approved
- 1882-2008** CA To authorize the Director of Public Service to execute a contract modification with the Mid-Ohio Regional Planning Commission for purposes of extending the term of the Downtown Columbus Circulation Study contract to ensure the continuation of services that are necessary to address downtown traffic concerns associated with the impacts of the continuing I-70/71 ODOT Improvements Project, for the Division of Transportation. (\$0.00)
A motion was made by Craig, seconded by Ms. Tavares, that this matter be Approved. The motion carried by the following vote:
Absent: 1 - Tyson
Abstained: 1 - President Mentel
Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares and Craig
- 1898-2008** CA To authorize the Director of Public Service to pay American Electric Power Company for utility relocation costs incurred in conjunction with the Lane Avenue Widening Project for the Division of Transportation; to authorize the appropriation and expenditure of \$116,389.81 from the Street and Highway Improvement Fund. (\$116,389.81)
Approved
- 1909-2008** CA To authorize the City Auditor to make any and all appropriate accounting adjustments to properly account for general government grant fund transfers, appropriations and expenditures for several grant programs within the Department of Public Service, Divisions of Transportation and Refuse Collection as detailed within the body of this ordinance, to authorize the Director of Public Service to expend within the General Government Grant Fund, and to declare an emergency. (\$242,330.52)
Approved

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR.
BOYCE CRAIG MENTEL**

- 1945-2008** CA To authorize the Director of Development to modify two (2) Empowerment Zone grant-funded contracts with the Columbus Compact Corporation by decreasing the contract amounts; and to declare an emergency.
Approved
- 1946-2008** CA To authorize the Director of Development to cancel the unexpended balances from several EZ grant-funded contracts; to authorize the Director of Development to modify a contract with the Columbus Compact Corporation; to authorize the expenditure of \$165,221.80 from the General Government grant fund; and to declare an emergency (\$165,221.80).
Approved
- 1960-2008** CA To authorize the Director of the Department of Development to enter into an agreement with Gambit Investments LLC to implement a component of the City's Home Again Initiative; to authorize the expenditure of \$60,000 from

the Housing Preservation Fund; and to declare an emergency. (\$60,000.00)

Approved

- 1961-2008 CA To authorize the Director of the Department of Development to enter into an agreement with Buckeye IV Home Builders LTD to implement a component of the City's Home Again Initiative; to authorize the expenditure of \$60,000 from the Housing Preservation Fund; and to declare an emergency. (\$60,000.00)

Approved

- 1962-2008 CA To authorize the Director of the Department of Development to modify a grant agreement with the Community Shelter Board by extending the grant period an additional four months; and to declare an emergency.

Approved

ADMINISTRATION: TYSON, CHR. BOYCE CRAIG MENTEL

- 1765-2008 CA To authorize the Director of Finance and Management, for the Department of Technology, and on behalf of the Department of Public Safety, Public Utilities, and Public Service, to establish a purchase order with Environmental Systems Research Institute, Inc. for software licenses; to authorize the expenditure of \$56,182.64 from the Department of Technology Information Services Fund; and to declare an emergency. (\$56,182.64)

Approved

- 1861-2008 CA To authorize the Director of the Department of Technology to modify and extend a contract with Accela, Inc., on behalf of the Department of Development for Building Services and Neighborhood Services, for software and support maintenance services; and to authorize the expenditure of \$6,903.00 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$6,903.00)

Approved

- 1884-2008 CA To authorize the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities to establish a Purchase Order with Sophisticated Systems, Inc. for the acquisition of computer staff augmentation services associated with the pre-existing Universal Term Contract; to authorize the expenditure of \$135,200.00 from the Department of Public Utilities Enterprise Fund; and to declare an emergency. (\$135,200.00)

Approved

- 1905-2008 CA To authorize the Director of the Department of Technology, on behalf of the Building Services Division and the Neighborhood Services Division, to upgrade/convert the existing software to the newest version provided by Enterprise Informatics in accordance with sole source provisions of the Columbus City Code; to authorize the expenditure of \$36,150.00 from the Department of Technology Information Services Fund; and to declare an emergency. (\$36,150.00)

Approved

APPOINTMENTS

- A0161-2008 CA Appointment of Julius Jefferson of 1381 Indianola Ave. Columbus, Ohio 43201 to serve on the University Area Commission with a term expiration

date of June 1, 2009 (resume attached).

Read and Approved

- A0162-2008** CA Appointment of Rimas Villasenor of 67 E. 11th Ave. Columbus, Ohio 43210 to serve on the University Area Commission with a term expiration date of June 1, 2011 (resume attached).

Read and Approved

- A0163-2008** CA Reappointment of Dennis Guest, Columbus Metropolitan Housing Authority, 880 E. 11th Ave., Columbus, Ohio 43211 to serve on the Joint Columbus and Franklin County Housing Advisory Board with a new term expiration date of December 31, 2011 (resume attached)

Read and Approved

- A0164-2008** CA Appointment of Theodora Moore of 1899 Gault Street Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2008 (resume attached).

Read and Approved

- A0165-2008** CA Appointment of Asad Shabazz of 750 Bedford Ave. Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2009 (resume attached).

Read and Approved

- A0166-2008** CA Appointment of Michael Aaron of 1034 Berkeley Rd. Columbus, Ohio 43206 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2010 (resume attached).

Read and Approved

- A0167-2008** CA Appointment of Bryan Boatright of 792 Kimball Place Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2010 (resume attached).

Read and Approved

- A0169-2008** CA Appointment of Clarence Wicks, Jr. of 754 Wilson Ave. Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2008 (resume attached).

Read and Approved

- A0170-2008** CA Appointment of Doug Motz of 668 Oakwood Ave. Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2008 (resume attached).

Read and Approved

- A0171-2008** CA Appointment of Latricia Sparks of 624 Wilson Avenue Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2010 (resume attached).

Read and Approved

- A0172-2008** CA Appointment of Reginald Cole, Jr. of 909 Lilley Ave. Columbus, Ohio 43206 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2008 (resume attached).

Read and Approved

- A0173-2008** CA Appointment of Barbra Goins of 807 Lyman Ave. Columbus, Ohio 43205 to serve on the Livingston Ave. Area Commission with a term expiration date of

December 31, 2009 (resume attached).

Read and Approved

- A0174-2008** CA Appointment of Gina Hawthorne-Hill of 730 Kelton Ave. Columbus, Ohio 43205 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2009 (resume attached).
- Read and Approved**
- A0175-2008** CA Appointment of Donna Shephard of 909 Lockbourne Rd. Columbus, Ohio 43206 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2010 (resume attached).
- Read and Approved**
- A0176-2008** CA Appointment of Shavonn Harris of 1036 Berkeley Columbus, Ohio 43206 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2008 (resume attached).
- Read and Approved**
- A0177-2008** CA Appointment of Dave Horn of 105 S. Brinker Ave. Columbus, Ohio 43204 to serve on the Greater Hilltop Area Commission with a term expiration date of July 1, 2011 (resume attached).
- Read and Approved**
- A0178-2008** CA Appointment of Stanley Thornburgh of 135 N. Chase Ave. Columbus, Ohio 43204 to serve on the Greater Hilltop Area Commission with a term expiration date of July 1, 2009 (resume attached).
- Read and Approved**
- A0179-2008** CA Appointment of John Contonio of 94 N. Oakley Ave. Columbus, Ohio 43204 to serve on the Greater Hilltop Area Commission with a term expiration date of July 1, 2011 (resume attached).
- Read and Approved**
- A0180-2008** CA Appointment of Sue Laughlin of 2977 Palmetto St. Columbus, Ohio 43204 to serve on the Greater Hilltop Area Commission with a term expiration date of July 1, 2011 (resume attached).
- Read and Approved**
- A0181-2008** CA Appointment of Steve Hermiller of 94 S. Westgate Columbus, Ohio 43204 to serve on the Greater Hilltop Area Commission with a term expiration date of July 1, 2011 (resume attached).
- Read and Approved**
- A0182-2008** CA Reappointment of Jolene Hickman, 329 Lenappe Drive, Columbus, Ohio 43214 to serve on the Columbus Zoo Board with a new term expiration date of December 31, 2011 (resume attached).
- Read and Approved**
- A0183-2008** CA Reappointment of Keith Shumate, Squire, Sanders & Dempsey LLP, 41 S. High Street, Columbus, Ohio 43215 to serve on the Columbus Zoo Board with a new term expiration date of December 31, 2011 (resume attached).
- Read and Approved**
- A0184-2008** CA Reappointment of Wallace C. Giffen, The Ohio State University, Dept. of Physical Facilities, Utilities Division, 2003 Millikin Road, Columbus, Ohio 43210, to serve on the Sewer and Water Advisory Board with a new term

expiration date of September 13, 2012 (resume attached).

Read and Approved

- A0185-2008** CA Reappointment of Joseph Maskovyak, Legal Aid Society of Columbus, 1108 City Park Ave # 100, Columbus, Ohio 43206, to serve on the Sewer and Water Advisory Board with a new term expiration date of September 13, 2012 (resume attached).

Read and Approved

- A0186-2008** CA Appointment of Colleen Buzza, 4385 Cordova Drive, New Albany, Ohio 43054 to serve on the Community Shelter Board, replacing William Wright, with a new term expiration date of June 30, 2011 (resume attached).

Read and Approved

- A0187-2008** CA Appointment of W. Mac Ware of 5050 Parsons Ave. Columbus, Ohio 43137 to serve on the Building Service Review Committee with a new term expiration date of November 16, 2009 (resume attached).

Read and Approved

- A0188-2008** CA Appointment of Craig Bohning of 5500 New Albany Rd. Columbus, Ohio 43054 to serve on the Building Services Review Committee with a term expiration date of November 16, 2009 (resume attached).

Read and Approved

- A0189-2008** CA Appointment of Robert K. Smith 300 Marconi Blvd. Columbus, Ohio 43215 to serve on the Building Services Review Committee with a term expiration date of November 16, 2009 (resume attached).

Read and Approved

- A0190-2008** CA Appointment of James Hiltz of 8357 Breckenridge Way Columbus, Ohio 43235 to serve on the Building Services Review Committee with a term expiration date of November 16, 2009 (resume attached).

Read and Approved

- A0191-2008** CA Appointment of Franz Geiger of 7447 Alpath Rd. New Albany, Ohio 43054 to serve on the Building Services Review Committee with a term expiration date of November 16, 2009 (resume attached).

Read and Approved

- A0192-2008** CA Reappointment of Boyce Safford III, City of Columbus, 90 West Broad Street, Columbus, Ohio 43215 to serve on the Mid-Ohio Regional Planning Commission with a new term expiration of January 1, 2012 (resume attached).

Read and Approved

- A0193-2008** CA Appointment of Tim Galvin of 815 Grandview Ave. Columbus, Ohio 43215 to serve on the Building Services Review Committee with a term expiration date of November 16, 2009 (resume attached).

Read and Approved

- A0194-2008** CA Appointment of John Haytas of 3021 E. Dublin Granville Rd. Suite 108 Columbus, Ohio 43231 to serve on the Board of Zoning Adjustment with a term expiration date of December 31, 2011 (resume attached).

Read and Approved

- A0195-2008** CA Appointment of James Maniace of 65 East State St., Suite 1000, Columbus,

Ohio 43215 to serve on the Board of Zoning Adjustment with a term expiration date of October 31, 2011 (resume attached).

Read and Approved

Passed The Consent Agenda

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

FINANCE: BOYCE, CHR. O'SHAUGHNESSY TAVARES MENTEL

1939-2008

To appropriate \$17,800,000 within the Anticipated Expenditure Fund to provide authority for payment of a 27th pay day in 2008, to transfer \$17,800,000 from the Anticipated Expenditure Fund to the general fund, to appropriate \$17,800,000 in the general fund, to transfer \$570,000 from the general fund to the Health Special revenue Fund, to transfer \$740,000 from the general fund to the Recreation and Parks Operation and Extension Fund; and to declare an emergency. (\$17,800,000)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1943-2008

To authorize the Finance and Management Director to establish a purchase order from an existing Auditor's Certificate in the amount of \$1,464.00 for the Fleet Management Division with WW Williams in order to install diesel oxidation catalysts (DOCs) on select diesel vehicles for a Midwest Clean Diesel Initiative grant; and to declare an emergency. (\$1,464.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1997-2008

To authorize a supplemental appropriation of \$223,157.00 from the unappropriated balance of the City Print & Mail Services Fund; to authorize the transfer of \$28,589.00 within the City Print & Mail Services Fund; to authorize the City Auditor to decrease appropriations by \$315,380.00 within the Public Service Department, Refuse Division General Fund and to reduce the related encumbrance; to authorize a supplemental appropriation of \$315,380.00 within the Municipal Court-Clerk General Fund; and to declare an emergency. (\$315,380.00)

Sponsors: Kevin L. Boyce and Hearcel Craig

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

JUDICIARY & COURT ADMINISTRATION: CRAIG, CHR GINTHER TYSON MENTEL

1965-2008

To authorize the City Attorney to enter into a contract with J Investigations for the services of a Stalking Investigator for the City Attorney's Office, to authorize the expenditure of an amount not to exceed Fifty-four Thousand Forty Dollars for services rendered pursuant thereto, to waive the competitive procurement provisions of Chapter 329 of the Columbus City Codes; and to declare an emergency. (\$54,040.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1975-2008

To authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to enter into the second twelve months of a thirty-six month contract with THOMSON WEST (West Group Payment Ctr.) for the provision of on-line legal research resources, to authorize the expenditure of up to \$25,000 (Twenty-Five Thousand Dollars) from the Municipal Court computer fund, to waive competitive bidding requirements of Chapter 329, Columbus City Codes, and to declare an emergency. (\$25,000)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1980-2008

To authorize and direct the Administrating and Presiding Judge of the Franklin County Municipal Court to enter into contract with Alcohol Monitoring Systems, Inc. for continuation of the monitoring services associated with the continuous alcohol monitoring devices; to authorize the appropriation of \$35,200 within the indigent driver alcohol treatment fund; to authorize the appropriation of \$30,800 within the electronic alcohol monitoring fund; to authorize the expenditure of up to \$66,000 for monitoring services; to waive the competitive bidding provisions of the Columbus City Code; and to declare an emergency. (\$66,000.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1988-2008

To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs; to appropriate said funds in the amount of \$76,689.00 for the funding of the Cyber Crime Investigator and Domestic Violence Victim Advocate programs;

and to declare an emergency. (\$76,689.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1922-2008

To authorize the Franklin County Municipal Court, Clerk of Court to modify and increase the contract with 3SG Corporation for additional imaging services; to authorize an expenditure of \$28,363.23 from the Clerk's computer fund and to declare an emergency. (\$28,363.23)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

MINORITY AND SMALL BUSINESS DEVELOPMENT: CRAIG, CHR. BOYCE O'SHAUGHNESSY MENTEL

1968-2008

To authorize and direct the transfer of \$50,000 within the General Fund, from the Department of Finance and Management's citywide account to the Director of the Department of Development, to authorize and direct the Director of the Department of Development to enter into a contract with Northland Alliance, Inc. to support the group's revitalization efforts within the Route 161 Corridor; to authorize the expenditure of \$50,000 from the General Fund. (\$50,000)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

SAFETY : GINTHER, CHR. BOYCE CRAIG MENTEL

1921-2008

To authorize and direct the Public Safety Director to contract with Matrix Systems Inc. for security access systems for the new Canine (K9) building and an existing substation for the Division of Police, to authorize the expenditure of \$18,468.00 from the Safety Capital Improvement Funds; to waive the competitive bidding provisions of Columbus City Codes, 1959; and to declare an emergency. (\$18,468.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0220X-2008

To object to the renewal of the liquor permit for Aquarium Café, 2550 S. Hamilton Road, Columbus, OH 43232 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0221X-2008

To object to the renewal of the liquor permit for The Back Door Lounge (formerly A Cool Place), 2542 W. Broad St., Columbus, OH 43204 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0222X-2008

To object to the renewal of the liquor permit for The Body Shop, 891 W. Broad St., Columbus, OH 43222 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0223X-2008

To object to the renewal of the liquor permit for Club Fever, 281-283 S. Front Street, Columbus, OH 43215 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0224X-2008

To object to the renewal of the liquor permit for Corner Café, 2700 Sullivant Avenue, Columbus, OH 43204 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0226X-2008

To object to the renewal of the liquor permit for Fourth Quarter Lounge (formerly Aruba Club), 4281 Eastland Square Drive, Columbus, OH 43232 and to declare an emergency.

Sponsors: Andrew Ginther

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

- Absent: 1 - Tyson
Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel
- 0227X-2008** To object to the renewal of the liquor permit for Frank's Place, 957 Mt. Vernon Avenue, Columbus, OH 43206 and to declare an emergency.
Sponsors: Andrew Ginther
- A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:**
- Absent: 1 - Tyson
Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel
- 0228X-2008** To object to the renewal of the liquor permit for Friendly Grill, 865 N. 20th St., 1st Floor, Basement and Patio, Columbus, OH 43219 and to declare an emergency.
Sponsors: Andrew Ginther
- A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:**
- Absent: 1 - Tyson
Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel
- 0229X-2008** To object to the renewal of the liquor permit for Haviland Club, 1521 Frebis Avenue, Columbus, OH 43206 and to declare an emergency.
Sponsors: Andrew Ginther
- A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:**
- Absent: 1 - Tyson
Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel
- 0230X-2008** To object to the renewal of the liquor permit for Knotty Pine, 2219 Parkwood Avenue, Columbus, OH 43211 and to declare an emergency.
Sponsors: Andrew Ginther
- A motion was made by Ginther, seconded by Ms. Tavares, that this matter be Adopted. The motion carried by the following vote:**
- Absent: 1 - Tyson
Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel
- 0231X-2008** To object to the renewal of the liquor permit for Marathon Gas Station, 1690 S. High Street, Columbus, OH 43207 and to declare an emergency.
Sponsors: Andrew Ginther
- A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:**
- Absent: 1 - Tyson
Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0232X-2008 To object to the renewal of the liquor permit for Metro Beer and Wine Drive-thru, 987 Worthington Woods Loop Road, Columbus, OH 43085 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0233X-2008 To object to the renewal of the liquor permit for Pam's Lounge, 1612 Old Leonard Avenue, Columbus, OH 43219 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0234X-2008 To object to the renewal of the liquor permit for Parsons Market, 1650 Parsons Avenue, Columbus, OH 43207 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0235X-2008 To object to the renewal of the liquor permit for Quick Pick, 480 W. Town Street, Columbus, OH 43215 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0236X-2008 To object to the renewal of the liquor permit for Tú Casa Restaurante, 2379 W. Broad St., Columbus, OH 43204 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0238X-2008 To object to the renewal of the liquor permit for X Gentlemen's Club, 6225 Sunderland Drive, Columbus, OH 43229 and to declare an emergency.

Sponsors: Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this matter be Adopted. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

RECESSED: 8:10 P.M.

A motion was made by Ginther, seconded by Craig, to Motion to Recess the Regular Meeting. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

RECONVENED: 8:53 P.M.

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

DEVELOPMENT: O'SHAUGHNESSY, CHR. TAVARES TYSON MENTEL

0215X-2008

To resolve to support Franklin County, in partnership with Gowdy Partners III, LLC, in their efforts to obtain Round 6 Clean Ohio Program grant finding for use in the cleanup and redevelopment of the Gowdy North site in the Columbus community.

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

0216X-2008

To resolve to approve the Big Darby Revenue Program.

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1944-2008

To authorize the Director of the Department of Development to enter into an

agreement with the Ohio Department of Development to accept a \$5,000,000.00 Job Ready Sites grant for improvements at the TechCenter South site; to authorize the appropriation of \$5,000,000.00 from the General Government Grant Fund; to authorize any necessary agreements with the site owner, TechCenter South Development Co., LLC, to facilitate site improvements under the said grant in partnership with the City of Columbus; and to authorize the expenditure of up to \$5,000,000.00 from the General Government Grant Fund. (\$5,000,000.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1947-2008

To authorize the creation of a tax increment financing incentive district encompassing certain parcels of real property (Blauser-Summerlyn); to declare improvements to those parcels to be a public purpose and exempt from real property taxation; to provide for the owners of those parcels to make service payments in lieu of taxes; to provide for the distribution of the applicable portion of those service payments to the Columbus City School District; to establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those service payments; to specify the public infrastructure improvements to be made within the district that directly benefit or serve those parcels; to approve and authorize the execution of a tax increment financing agreement; 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:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

**PUBLIC SERVICE & TRANSPORTATION: O'SHAUGHNESSY, CHR.
TAVARES CRAIG MENDEL**

1920-2008

To authorize the Director of Public Service to enter into contract with the Ohio Department of Transportation for the Town Street Demolition Project; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to authorize the intrafund transfer of monies between the Streets & Highways GO Bond Fund and the Federal-State Highway Engineering Fund; to authorize the appropriation and expenditure of \$1,850,000.00 from Federal-State Highway Engineering Fund; to amend the 2008 Capital Improvement Budget, and to declare an emergency. (\$1,850,000.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1937-2008

To authorize the Director of Finance and Management to enter into contract with ESEC Corporation, and Bell Equipment Company, for the purchase of truck cabs, chassis and bodies, which collectively constitute eighteen (18) automated side loader refuse collection trucks for the Division of Refuse Collection; to appropriate and authorize the City Auditor to transfer \$4,063,248.00 from the Special Income Tax Fund to the Refuse G.O. Bonds Fund; to appropriate and authorize the expenditure of \$4,063,248.00 from the Refuse G.O. Bonds Fund; and to declare an emergency. (\$4,063,248.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1800-2008

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for the US-40 Resurfacing Project for the Transportation Division. (\$0.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1823-2008

To authorize the City Attorney's Real Estate Division to contract for professional services, including title and appraisal services, relative to the acquisition of those property rights needed for the Hudson Street and Joyce Avenue Improvement project; to amend the 2008 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to authorize the City Attorney's Real Estate Division to expend \$75,000.00 from the Streets and Highways G.O. Bonds Fund for acquisition related expenses. (\$75,000.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1895-2008

To authorize the Director of Finance and Management to establish a purchase order for the purchase of pavement marking materials for the Division of Transportation per the terms and conditions of an existing citywide universal term contract; to authorize the expenditure of \$44,415.00 from the Streets and Highways G.O. Bonds Fund. (\$44,415.00)

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

FROM THE FLOOR

RESOLUTION OF EXPRESSION

GINTHER

0242X-2008

To express the appreciation of the Council of the City of Columbus to Maryellen O'Shaughnessy for her service to this Council and for her commitment to improving the quality of life for all Columbus residents.

Sponsors: Andrew Ginther, Michael C. Mentel, Kevin L. Boyce, Hearcel Craig, Charleta B. Tavares and Priscilla Tyson

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

Absent: 1 - Tyson
 Abstained: 1 - Ms. O'Shaughnessy
 Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. Tavares, Craig and President Mentel

HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR. BOYCE CRAIG MENTEL

1862-2008

To authorize the Director of Development to enter into a contract with The Housing Trust for Columbus and Franklin County to subsidize the sale of two new homes on Taylor Avenue; to authorize the expenditure of \$40,000 from the Northland and Other Acquisitions Fund; to waive the competitive bidding provisions of Columbus City Code; and to declare an emergency. (\$40,000)

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1957-2008

To amend the 2008 C.I.B.; to authorize and direct the City Auditor to transfer \$200,000.00 from the Special Income Tax Fund to the Housing Preservation Fund; to authorize the Director of the Department of Development to increase the existing universal term contracts with various contractors to continue the provision of emergency home repair services to low and moderate-income households in Columbus; to authorize the expenditure of \$200,000 from the Housing Preservation Fund; and to declare an emergency. (\$200,000)

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1963-2008

To authorize the Director of the Department of Development to amend a Truancy Intervention Program contract with the YMCA of Central Ohio by amending the timeframe; and to declare an emergency.

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1970-2008

To authorize a supplemental appropriation from the unappropriated balance of the Health Department Grants Fund for additional revenues received by the Alcohol and Drug Abuse Outpatient Treatment Program, in an amount of \$160,000; and to declare an emergency. (\$160,000)

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

Absent: 1 - Tyson
 Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1954-2008

To authorize the expenditure of \$77,860.86 from the HOME Fund to provide funding for various approved 2008 programs. (\$77,860.86)

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

Absent: 1 - Tyson
 Absent@vote: 1 - Ms. O'Shaughnessy
 Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson

Absent@vote: 1 - Ms. O'Shaughnessy

Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson

Absent@vote: 1 - Ms. O'Shaughnessy

Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. Tavares, Craig and President Mentel

1951-2008

CA

To authorize the expenditure of \$11,833 from the 2008 Community Development Block Grant Fund for the purpose of making loans and grants for operation of the Affordable Housing Opportunity Fund; and to declare an emergency. (\$11,833)

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

Absent: 1 - Tyson

Absent@vote: 1 - Ms. O'Shaughnessy

Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. Tavares, Craig and President Mentel

1952-2008

CA

To authorize the expenditure of \$90,696 from the Housing Preservation Fund to preserve the local supply of decent, safe, sanitary and affordable housing for low-income families; and to declare an emergency. (\$90,696)

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

Absent: 1 - Tyson

Absent@vote: 1 - Ms. O'Shaughnessy

Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. Tavares, Craig and President Mentel

1953-2008

CA

To authorize the expenditure of \$30,557 from the Development Revolving Loans/Grants Fund to preserve the local supply of decent, safe, sanitary and affordable housing for low-income families; and to declare an emergency. (\$30,557)

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

Absent: 1 - Tyson

Absent@vote: 1 - Ms. O'Shaughnessy

Affirmative: 5 - President Pro-Tem Boyce, Ginther, Ms. Tavares, Craig and President Mentel

ADMINISTRATION: TYSON, CHR. BOYCE CRAIG MENTEL

1802-2008

To authorize the Director of Finance and Management, on behalf of the

Department of Technology (DoT), to establish a purchase order, for the purchase of three (3) studio camera systems, with ProVideo Systems, Inc. for the Department of Technology, Information Services Division; to authorize the expenditure of \$68,910.00 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$68,910.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1888-2008

To authorize the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities to establish a Purchase Order with Echo 24 Inc. for the acquisition of professional and related services associated with the Network Infrastructure Indianola fiber project; to authorize the expenditure of \$91,646.00 from the Information Services Fund; and to declare an emergency. (\$91,646.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

RECREATION & PARKS: TYSON, CHR. GINTHER TAVARES MENTEL

1958-2008

To authorize and direct the Director of Recreation and Parks to enter into contract with General Temperature Control for HVAC Improvements to various facilities, to authorize the expenditure of \$605,000.00 from the Voted 1999/2004 Recreation and Parks Bond Fund and to declare an emergency. (\$605,000.00)

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

RULES & REFERENCE: MENTEL, CHR. BOYCE O'SHAUGHNESSY TAVARES

2024-2005

To amend section 4113.79 of the Columbus Building Code, Title 41, in order to provide for a seventy-five (75) day review period and electronic posting of applications prior to the issuance of demolition permits.

Sponsors: Maryellen O'Shaughnessy

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson

Affirmative: 0

Negative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1062-2008

To amend existing Sections 2333.01, 2333.02, 2333.04 and 2333.99 of the Columbus City Codes, 1959, to increase the scope of current prima facie evidence of intimidation relative to aggressive panhandling and to create the offense of improper solicitation after dark.

Sponsors: Andrew Ginther

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1195-2008

To amend section 4113.79 of the Columbus Building Code, Title 41, in order to provide for a sixty (60) day review period and electronic posting of applications prior to the issuance of demolition permits.

Sponsors: Maryellen O'Shaughnessy

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1865-2008

To amend various sections of Chapter 2331 of the Columbus City Codes, 1959 in order to include additional protected classes of individuals from discriminatory practices that are not currently covered.

Sponsors: Priscilla Tyson and Andrew Ginther

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

1987-2008

To enact Chapter 900, and to amend various sections of of the Columbus City Code, 1959, for consideration of greater sidewalk and bikeway connectivity and safety.

Sponsors: Maryellen O'Shaughnessy

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

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

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel

ADJOURNMENT

ADJOURNED: 10:20 P.M.

A motion was made by Craig, seconded by Ginther, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: 1 - Tyson

Affirmative: 6 - President Pro-Tem Boyce, Ginther, Ms. O'Shaughnessy, Ms. Tavares, Craig and President Mentel



City of Columbus

Journal - Final

Zoning Committee

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

Kevin L. Boyce, Chair; All Members

Monday, December 15, 2008

6:30 PM

Zoning Committee

Zoning Committee

Journal

December 15, 2008

REGULAR MEETING NO. 69 OF CITY COUNCIL (ZONING), DECEMBER 15, 2008 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Absent: Tyson

Present: Boyce: Mentel: O'Shaughnessy: Tavares: Ginther and Craig

READING AND DISPOSAL OF THE JOURNAL

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

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: BOYCE, CHR. CRAIG GINTHER O'SHAUGHNESSY TAVARES TYSON MENTEL

1927-2008

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.22, Maximum side yard required; and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at 1176 STEELWOOD ROAD (43212), to conform an existing driveway and parking lot serving M, manufacturing uses with reduced development standards in the AR-1, Apartment Residential District. (Council Variance #CV08-030)

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

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

1410-2008

To rezone 1132 EAST WINDSOR AVENUE (43211), being 2.37± acres located at the northwest corner of East Windsor Avenue and Isabel Avenue and at the southwest corner of East Windsor Avenue and Gerald Avenue, From: C-3, Commercial, P-1, Parking, R-3 and R-4, Residential Districts, To: CPD, Commercial Planned Development District. (Rezoning # Z08-017)

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

1828-2008

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

To rezone 700 CHILDRENS DRIVE (43205), being 52.7± acres generally located from the southeast corner of Parsons Avenue and Mooberry Street, east to the southwest corner of Mooberry Street and the first alley east of and parallel with Eighteenth Street, south to the northwest corner of the first alley east of and parallel with Eighteenth Street and Livingston Avenue, south to the southeast corner of Livingston Avenue and Heyl Avenue, west to the southeast corner of Jackson Street and Putnam Street, west to the southwest corner of Jackson Street and Parsons Avenue, and north to the northwest corner of Parsons Avenue and Denton Alley, north and west to the southwest corner of Livingston and Parsons Avenues, west 732 feet along the north side of Livingston Avenue, north to Interstate 70, then east to the northwest corner of Parsons Avenue and Mooberry Street (excluding all of Livingston Park). From: AR-1, Apartment Residential, R-2F, Residential, C-4, Commercial, and CPD, Commercial Planned Development Districts, To: CPD, Commercial Planned Development District. (Rezoning # Z08-037)
(TABLED 12/08/2008)

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

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

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

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

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

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

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

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

ADJOURNED: 8:15 P.M.

A motion was made by Ginther, seconded by Craig, to adjourn this Regular Meeting. The motion carried by the following vote:

Absent: Tyson

Affirmative: Boyce, Craig, Ginther, Tavares, O'Shaughnessy and Mentel

Ordinances and Resolutions

**City of Columbus
City Bulletin Report**

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

Legislation Number: 0213X-2008

Drafting Date: 11/18/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To commemorate the Columbus Urban League's African American Male Initiative Father 2 Father Program First Annual Celebration of Fatherhood.

Body

WHEREAS, the mission of the Columbus Urban League is to enable African Americans and disadvantaged persons to secure economic self-reliance, parity, power and civil rights; and

WHEREAS, the African American Male Initiative began in 2006 with the plan to empower African-American males and help reduce contact with the criminal justice system, increase physical health, and improve connections with children and families; and

WHEREAS, the Father 2 Father program assists men in becoming the instinctive, responsible, & nurturing fathers they desire to be, while also, educating the general public on the unique, important, & essential role that fathers play in the development of their children; and

WHEREAS, Father 2 Father provides a classroom curriculum that develops the attitudes and skills needed for responsible fatherhood and helps men discover and cultivate their nurturing potential, as well as provides assistance with child support, visitation, and family law matters, ultimately advocating for policy change and implementation that will make these issues more father friendly; and

WHEREAS, in its inaugural year, Father 2 Father has impacted 68 men and their families in the greater Columbus area over the past 9 months, with an average class enrollment of 15 men per 12 week session, with 2 sessions taking place simultaneously; and

WHEREAS, the Columbus Urban League's African American Male Initiative Father 2 Father program will be holding the First Annual Celebration of Fatherhood on December 26, 2008 to honor and celebrate the notion of fatherhood with an open house event at COSI for the fathers and families; now, therefore

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

That we do hereby commemorate the Columbus Urban League's African American Male Initiative Father 2 Father program First Annual Celebration of Fatherhood and congratulate this wonderful organization in their successes with the young fathers of Columbus.

Legislation Number: 0215X-2008

Drafting Date: 11/24/2008

Current Status: Passed

Version: 2

Matter Type: Resolution

BACKGROUND: The purpose of this legislation is to provide the resolution of support of City Council required by the Clean Ohio Program in order for Franklin County and Gowdy Partners III, LLC to apply for a Round 6 Clean Ohio Revitalization Fund Grant for the cleanup and redevelopment of an additional four **to seven** acre +/- portion of the former Gowdy Field landfill (Gowdy North).

In 2005, the Columbus Department of Development worked with the Columbus Regional Airport Authority and Gowdy Partners, LLC to secure a \$3,000,000 Clean Ohio Revitalization Fund grant for the cleanup and redevelopment of a 28 acre portion of the former Gowdy Field landfill that is now the regional headquarters of Time Warner Cable and soon to be the site of a new outpatient surgery center and offices for the Ohio State University Medical Center.

The Columbus Department of Development is interested in the cleanup and redevelopment of the Gowdy North site to serve as additional offices and other facilities for the Ohio State University Medical Center that wishes to invest approximately \$20 million in new facilities, relocate approximately 109 Columbus jobs and create 33 new jobs. As the City operated the former landfill at Gowdy North, it is not eligible to apply for Clean Ohio grant funding. However, Franklin County, which neither owned nor operated the former landfill, is eligible to apply for Clean Ohio grant funding. Franklin County has agreed to work with Gowdy Partners III, LLC to complete the cleanup and redevelopment of the Gowdy North site, but cannot apply for a Clean Ohio grant without a resolution of support from the City.

This resolution will set forth the support of City Council for the efforts of Franklin County and Gowdy Partners III, LLC to apply for and obtain Round 6 Clean Ohio grant funds for the cleanup and redevelopment of the Gowdy North site.

FISCAL IMPACT: No funding is required for this legislation.

Title

To resolve to support Franklin County, in partnership with Gowdy Partners III, LLC, in their efforts to obtain Round 6 Clean Ohio Program grant funding for use in the cleanup and redevelopment of the Gowdy North site in the Columbus community.

Body

WHEREAS, the State of Ohio, Clean Ohio Program awards grants to communities throughout Ohio for the purpose of cleanup and redevelopment of contaminated properties known as "brownfields"; and

WHEREAS, the City of Columbus contains brownfield properties which may qualify for Clean Ohio cleanup and redevelopment grant funding; and

WHEREAS, the Columbus Department of Development has been involved with brownfield cleanup and redevelopment since 1999 through its administration of the Columbus Brownfield Redevelopment Program and its associated task force; and

WHEREAS, Clean Ohio grant funding is critically important to the efforts of the City of Columbus in helping to clean up and redevelop brownfield properties in Columbus; and

WHEREAS, the Columbus Department of Development seeks the support of Columbus City Council for the efforts of Franklin County, in partnership with Gowdy Partners III, LLC, to apply for Round 6 Clean Ohio grant funding for the Gowdy North site and to demonstrate unity and commitment to cleaning and redeveloping brownfield sites in Columbus; now, therefore,

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

Section 1. That Columbus City Council hereby supports Franklin County, in partnership with Gowdy Partners III, LLC, in their efforts to obtain Round 6 Clean Ohio grant funding to facilitate the cleanup and redevelopment of the Gowdy North site in Columbus.

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

Legislation Number: 0220X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Aquarium Café, 2550 S. Hamilton Road, Columbus, OH 43232 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Aquarium Café, 2550 S. Hamilton Road, Columbus, OH 43232; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Aquarium Café, 2550 S. Hamilton Road, Columbus, OH 43232.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0221X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for The Back Door Lounge (formerly A Cool Place), 2542 W. Broad St., Columbus, OH 43204 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for The Back Door Lounge (formerly A Cool Place), 2542 W. Broad St., Columbus, OH 43204; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for The Back Door Lounge (formerly A Cool Place), 2542 W. Broad St., Columbus, OH 43204.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0222X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for The Body Shop, 891 W. Broad St., Columbus, OH 43222 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for The Body Shop, 891 W. Broad St., Columbus, OH 43222; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for The Body Shop, 891 W. Broad St., Columbus, OH 43222.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0223X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Club Fever, 281-283 S. Front Street, Columbus, OH 43215 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Club Fever, 281-283 S. Front Street, Columbus, OH 43215; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Club Fever, 281-283 S. Front Street, Columbus, OH 43215.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0224X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Corner Café, 2700 Sullivant Avenue, Columbus, OH 43204 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Corner Café, 2700 Sullivant Avenue, Columbus, OH 43204; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Corner Café, 2700 Sullivant Avenue, Columbus, OH 43204.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0226X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Fourth Quarter Lounge (formerly Aruba Club), 4281 Eastland Square Drive, Columbus, OH 43232 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Fourth Quarter Lounge (formerly Aruba Club), 4281 Eastland Square Drive, Columbus, OH 43232; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Fourth Quarter Lounge (formerly Aruba Club), 4281 Eastland Square Drive, Columbus, OH 43232.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0227X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Frank's Place, 957 Mt. Vernon Avenue, Columbus, OH 43206 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Frank's Place, 957 Mt. Vernon Avenue, Columbus, OH 43206; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Frank's Place, 957 Mt. Vernon Avenue, Columbus, OH 43206.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves

nor vetoes the same.

Legislation Number: 0228X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Friendly Grill, 865 N. 20th St., 1st Floor, Basement and Patio, Columbus, OH 43219 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Friendly Grill, 865 N. 20th St., 1st Floor, Basement and Patio, Columbus, OH 43219; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Friendly Grill, 865 N. 20th St., 1st Floor, Basement and Patio, Columbus, OH 43219.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0229X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Haviland Club, 1521 Frebis Avenue, Columbus, OH 43206 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Haviland Club, 1521 Frebis Avenue, Columbus, OH 43206; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Haviland Club, 1521 Frebis Avenue, Columbus, OH 43206.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0230X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Knotty Pine, 2219 Parkwood Avenue, Columbus, OH 43211 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Knotty Pine, 2219 Parkwood Avenue, Columbus, OH 43211; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Knotty Pine, 2219 Parkwood Avenue, Columbus, OH 43211.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0231X-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Marathon Gas Station, 1690 S. High Street, Columbus, OH 43207 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Marathon Gas Station, 1690 S. High Street, Columbus, OH 43207; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Marathon Gas Station, 1690 S. High Street, Columbus, OH 43207.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0232X-2008

Drafting Date: 12/02/2008

Version: 1

Current Status: Passed

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Metro Beer and Wine Drive-thru, 987 Worthington Woods Loop Road, Columbus, OH 43085 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Metro Beer and Wine Drive-thru, 987 Worthington Woods Loop Road, Columbus, OH 43085; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Metro Beer and Wine Drive-thru, 987 Worthington Woods Loop Road, Columbus, OH 43085.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0233X-2008

Drafting Date: 12/02/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Pam's Lounge, 1612 Old Leonard Avenue, Columbus, OH 43219 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Pam's Lounge, 1612 Old Leonard Avenue, Columbus, OH 43219; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Pam's Lounge, 1612 Old Leonard Avenue, Columbus, OH 43219.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0234X-2008

Drafting Date: 12/02/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Parsons Market, 1650 Parsons Avenue, Columbus, OH 43207 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Parsons Market, 1650 Parsons Avenue, Columbus, OH 43207; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Parsons Market, 1650 Parsons Avenue, Columbus, OH 43207.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to

refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0235X-2008

Drafting Date: 12/02/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Quick Pick, 480 W. Town Street, Columbus, OH 43215 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Quick Pick, 480 W. Town Street, Columbus, OH 43215; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Quick Pick, 480 W. Town Street, Columbus, OH 43215.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0236X-2008

Drafting Date: 12/02/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for Tú Casa Restaurante, 2379 W. Broad St., Columbus, OH 43204 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for Tú Casa Restaurante, 2379 W. Broad St., Columbus, OH 43204; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for Tú Casa Restaurante, 2379 W. Broad St., Columbus, OH 43204.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0238X-2008

Drafting Date: 12/02/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of the liquor permit for X Gentlemen's Club, 6225 Sunderland Drive, Columbus, OH 43229 and to declare an emergency.

Body

WHEREAS, City Council desires to object pursuant to 4303.271 and 4303.292, Ohio Revised Code to the renewal of the liquor permit for X Gentlemen's Club, 6225 Sunderland Drive, Columbus, OH 43229; and

WHEREAS, an emergency exists in the usual daily operation of City Council, in that it is immediately necessary to object to the renewal of this liquor permit to preserve the public health, peace, property, safety and welfare; now, therefore

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

Section 1. The Columbus City Council desires to object pursuant to state statute to the renewal of the liquor permit for X Gentlemen's Club, 6225 Sunderland Drive, Columbus, OH 43229.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in a manner that demonstrates a disregard for the law, regulations or local ordinances of this state and city, which is a basis to refuse the renewal of a liquor permit under 4303.292(A)(1)(b); and further, the Council finds that the permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation thereunder by the applicant, which also is a basis to refuse a liquor permit renewal under 4303.292(A)(2)(c); and based upon the above findings the City Council hereby objects to the renewal of this liquor permit.

Section 3. That the City Clerk be and hereby is directed to forward a certified copy of this resolution to the director of the Ohio Department of Liquor Control, and with said resolution the City Attorney shall express his opinion regarding the basis for this resolution as required by 4303.27(B), Ohio Revised Code. The Clerk shall advise the City Attorney regarding the notice of any hearings pursuant to the objection.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption of the Mayor neither approves nor vetoes the same.

Legislation Number: 0241X-2008

Drafting Date: 12/09/2008

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize Indianola Informal K-8 Elementary School for encouraging an education incorporating global awareness and diversity through partnerships with the Sahwira Fund and Maulana School for Orphans in Epworth, Zimbabwe.

Body

WHEREAS, the mission of the Indianola Informal K-8 Elementary School is to provide opportunities where children learn by doing and by interacting with their environment with strong, positive teacher guidance so that children can take responsibility for their own learning; and

WHEREAS, the Indianola Informal K-8 Elementary School allows opportunities for children to express their knowledge and talents through visual art, music and dance creating an environment which encourages mutual respect and cultural understanding; and

WHEREAS, in the spring 2005, Indianola Informal K-8 Elementary School befriended artist, Gedion Nyanhongo who later introduced the school to the Maulana School for Orphans, a school where 1600 children are fed, clothed and educated everyday, which is made possible by Tony and Daisy Maulana and their commitment to the children orphaned by AIDS in Epworth, Zimbabwe; and

WHEREAS, created in the spring 2006 by Braden Coolidge and Gedion, Agnes and Collen Nyanhongo, The Sahwira Fund establishes and nurtures long-term relationships with grassroots organizations promoting improvements in health, education and quality of life for children orphaned by AIDS in Africa, currently supporting the Maulana School for Orphans, Epworth, Zimbabwe, Africa; and

WHEREAS, by partnering with the Maulana School for Orphans and sharing gifts of literature, stories, poetry, letters, e-mails, artwork, music, cultural artifacts and photographs, the teachers at Indianola began creating learning experiences for students that promoted global awareness and appreciation of diversity, as well as evoked a multi-cultural understanding of the world; and

WHEREAS, the partnership between Indianola Informal K-8 Elementary School and the Maulana School for Orphans continues to be focused on engaging others in the responsibility to consider issues of equity within our global education system; now, therefore

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

That we do hereby recognize Indianola Informal K-8 Elementary School for encouraging an education incorporating global awareness and diversity through partnerships with the Sahwira Fund and Maulana School for Orphans in Epworth, Zimbabwe.

Legislation Number: 0242X-2008

Drafting Date: 12/11/2008

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title

To express the appreciation of the Council of the City of Columbus to Maryellen O'Shaughnessy for her service to this Council and for her commitment to improving the quality of life for all Columbus residents.

Body

WHEREAS, Maryellen O'Shaughnessy, elected to Columbus City Council in 1997, has faithfully served the citizens of Columbus for more than a decade; and

WHEREAS, throughout her years of service, the consistent thread that runs through each initiative she has championed and implemented has been her sincere desire to improve the quality of life for Columbus residents; and

WHEREAS, her impassioned drive has resulted in responsible development, which despite initial challenges, has saved taxpayers millions of dollars, while creating quality neighborhoods by laying the groundwork for the "Pay As We Grow" approach to expansion and annexation; and

WHEREAS, while Maryellen O'Shaughnessy has been a driving force behind the city's efforts to deliver city services

creatively and efficiently, she, herself, transformed Columbus' approach to transportation from simply moving traffic, to a comprehensive 21st century transportation strategy; and

WHEREAS, Maryellen O'Shaughnessy's commitment to alternative transportation systems, pedestrian friendly streets, sidewalks, traffic islands and traffic calming helped to focus the city's approach to mobility and launched the "Complete Streets" concept in Columbus; and

WHEREAS, through her recognition of the inherent attributes and strengths of each Columbus neighborhood, her embrace of diversity and the spirit of inclusion, and through her support of the arts, humanities and physical fitness she has been a champion for the collective qualities that make Columbus a great place to live, work and play; and

WHEREAS, all of the many initiatives, public policy decisions and programs advanced through the leadership of Maryellen O'Shaughnessy are, above all else, a testament to and clear reflection of, the quality of her character; and

WHEREAS, Maryellen O'Shaughnessy possesses a unique and admirable ability to effect positive change in the face of adversity, to maintain grace under fire, to interject humor and levity into tense situations, and to make difficult decisions with compassion and humility; and

WHEREAS, the presence of Maryellen O'Shaughnessy in Council Chambers will be sorely missed, but never forgotten for her legacy of service lives on not only in the streets, sidewalks and bike paths she helped build, but in the numerous lives she touched, enriched and improved; now therefore,

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

That this Council does hereby recognize and express its appreciation to Maryellen O'Shaughnessy for her service to this Council and for her commitment to improving the quality of life for all Columbus residents.

Legislation Number: 1062-2008

Drafting Date: 06/16/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to increase the scope of current prima facie evidence of intimidation relative to aggressive panhandling as established in Columbus City Codes, 1959. This legislation will amend sections 2333.01, 2333.02 (A) and (B), 2333.04 (A) and (B) and 2333.99 (A) and (B) of the Columbus City Codes, 1959, Prima facie evidence of intimidation. Among the changes, the distance from an entrance of a banking organization or licensed casher of checks, automated teller machine or automated teller machine facility within which begging would be considered prima facie evidence of intimidation will increase from twenty (20) to twenty-five (25) feet. Similarly, the ordinance creates a ten (10) foot buffer around public parking meters, parking lots and pay telephones and also makes begging within twenty-five (25) feet of an outdoor patio or sidewalk café prima facie evidence of intimidation. The ordinance also creates an improper solicitation after dark offense, whereby certain verbal solicitations of money would be prohibited after nightfall until sunrise. The changes also necessitate the addition of new definitions and new sub-sections to sections 2333.01, 2333.02, 2333.04 and 2333.99.

Title

To amend existing Sections 2333.01, 2333.02, 2333.04 and 2333.99 of the Columbus City Codes, 1959, to increase the scope of current prima facie evidence of intimidation relative to aggressive panhandling and to create the offense of

improper solicitation after dark.

Body

WHEREAS, the Columbus Division of Police reports an increase in the number of complaints from residents, visitors, and businesses regarding aggressive solicitation or "aggressive panhandling" throughout the City; and

WHEREAS, aggressive panhandling is distinctly different than the simple act of begging, which is generally considered to be constitutionally protected free speech; and

WHEREAS, aggressive panhandling is defined by intimidation, or, the act of soliciting with the intent to intimidate another person into giving money, goods, or other property of value; and

WHEREAS, examples of aggressive panhandling include, but are not limited to, following a person before, during or after soliciting, repeated solicitations despite refusal, the use of abusive or profane language to cause fear and intimidation, unwanted physical contact, or the intentional blocking of pedestrian or vehicular traffic; and

WHEREAS, the act of soliciting money near financial institutions, automated teller machines, pay telephones, public parking meters, pay parking lots, outdoor patios and sidewalk cafes, or after dark is inherently intimidating due to the environment and circumstances surrounding the solicitation; and

WHEREAS, Columbus City Council is amending these sections of City Code pursuant to its police power in order to improve the overall quality of life and public safety of Columbus residents and visitors, and to encourage access and patronage to Columbus businesses; and

WHEREAS, this action is not intended to limit any persons from exercising their constitutional right to solicit funds, picket, protest or engage in other constitutionally protected activity; now, therefore

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

Section 1: That Section 2333.01 of the Columbus City Codes, 1959, shall be amended to read as follows:

2333.01 ~~Pedestrian and vehicle interference, aggressive panhandling, d~~ Definitions.

The following definitions apply in this ~~section~~ chapter:

- (A) "Aggressively beg" means to beg with the intent to intimidate another person in to giving money, goods, or other property of value.
- (B) "Intimidate" means to engage in conduct which would make a reasonable person fearful or feel compelled.
- (C) "Beg" means to ask for money, goods, or other property of value as a charity, whether by words, bodily gestures, signs or other means.
- (D) "Obstruct pedestrian or vehicular traffic" means to walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or vehicle to take evasive action to avoid physical contact. Acts authorized as an exercise of one's constitutional right to protest, and acts authorized under the Charitable Solicitations Ordinance, Chapter 525 of this Code, shall not constitute obstruction of pedestrian or vehicular traffic.
- (E) "Public place" means an area generally visible to public view and includes alleys, bridges, buildings, driveways, parking lots, parks, plazas, sidewalks and streets open to the general public, including those that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds surrounding them.

(F) "Automated teller machine" means a device linked to a financial institution's account records which is able to carry out transactions, including but not limited to, account transfers, deposits, withdrawals, balance inquiries, and mortgage and loan payments.

(G) "Automated teller machine facility" means the area comprised of one (1) or more automated teller machines and any adjacent space which is made available to banking customers after regular banking hours.

(H) "Public transport" means any commercial vehicle providing transportation on a regular route to consumers for a standard fare.

(I) "Bus stop area" means within any shelter provided for public use by the Central Ohio Transit Authority (COTA) or the Ohio State University and any area within five (5) feet of the outer walls of that shelter, or, where no shelter has been erected, the area within a ten (10) foot radius of the sign indicating a bus stop.

(J) "Sidewalk cafe" means an outdoor area that is designated for sidewalk dining and for which a City permit has been successfully obtained pursuant to law.

(K) "Solicit and "solicitation" means to ask in person and by words for an immediate grant of money, goods, or other property of value as a charity from another person(s) when the person making the request is not known to the person(s) who are the subject of the request. The term "solicit" and "solicitation" shall not mean the act of passively standing or sitting with a sign or other indicator that a donation of money, goods, or any other property of value is being sought without any vocal request other than a response to an inquiry by another person.

Section 2: That Section 2333.02 of the Columbus City Codes, 1959, shall be amended to read as follows:

2333.02 Offense when.

A person is guilty of pedestrian or vehicle interference, aggressive panhandling, or improper solicitation after dark if on the streets, sidewalk, or other public place, whether publicly or privately owned, including public transport, bus stop area, and parks, ~~he or she~~ the person:

- A. Intentionally obstructs pedestrian or vehicular traffic; ~~or~~
- B. Aggressively begs; or

C. Solicits after 8:00p.m. and before 7:00a.m. during any dates on which Daylight Savings Time is in effect; or after 7:00p.m. and before 7:00a.m. during any dates on which Daylight Savings Time is not in effect. The dates for the annual duration of Daylight Savings Time shall be established by the federal government of the United States.

Section 3: That Section 2333.04 of the Columbus City Codes, 1959, shall be amended to read as follows:

2333.04 Prima facie evidence of intimidation.

Proof of any one of the following factors constitutes prima facie evidence that begging was done with the intent to intimidate another:

(A) That the begging was conducted within twenty-five (25) feet of an entrance to or exit from a banking organization or licensed cashier of checks, as defined by Section 1315.21(C) of the Revised Code, during its business hours; That the begging was conducted within twenty (20) feet of the entrance to or exit from a check cashing business as defined by R.C. 1315.21(C).

(B) That the begging was conducted within twenty-five (25) ~~twenty (20)~~ feet of any automated teller machine or the entrance to or exit from an automated teller machine facility;

(C) That the begging was conducted either within the physical confines of a bus stop area shelter or at the entrance to or exit from a bus stop area shelter;

(D) That the beggar approached the operator or occupant of a motor vehicle while the vehicle is located on any street and offered to perform a service, performed a service without permission and then demanded payment, or offered to sell goods or services for more than their usual value. This paragraph shall not apply to services rendered in connection with emergency repairs requested by the operator or passenger of such vehicle;

(E) That the beggar intentionally touched or caused physical contact with another person without their consent in the course of begging, followed the person before, after or during begging, or persisted in begging after the other person has given a response that a reasonable person would understand to be a negative response to the request; ~~or~~;

(F) ~~The use of~~ That the beggar used violent or threatening gestures toward a person solicited-;

(G) That the begging was conducted within ten (10) feet of a public parking meter as defined in C.C. 2155.01 or within ten (10) feet of a public pay telephone;

(H) That the begging was conducted within or within ten (10) feet of the outside boundary of a parking lot as defined in C.C. 3303.16 where the deposit of funds in a public parking meter as defined in C.C. 3303.16, the deposit of funds in a coin machine as defined in C.C. 2313.01, or the payment of funds to a parking attendant is required for use of a particular individual parking space; or,

(I) That the begging was conducted within twenty-five (25) feet of any outdoor patio as defined in C.C. 715.01. For purposes of this chapter, "outdoor patio" includes, but is not limited to, a sidewalk cafe.

Section 4: That Section 2333.99 of the Columbus City Codes, 1959, shall be amended to read as follows:

2333.99 Conviction and penalty- Effect of prior similar conviction

A. Whoever violates Section 2333.02(A) is guilty of pedestrian or vehicle interference, a misdemeanor of the fourth degree. When a person has been previously convicted of a violation of Section 2333.02 ~~(A) or (B)~~, or any other substantially similar state statute or municipal ordinance, the offense of pedestrian or vehicle interference is a misdemeanor of the third degree.

B. Whoever violates Section 2333.02(B) is guilty of aggressive panhandling, a misdemeanor of the second degree. When a person has been previously convicted of a violation of Section 2333.02 ~~(A) or (B)~~, or any other substantially similar state statute or municipal ordinance, aggressive panhandling is a misdemeanor of the first degree.

C. Whoever violates Section 2333.02 (C) is guilty of improper solicitation after dark, a minor misdemeanor. When a person has been previously convicted of a violation of Section 2333.02, or any other substantially similar state statute or municipal ordinance, the offense of improper solicitation after dark is a misdemeanor of the fourth degree.

Section 5. Severability Clause. That if any section, sentence, clause, or phrase contained in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this ordinance.

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

Legislation Number: 1195-2008

Drafting Date: 07/01/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

Currently, the Department of Development is charged with issuing demolition permits based upon various time frames and scenarios depending on location. While there is a waiting period of 45 days in areas represented by area commission or architectural review commissions, no such waiting period exists for proposed demolitions outside of these areas. This waiting period has also proved problematic for area commission to be able to meet at regularly scheduled meetings within the time frame specified. Additionally there is no current requirement that such pending application be posted or published electronically for public notification.

These code changes would extend the time period from 45 to 60 calendar days in order to better accommodate public meeting schedules and would require a minimum of five (5) calendar days advanced notification of all property owners within 125 feet of the demolition. However, these code changes would not alter current process and procedure for structural emergencies as defined in the Columbus Building Code. A public hearing was held in City Council Chambers on March 18, 2008. After review of the current code and testimony of those present the following is recommended.

FISCAL IMPACT:

No funding is required for this legislation.

Title

To amend section 4113.79 of the Columbus Building Code, Title 41, in order to provide for a sixty (60) day review period and electronic posting of applications prior to the issuance of demolition permits.

Body

WHEREAS, to better inform the public about demolition permits that have been applied for in their neighborhood these code changes would require the Department of Development to electronically post on its web site pending demolition permits for all locations throughout the city; and

WHEREAS, this posting would extend public outreach regarding demolition permits to all neighborhoods and areas of the city; and

WHEREAS, it is also desirable to extend the waiting period for all demolition permits from the present 45 calendar days for an additional 15 calendar days in order to accommodate public comment and meetings as well as any additional research that may be needed; and

WHEREAS, this time extension would allow additional time for area commissions and architectural review

commissions to be able to review pending demolition permits at their regularly scheduled meetings prior to the expiration of the time period for review; and

WHEREAS, a public hearing was held in City Council Chambers on March 18, 2008, where the current city code was reviewed and testimony given; and

WHEREAS, to better inform the public that don't live in area commissions or architectural review commissions, these code changes would require that the registered demolition contractor provide written notice to property owners within 125 feet of the subject demolitions, no less than five (5) calendar days before the commencement of the demolition; now, therefore,

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

Section 1. That the existing Section 4113.79 of the Columbus City Codes, 1959, is hereby amended to read as follows:

4113.79 Demolition permit.

(A) A demolition permit shall be issued only to a demolition contractor duly registered with the department pursuant to a proper application accompanied by a notarized statement of the owner of the subject property that said department-registered demolition contractor is agent for such demolition. The work covered by such permit shall commence within fourteen (14) calendar days after the issuance of the permit in a residential area and three (3) calendar months, in a nonresidential area. The demolition permit in a residential area shall be valid for a period of three (3) calendar months renewable for no more than two (2) additional three (3) calendar month periods; a demolition permit in a nonresidential area shall be valid for a period of six (6) calendar months renewable for no more than a six (6) calendar month period. Renewals may be granted by the director, or designee, upon written request and for good cause shown including, but not limited to, a strike, an act of God or other unavoidable circumstance.

Exception: For the purposes of the environmental blight abatement program a demolition permit shall be issued to the director, or designee, for removal of an uninhabitable, blighting, single-story, accessory structure such as a garage or shed or similar building pursuant to a proper application.

Exception: A demolition permit shall be issued to an occupying homeowner pursuant to a proper application, provided that all work thereunder shall be: (1) done with the homeowner's hands; (2) in conformity with this code; and (3) limited to an uninhabitable, single-story, accessory structure such as a garage or shed only for a single-family residence occupied by no one except the occupying homeowner and family.

(B) A certificate of appropriateness is required prior to the issuance of a demolition permit for any listed property served by the historic resources commission, or any property located in an area served by an architectural review commission as set out in Title 31 Chapters 3116, and 3319 through 3331, C.C.

(C) In a residential area, a demolition permit shall not be issued unless a written release is obtained from each utility having one (1) or more service connections within the building, including but not limited to gas, electric, water and sewer, stating that such respective service connection and appurtenant equipment: (1) has been removed or sealed and plugged in a safe manner; or (2) will be removed or sealed and plugged in a safe manner at the appropriate time in the event certain utilities are required for demolition procedures.

In a nonresidential area, such written release shall be required from each utility not required by the department-registered demolition contractor; a certificate shall be required from any other utility stating that it will follow through and shut off service at the appropriate time.

(D) If any discrepancies are found in the application the director, or designee, may order an inspection prior to the issuance of a permit. The director, or designee, may order an inspection at any time during the demolition to assure that all required procedures are being followed and that the site is not being used for salvage operations without a proper salvage yard permit, in violation of Chapter 3392 C.C.

(E) The historic resources commission or an architectural review commission, as set out in Title 31, C.C., shall have ~~forty five (45)~~ sixty (60) calendar days after the application required by C.C. 3116.06 is received by the commission in which to provide the owner with written denial or a certificate of appropriateness for a demolition permit for property within its jurisdiction. Additional time for appeal may be required. Such permit shall be issued only upon- the receipt of a certificate of appropriateness.

An area commission as set out in Chapter 3111, C.C., or its designee as per the appropriate bylaws shall have ~~forty five (45) up to sixty (60) calendar~~ days in which to make a recommendation regarding an application for a demolition permit for property within its jurisdiction. Such permit will not be issued prior to the appropriate body's response or expiration of said review period whichever occurs first.

(F) ~~In a residential area, the The demolition permit or a copy thereof shall be posted on the site in plain view no~~ No less than five (5) calendar days prior to commencement of demolition, the site shall be posted in a manner prescribed by the director, but in no case shall this notice be less than eleven (11) inches by seventeen (17) inches in size and consisting of a brightly colored background with the time, place and manner of the demolition listed.

(G) Advance written notification, as attested to on the permit application form, shall be made by the department-registered demolition contractor as agent for, and on behalf of, the owner of the building to be demolished no less than five (5) calendar days prior to scheduled commencement of the demolition to the following:

(1) ~~Each adjoining property owner~~ all the owners of properties within one hundred twenty-five (125) feet of the exterior boundaries of the subject parcel or parcels; and

(2) ~~The Director~~ department.

(H) Demolition work in residential areas shall proceed only on weekdays, Monday through Friday, and only between the hours of 7:30 a.m. to 6:00 p.m. The director, or designee, is authorized to extend such days and/or hours only upon demonstration of unreasonable hardship or impracticability. In a nonresidential area, the hours of work will be approved by the director, or designee, and will be governed by location other than residential, traffic and surrounding environment. For the purpose of this section, apartment hotels, hotels and motels shall be included in the term "residential area."

(I) For all structures other than a one-, two-, or three-family dwellings or associated accessory structure, a demolition permit may be issued only after affidavits have been submitted by the applicant and placed on file with the Director attesting to that 25 percent, either by weight or by volume, of the resultant demolition debris shall be recycled. Waste that would be considered a hazardous material shall be excluded in from such percentage. Final inspections shall only be approved after the Department receives and approves a final analysis showing compliance with this section. Appeals to this requirement shall be heard by the Building Commission.

A licensed disposal or transfer facility shall be used for all non-recycled waste and a final analysis shall be provided prior to the final approval of the demolition permit indicated the percentage of recycling achieved and method and materials used. This provision shall not apply to emergency demolitions as required under this building code.

(J) The entire demolition authorized under the provisions of this section shall comply in all aspects of the demolition standards as set out in C.C. 4123.23. ~~The department registered demolition contractor~~ holder of the demolition permit shall ~~call~~ obtain from the Department for a final inspection and approval upon completion of the demolition.

Section 2. That prior existing section 4113.79 of the Columbus City Codes, 1959, is hereby repealed.

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

Legislation Number: 1410-2008

Drafting Date: 08/28/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Rezoning Application Z08-017

APPLICANT: Dr. Robert Stephens; c/o Danny Popp; 855 E. Cooke Road; Columbus, Ohio 43224.

PROPOSED USE: Church, school, daycare and parking use.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on June 12, 2008.

SOUTH LINDEN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of 13 parcels creating four CPD zoning Subareas planned for one existing Church, three existing school buildings, one existing Day Care with parking, four existing residential buildings, and two existing shared parking lots serving the Church and the school building. The Owner wishes to complete the CPD zoning for all four Subareas to bring all properties into zoning compliance as well as planning for the future expansion of the W.C. Cupe Community School onto the four residential building sites located in Subarea 4. The Applicant's request is consistent with surrounding zoning and land uses. This rezoning will improve the site by adding screening to existing parking lots and dumpsters that currently is not provided.

Title

To rezone **1132 EAST WINDSOR AVENUE (43211)**, being 2.37± acres located at the northwest corner of East Windsor Avenue and Isabel Avenue and at the southwest corner of East Windsor Avenue and Gerald Avenue, **From:** C-3, Commercial, P-1, Parking, R-3 and R-4, Residential Districts, **To:** CPD, Commercial Planned Development District. (Rezoning # Z08-017)

Body

WHEREAS, application #Z08-017 is on file with the Building Services Division of the Department of Development requesting rezoning of 2.37± acres from the C-3, Commercial, P-1 Parking, R-3 Residential and R-4, Residential Districts to the CPD, Commercial Planned Development District; and

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

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

WHEREAS, the City Departments recommend approval because the proposed CPD text and plan will bring all properties into zoning compliance as well as providing an orderly plan for the future expansion of the W.C. Cupe Community School onto the four residential building sites located in Subarea 4. The Applicant's request is consistent with surrounding zoning and land uses. This rezoning will improve the site by adding screening to existing parking lots and dumpsters that currently is not provided; 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:

1132 EAST WINDSOR AVENUE (43211), being 2.37± acres located at the northwest corner of East Windsor Avenue and Isabel Avenue and at the southwest corner of East Windsor Avenue and Gerald Avenue, and being more particularly described as follows:

0.176 Acres

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

Being a part of Section 4, Township 1, Range 18, United States Military Lands, and being all of Lot Nos. 16 and 17 of Alphonsine Isabel's Subdivision being of record in Plat Book 7, Page 74, conveyed to **Greater Liberty Temple Church of God in Christ** as described in Instrument Number 200607270146875, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at the intersection of the northeasterly line of a 20 foot Alley and the north line of a 16 foot Alley, being the southwest corner of said Lot No. 16, and being the **POINT OF BEGINNING:**

Thence northeasterly along the northeasterly line of said 20 foot Alley and the northeasterly line of said Lot Nos. 16 and 17, North 27° 14' 50" East, 59.1 feet to the northwest corner of said Lot No. 17 and the southwest corner of Lot No. 18;

Thence easterly along the north line of said Lot No. 17 and the south line of said Lot No. 18, South 86° 24' 08" East, 118.5 feet to the northeast corner of said Lot No. 17 and the southeast corner of said Lot No. 18, and being on the west line of Isabel Avenue;

Thence southerly along the west line of said Isabel Avenue and the east line of said Lot Nos. 16 and 17, South 03° 40' 00" West, 62.4 feet to the intersection of the west line of said Isabel Avenue and the north line of said 16 foot Alley, and being the southeast corner of said Lot No. 16;

Thence westerly along the north line of said 16 foot Alley and the south line of Lot No. 16, North 83° 05' 00" West, 142.4 feet to the **PLACE OF BEGINNING**, containing 0.176 acres, more or less.

To Rezone From: R-3, Residential and P-1, Parking Districts,

To: CPD, Commercial Planned Development District.

0.189 Acres

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

Being a part of Section 4, Township 1, Range 18, United States Military Lands, and being all of Lot Nos. 21 and 22 of Alphonsine Isabel's Subdivision being of record in Plat Book 7, Page 74, conveyed to **Greater Liberty Temple Church of God in Christ** as described in Instrument Number 200404230091876, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at the intersection of the north line of Windsor Avenue and the east line of Isabel Avenue, being the southwest corner of said Lot No. 21, and being the **POINT OF BEGINNING**:

Thence northerly along the east line of Isabel Avenue and the west line of said Lot No. 21, North 03° 40' 00" East, 125.2 feet to the intersection of the east line of Isabel Avenue and the south line of a 16 foot Alley, being the northwest corner of said Lot No. 21;

Thence easterly along the south line of said 16 foot Alley, and the south line of said Lot Nos. 21 and 22, South 83° 05' 00" East, 70.0 feet to the northeast corner of said Lot No. 21 and the northwest corner of Lot No. 23;

Thence southerly along the east line of said Lot No. 22 and the west line of said Lot No. 23, South 07° 19' 49" West, 125.0 feet to the southeast corner of said Lot No. 22 and the southwest corner of said Lot No. 23, being on the north line of said Windsor Avenue;

Thence westerly along the north line of Windsor Avenue, and the south line of said Lot Nos. 21 and 22, North 83° 05' 00" West, 62.0 feet to the **PLACE OF BEGINNING**, containing 0.189 acres, more or less.

To Rezone From: R-3, Residential Districts,

To: CPD, Commercial Planned Development District.

0.568 Acres

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

Being a part of Section 4, Township 1, Range 18, United States Military Lands, and being all of Lot Nos. 10 thru 15 of Alphonsine Isabel's Subdivision being of record in Plat Book 7, Page 74, conveyed to **Greater Liberty Temple Church**

as described in Official Record Volume 16693 G13, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at the intersection of the north line of Windsor Avenue and the east line of a 20 foot Alley, being the southwest corner of said Lot No. 10, and being the **POINT OF BEGINNING**:

Thence northeasterly along the east line of said 20 foot Alley and the west line of said Lot No. 10, North 39° 57' 27" East, 148.7 feet to the intersection of the east line of said 20 foot alley and the south line of a 16 foot Alley, and being the northwest corner of said Lot No. 10;

Thence easterly along the south line of said 16 foot Alley and the north line of said Lot Nos. 10 thru 15, South 83° 05' 00" East, 153.6 feet to the intersection of the south line of said 16 foot Alley and the west line of Isabel Avenue, and being the northeast corner of said Lot No. 15;

Thence southerly along the west line of said Isabel Avenue and the east line of said Lot No. 15, South 03° 40' 00" West, 125.2 feet to the intersection of the west line of said Isabel Avenue and the north line of said Windsor Avenue, and being the southeast corner of said Lot No. 15;

Thence westerly along the north line of said Windsor Avenue and the south line of Lot Nos. 10 thru 15, North 83° 05' 00" West, 242.0 feet to the **PLACE OF BEGINNING**, containing 0.568 acres, more or less.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, of E.P. Ferris & Associates, Inc. on January 29, 2008.

To Rezone From: R-3, Residential Districts,

To: CPD, Commercial Planned Development District.

1.438 Acres

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

Being a part of Section 4, Township 1, Range 18, United States Military Lands, and being all of Lot Nos. 10 thru 15 of Alphonsine Isabel's Subdivision being of record in Plat Book 7, Page 74, conveyed to **Greater Liberty Temple Church in Christ** as described in Official Record Volume 16693 G13, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at the intersection of the north line of Windsor Avenue and the west line of Thirteenth Avenue, and being the **POINT OF BEGINNING**:

Thence southerly along the west line of Thirteenth Avenue, South 07° 30' 00" West, 145.0 feet to the intersection of the west line of Thirteenth Avenue and the north line of Thirteenth Avenue;

Thence westerly along the north line of Thirteenth Avenue, North 82° 30' 00" West, 133.0 feet;

Thence southerly along the north line of Thirteenth Avenue, South 07° 30' 00" West, 20.0 feet;

Thence westerly along the north line of Thirteenth Avenue, North 82° 30' 00" West, 50.0 feet;

Thence northerly along the north line of Thirteenth Avenue, North 07° 30' 00" East, 7.6 feet;

Thence westerly along the north line of Thirteenth Avenue, North 82° 30' 00" West, 169.7 feet;

Thence northerly, North 07° 30' 00" East, 67.6 feet;

Thence westerly, North 82° 04' 00" West, 70.0 feet;

Thence southerly, South 07° 30' 00" West, 2.0 feet;

Thence westerly, North 82° 47' 30" West, 40.3 feet;

Thence northerly, North 22° 43' 00" East, 92.7 feet to the south line of Windsor Avenue;

Thence easterly along the south line of Windsor Avenue, South 82° 15' 00" East, 438.8 feet to the **PLACE OF BEGINNING**, containing 1.438 acres, more or less.

To Rezone From: C-3 Commercial and R-4, Residential Districts,

To: CPD, Commercial Planned Development District.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "**W.C. CUPE MODULAR CLASSROOM ADDITIONS**," and said text titled, "**CPD TEXT**," both signed by Danny D. Popp, Architect and Agent for the Applicant, and dated June 18, 2008, and the text reading as follows:

CPD Text

Proposed District: CPD Community Planned Development
Property Address: 1132 Windsor Avenue
Owner: Greater Liberty Temple Church of God in Christ
1132 Windsor Avenue
Columbus, Ohio 43211

Applicant: DDP and Associates, Architects/Planners
855 E. Cooke Road
Columbus, Ohio 43224

Date of Text: June 18, 2008

Application No.:

1) Introduction:

The site consists of 13 parcels creating four CPD zoning Subareas planned for (1) existing Church, (3) existing school buildings, (1) existing Day Care with parking, (4) existing residential buildings, and (2) existing shared parking lots serving the Church and the school building respectively, please note that the use of parking lots by the Church does not conflict with the school. School activities use the shared parking lots from 8:00 am to 4:00 p.m. Monday through Friday during the school year. The Church utilizes the shared parking on weekends and twice weekly during early evening hours 5:00 p.m. to 8:00 p.m. typically.

The Day Care has its parking and drop-off/pick-up areas already established on its own site, parking for the remaining four residential/single family buildings are existing and will not be altered by this application.

The Owner wishes to complete the CPD zoning for all four Subareas to bring all properties into zoning compliance as well as planning for the proposed future expansion of the W.C. Cupe Community School onto the four residential building sites located in Subarea 4.

Subarea 1:

2) Permitted Use:

This Subarea is currently developed to house the Greater Liberty Temple Church of God in Christ on the east side of the property with one W.C. Cupe School Building housing two classrooms on the west side. 16 parking spaces exists on the west and north sides of the property with an existing dumpster at the northwest corner.

3) Development Standards:

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

1. A front yard setback of 0' for the classroom building/Industrialized Unit.
2. A side yard setback of 0' for the classroom building/Industrialized Unit.
3. Rear yard area as shown on CPD site plan.

B. Access, loading, parking, and or other traffic related commitments.

1. 82 total parking spaces will be provided for the CPD subarea(s) , as shown on the CPD site plan, 15 of which are on subarea 1.
2. The parking spaces shall have 0' setbacks, 17' of depth.
3. Parking space maneuvering to remain as is and shown on the site plan, i.e., 10' at alleys.

C. Buffering, landscaping, open space, and/or screening commitments.

1. Dumpster will have a wooden screen fence per City code requirements.
2. Parking to remain as is with screening of the parking lots as shown on the site plan.

D. Building Design and /or Interim-Exterior Treatment Commitments-N/A.

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

1. Light standards shall not exceed 28 feet in height except lights located within 100 feet of a residential used or zoned property shall not exceed 18 feet in height.
2. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
3. For aesthetic compatibility, lights shall be from the same or similar type and color.
4. Lighting shall not exceed .1 foot-candle along the property line of a residentially used or zoned property.

F. Graphics and/or Signage Commitments

1. All signs and graphics shall conform to Article 15 of the Columbus City Code, as it applies to the CPD, Commercial Planned Development District classification. Any variance to those standards shall be submitted to the Columbus Graphics Commission.

Subarea 2:

This Subarea currently exist as an on grade parking lot to the north of the Greater Liberty Temple with 29 spaces provided.

This Subarea is to remain unchanged with the exception of adding screening to the north.

2) Permitted Use:

A private 29 space parking lot for the sole shared use of the Greater Liberty Temple and W.C. Cupe Community School.

3) Development Standards:

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

1. The parking lot shall have a 4' setback to the east, west and north with a 0' setback to the south and east, see CPD site plan.

B. Access, loading, parking, and or other traffic commitments. N/A

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

1. A wood board on board fence shall be installed as shown on the CPD site plan. This fence shall be 5' tall and shall be maintained by Greater Liberty Temple.
2. The screen fence shall be well maintained and repaired and or painted/stained as needed.

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

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. Light standards shall not exceed 28 feet in height except lights located within 100 feet of a residential used or zoned property shall not exceed 18 feet in height.
2. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
3. For aesthetic compatibility, lights shall be from the same or similar type and color.
4. Lighting shall not exceed .1 foot-candle along the property line of a residentially used or zoned property.

F. Graphics and/or Signage Commitments. N/A at this Subarea.

Subarea 3:

As with Subarea 2 this area also currently exists as an on-grade parking lot to the east of the Greater Liberty Temple Church of God in Christ with 25 spaces provided. This Subarea is to remain as is with an existing wood screen fence to the north and with the addition of landscaping to the east as shown on the site plan to enhance the existing open feel and visual aesthetics of the site.

2) Permitted Use:

A private 25 space parking lot for the sole shared use of the Greater Liberty Temple and W.C. Cupe Community School.

3) Development Standards:

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

1. The parking lot shall have a 3' setback on all sides as shown on CPD site plan.

B. Access, Loading, Parking, and/or Other Traffic Related Commitments. N/A

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

1. A wood board on board fence exists to the north and maintained by the respective property Owner.
2. All shrubs shall meet the following minimum size at the time of planting: 30" in height.
3. Evergreen shrubs shall be planted as a visual screen every 15' on center, along the east property line with a minimum height of 6'.
4. Deciduous shrubs shall be planted as a visual screen every 60" on center along the eastern edge and setback from the property line with a minimum height of 30", any trees shall have a 2" to 2 ½" caliber trunk.
5. All landscape screening shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

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

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. Light standards shall not exceed 28 feet in height except lights located within 100 feet of a residential used or zoned property shall not exceed 18 feet in height.
2. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
3. For aesthetic compatibility, lights shall be from the same or similar type and color.
4. Lighting shall not exceed .1 foot-candle along the property line of a residentially used or zoned property.

F. Graphics and/or Signage Commitments-N/A

Subarea 4:

This area consists of the existing Liberty Temple Day Care, two existing W.C. Cupe Industrialized Unit classroom buildings with two classrooms each and four residential buildings/single family residences, as with the other three Subareas all parcels are combined as per attached legal descriptions. Parking for the Day Care is contained on site and is to remain as is, parking for the classroom buildings are shared on the other three Subareas, residential parking is existing on the street and from 13th Street this area is also to remain as is.

2) Permitted Use:

The use of the property shall remain as with the Industrialized Unit Classrooms and Day Care. The residences are included in the CPD to accommodate the future expansion of the W.C. Cupe Community School should the need ever arise. Future uses may be a school, a trade school, adult education, adult/child daycare, a nursery school, religious facilities or a playground.

3) Development Standards:

A. Density, height, lot and/or set back commitments.

1. At the classroom buildings a 10' front yard setback is provided, a 20'-4" rear yard set back with side

yards at 5' and 10' , see CPD site plan.

2. Setbacks at Day Care to remain as shown on site plan and previously approved when constructed, i.e., 25' front yard, and 25'side yard.
3. Setbacks for the remainder of the site, as shown on site plan will be 10' front yard, 20'-4" rear yard and 5'side yards to match the classroom buildings.

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

1. The Day Care site contains 12 parking spaces with drop off and pick-up areas on site, there exists a 2 foot maneuvering encroachment at rear setback that is to remain.
2. Parking for the classroom buildings and Day Care if needed shares the parking at the other 3 Subareas as needed.

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

1. The classrooms are screened by a 5' high board on board fence to the west and from the Day Care's controlled play area to the east.
2. The Day Care's outdoor play area is screened as noted above, the parking areas abut public streets on its north, south, and east sides.

D. Building Design and/or Interior-Exterior Treatment Commitments, N/A.

E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments.

1. Light standards shall not exceed 28 feet in height except lights located within 100 feet of a residential used or zoned property shall not exceed 18 feet in height.
2. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
3. For aesthetic compatibility, lights shall be from the same or similar type and color.
4. Lighting shall not exceed .1 foot-candle along the property line of a residentially used or zoned property.

F. Graphics and/or Signage Commitments.

1. All signs and graphics shall conform to Article 15 of the Columbus City Code, as it applies to the CPD, Commercial Planned Development District classification. Any variance to those standards shall be submitted to the Columbus Graphics Commission.

4) CPD Requirements:

- A. Natural Environment: The project site consists of four Subareas with Subarea one containing the Church, one modular classroom building and paved parking, please note that all Subareas existing building and parking areas currently drain to the streets and alleys as shown on the CPD plan. Subareas two and three are paved parking areas and Subarea four consist of the facilities day care building and parking, two modular classroom buildings and several existing residential buildings.
- B. Existing Land Use: This site is within a residential area with commercial zoning to the west along Cleveland Avenue and residential zoning to the north, east, and south of the respective Subareas.
- C. Transportation and Circulation: This site is within a residential area that currently has a tertiary vehicular

traffic circulation pattern. This site will not produce adverse affects on the current traffic pattern.

- D. Visual Form of Environment: The development currently exists, with the scale and proportion of its buildings conducive to that of the neighborhood.
- E. View and Visibility: The development currently exists its visual impact on the neighborhood is positive and further enhanced with new landscaping and screening.
- F. Proposed Development: The development currently exists with no expansions of the Church, daycare or classrooms proposed at this time, however, should the owners be fortunate enough to see an increase in the Community School's enrollment any future expansion would be proposed on the owners current parcels to the west in Subarea four and so included in the CPD site plan.
- G. Behavior Patterns: No traffic flow changes will be created due to the development of this site.
- H. Emissions: Proposed development will not produce adverse levels of light, sounds, smells and dust beyond the normal existing levels in the community.

5) Miscellaneous for all Subareas:

- A. The Subject site shall be developed in accordance with the CPD site plan. The plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of any future development or when engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Development or his or her designee upon submission of the appropriate data regarding the proposed adjustment. Landscaping, screening, and sidewalks shall only be installed upon the development of the parcel.
- B. To accommodate the city's Health and Park Departments, two bike racks are provided with 2.37 AC x \$400.00 to be provided as/when required respectively.

6) Variances:

Subarea 1: Main Building and I.U. Classroom Building

In addition to the main building this parcel contains one State approved industrialized unit containing two classrooms and 16 parking spaces.

Variances Requested:

- 3332.21 Front yard setback from 25' to 0' for the industrialized unit.
- 3332.26 Side yard setback from 5' to 0' for the industrialized unit.
- 3332.27 Variances to rear yard, 25% to 0%.
- 3342.18 Parking setbacks to 0'.
- 3342.15 Parking space maneuvering.
- 3342.19 Parking space size 19'-depth to 17'-18'.
- 3342.17 Delete screening.
- 3342.28 Parking space reduction from 109 to 82 75%+/- of required amount.

Subarea 2: Parking Lot

This is an adjacent area containing two parcels that will be combined into one, 29 parking spaces are existing, variances requested;

- 3342.18 10' setback to 4' to the east, west, and north and 0' to the south.

Subarea 3: Parking Lot

This is an adjacent area containing two parcels that will be combined into one, 25 parking spaces are existing, variances requested;

3342.18 Parking setback from 10' to 3' on all sides.

Subarea 4: Location of Two I.U. Classroom Buildings, Daycare Classroom Buildings

Two separate industrialized units are located on this parcel with two classrooms each variances requested;

3332.21 Front yard setback from 25' to 10'.

3332.27 Rear yard to 20'-4".

Note: Side yards are 5' and 10'-0", see site plan.

Daycare:

The daycare is existing and contains 12 parking spaces, variances requested;

3342.15 Maneuvering - Maneuvering encroachment on set back at rear.

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

Legislation Number: 1685-2008

Drafting Date: 10/17/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: This ordinance authorizes the Franklin County Municipal Court Clerk to enter into the third year of a three year contract with Huntington National Bank for the provision of bank and credit card services; authorizes the transfer of \$20,000.00 within the Clerk's 2008 general fund budget; authorizes an expenditure of \$41,517.00 from the Clerk's general fund; and to declare an emergency. (\$41,517.00)

Ordinance 2167-2006 approved by Council on December 11, 2006 authorized the first year of a three year contract with Huntington National Bank for the provisions of bank and credit card services.

Fiscal Impact: Funds totaling \$41,517.00 are available within the Clerk's 2008 general fund budget.

The Clerk's office has a savings in personnel of \$20,000.00 as a result of unexpected staff turnovers (resulting in delays in hiring) and disabilities. The Clerk is requesting a transfer of said funds to banking services to help relieve the budget shortfall.

The Clerk's office receives earnings credit on funds deposited with the Huntington National Bank, which are used to offset the bank service fees. These credits are based on the current federal fund (interest) rate set by the Federal Reserve. The recent decline in this rate caused a decrease in these earnings credits causing a commensurate increase in the Court Clerk's banking service costs. Due to this increase, the 2008 appropriation needed for the third year of a three year contract with Huntington National Bank (commencing December 31, 2008), was used to cover the 2008 bank service shortfall; therefore, causing a shortfall in the 2009 budget.

Contract Modifications:

2006 - Ordinance 2167-2006 - \$40,000.00
 2007 - First Modification - Ordinance 1519-2007 - No Additional Funds Required
 2008 - Second Modification - Ordinance 1007-2008 - \$80,000.00
 2008 - Third Modification - \$41,517.00

Contract Compliance Number: 31-0966785

Expiration Date: 09/21/2009

Title

To authorize and direct the Franklin County Municipal Court Clerk to enter into a contract with Huntington National Bank for the provision of bank and credit card services; to authorize the transfer of \$20,000.00 within the Clerk's 2008 operating budget; to authorize an expenditure of \$41,517.00 from the General Fund; and to declare an emergency. (\$41,517.00)

Body

Whereas, on December 11, 2006, Council passed ordinance 2167-2006 to establish a three year contract with Huntington National Bank for the provision of bank and credit card services for the Franklin County Municipal Court Clerk's office; and

Whereas, on November 5, 2007, Council passed ordinance 1519-2007 to enter into the second year of a three year contract with Huntington National Bank; and

Whereas, on July 14, 2008, Council passed ordinance 1007-2008 to increase and modify the second year of a three year contract; and

Whereas, the second year of the three contract expires on December 31, 2008; and,

Whereas, it is necessary for the Clerk to enter into the third year of a three year contract with Huntington National Bank for the provision of bank and credit card services; and,

Whereas, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk's office in that it is necessary to authorize said contract to continue the bank services without interruption, for the immediate preservation of the public peace, health, safety and welfare, now therefore,

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

Section 1. That the Franklin County Municipal Court Clerk is authorized and directed to enter into the third year of a three year contract with Huntington National Bank in the amount of \$41,517.00, for the provision of bank and credit card services.

Section 2. That the City Auditor be and is hereby authorized and directed to transfer \$20,000.00 within the Franklin County Municipal Court Clerk's general fund as follows:

	Transfer From	Transfer To
Amount	\$20,000.00	\$20,000.00
Fund	010	010
Subfund	01	01
Department	26	26

Object Level One	01	03
Object Level Three	1000	3348
OCA Code	260158	260166

Section 3. That the expenditure of \$41,517.00 or so much thereof as may be necessary is hereby authorized to be expended from the Clerk's general fund, fund 010, subfund 01, department 2601, oca 260166, object level one 03, object level three 3348 to contract with the Huntington National Bank and that the Auditor is hereby authorized to draw warrants upon the treasury for services there under upon receipt of invoices from the Franklin County Municipal Court Clerk.

Section 4. That in accordance with 329.27 of the Columbus City Code, Council found that the best interest of the City was served by waiving Section 329.06 (Competitive Sealed Bidding) of the Columbus City Code.

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

Legislation Number: 1730-2008

Drafting Date: 10/24/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Fire Chief to accept a donation of pet air masks from ATT Telephone Pioneers for use in emergency situations for pets. ATT Telephone Pioneers has indicated their desire to donate forty (40) sets of reusable pet air masks to the Columbus Fire Division. These masks will be used in emergency responses where citizens' pets are being treated with oxygen.

Bid Information: N/A

Contract Compliance: N/A

FISCAL IMPACT: This ordinance authorizes the acceptance of a donation. There is no financial impact to the city in accepting this donation. The equipment donation is valued at \$314.00.

Title

To authorize the Columbus Fire Chief to accept a donation of pet air masks from ATT Telephone Pioneers for use by the Division of Fire in emergency response situations that require oxygen treatment for the pets of Columbus citizens.

Body

WHEREAS, ATT Telephone Pioneers has indicated their desire to donate pet air masks to the Division of Fire in emergency response situations involving the pets of Columbus residents; and

WHEREAS, a situation exists in the daily operations of the Department of Public Safety, Division of Fire, in that it is necessary to authorize the Fire Chief to accept this donation for the preservation of the public health, peace, property, safety, and welfare; Now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Fire Chief of the City of Columbus be and he is hereby authorized and directed to accept a donation of pet air masks from ATT Telephone Pioneers.

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

Legislation Number: 1752-2008

Drafting Date: 10/29/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Ohio State University has indicated a desire to provide velociter modems and data transmission services to the Columbus Fire Division. The Columbus Fire Division respectfully requests acceptance of this equipment and transmission services, which will improve communications between Columbus Fire Division Emergency Medical Services (EMS) and the medical facilities to which they transmit data.

Currently, the Fire Division employs cell phone technology to send electrocardiograms (EKG) of patients suffering acute myocardial infarctions (heart attacks) to medical facilities. The medical facilities then interpret the data and react accordingly based upon the physician's interpretation of the EKG strip. This transfer of data relies on a constant stream of information (or connection) for its success.

New technology exists for the transmission for these EKGs which utilizes packet switch technology. This method acts like the internet, bundling the information up and sending it by the most direct and efficient route. A constant connection is not necessary because the information is sent in a 'burst' instead of a stream. If there is an interruption in the data stream, the transmission picks up where it left off, dramatically expediting the delivery of the data. Transmission times utilizing the improved method take only 30 - 60 seconds.

A private benefactor has provided funds through the Richard M. Ross Heart Hospital which will allow The Ohio State University to purchase this technology for all Central Ohio EMS agencies, including the City of Columbus Fire Division.

Bid Information: N/A

Contract Compliance: N/A

Emergency Legislation: Emergency legislation is requested to allow Columbus Fire to begin implementation of this service improving and cost saving technology once equipment is delivered.

FISCAL IMPACT: This ordinance authorizes an acceptance of equipment and service donation. There is no required city match and no immediate financial impact to the city. This equipment and service donation is valued at \$21,836.00. The Columbus Fire Division will be responsible for the data transmission services at the end of the fifth year of service, which is estimated at \$320 per month or \$3,840.00 annually.

Title

To authorize the Fire Chief to accept a donation of data transmission equipment and services from The Ohio State University for Emergency Medical Services, and to declare an emergency.

Body

WHEREAS, The Ohio State University has indicated their desire to donate data transmission equipment and services to the Division of Fire for the transmission of EMS-related information; and

WHEREAS, emergency legislation is necessary to enable the Division of Fire to utilize this data transmission equipment once it is delivered; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Fire, in that it is immediately necessary to authorize the Fire Chief to accept this donation of data transmission equipment and 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 Fire Chief be and is hereby authorized and directed to accept a donation of data transmission equipment and services from The Ohio State University for use in Emergency Medical Services.

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: 1754-2008

Drafting Date: 10/29/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Fire Division needs to secure a computer based training content provider for their Distance Learning Project. The Fire Division's Distance Learning project was implemented to provide remote training in all fire stations via computer network. A computer based training content provider is needed to implement training, scheduling, and logging of employee training history.

Bid Information: The Fire Division processed a request for proposal (RFP) for a computer based training content provider via Solicitation SA002986 and received bids on September 11, 2008; upon review of the bids, the Fire Division recommends acceptance of the bid submitted by Centre Learn in the amount of \$114,900.00.

Bids were as follows:

Working Fire Training Systems - \$74,332.00 annually plus \$5,000.00 setup

Centre Learn - \$114,900.00 annually

Target Safety - \$114,900.00 annually plus \$1,850.00 setup

National Paramedic Institute- \$153,200.00 annually

A committee of Fire Division personnel reviewed vendor performance with other fire and emergency medical services, EMS departments, quality of training, content and cost of training per employee.

The low bidder, Working Fire Training Systems, offered a system that included primarily fire based content with only a small amount of basic Emergency Medical Services content. Given the major role paramedic EMS plays in the Division of Fire's operations, the absence of advanced EMS content greatly reduces it's functionality as the core content management system the Fire Division needs in order to implement its Distance Learning project. Working Fire submitted a base line price lower than other bidders, but additional costs would be incurred for other services such as key student compliance, report features, and other specific content as needed by the Division of Fire.

Centre Learn, the second lowest bidder, provides fire, basic EMS, and paramedic level content, and offers an all inclusive product in their price. Centre Learn will give the Division of Fire the ability to assign new policy, procedures, and division specific training to members and capture the compliance of such material for all of the various applications. Working Fire did not include several report features in its standard product. The Fire Division's selection committee unanimously agreed the product offered by Centre Learn provided a substantially better training system in all areas of content management, including assignment notification, report generation, and compliance tracking, and thus concluded the award recommendation be made to Centre Learn.

CONTRACT COMPLIANCE: Centre Learn - 043827563 exp. 9/9/10

EMERGENCY DESIGNATION: Emergency action is required so that implementation of this final phase of Distance Learning can proceed in a timely manner.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$114,900 for the purchase of a computer based training

system for the Fire Division. The Fire Division budgeted \$150,000.00 in the General Fund budget for this purpose.

Title

To authorize the Public Safety Director to enter into a contract with Centre Learn for a computer based training content for use by the Fire Division's Training Bureau, to authorize the expenditure of \$114,900.00 from the General Fund, and to declare an emergency.(\$114,900.00)

Body

WHEREAS, the Columbus Fire Division is in need of a computer based training content provider for its Distance Learning Project; and

WHEREAS, a committee consisting of Fire Division personnel analyzed bid proposals submitted by said computer based training content providers, and

WHEREAS, the Fire Division recommends acceptance of the proposal submitted by Centre Learn as the best and most responsive proposal, and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Fire, in that it is immediately necessary to authorize the Public Safety Director to enter into this contract 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 Public Safety Director be and he is hereby authorized and directed to enter into a contract with Centre Learn for content provision and management for the Fire Division.

SECTION 2. That the expenditure of \$114,900.00, or so much thereof as may be necessary, is hereby authorized to be expended from the General Fund 010, Department of Public Safety 30, Division of Fire 30-04, OCA 301549, OL3 Code 3326 to pay the cost thereof.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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: 1765-2008

Drafting Date: 10/30/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the Director of Finance and Management, for the Department of Technology, and on behalf of the Department of Public Safety, Public Utilities, and Public Service, to establish a purchase order with Environmental Systems Research Institute, Inc. (ESRI) for additional software licenses, associated with GIS (Geographical Information System); a total of six licenses for the Department of Public Safety Crime Analysis section, two licenses for the Department of Public Utilities, one license for the Columbus Public Service Department; two for the Department of Technology. Currently, the Department of Technology has sixty-one (61) licenses to share across the City. The numbers of licenses have not increased in the last ten (10) years, yet there has been an increase in the number of users, and additional access requests are expected to continue to grow. For example, there are forty-five users that require access to the ArcInfo license, which is associated with responsibilities that directly impact the efficiency with which the City does business such as but not limited to: inspection and maintenance of utility and transportation infrastructure; issuing of building permits and related Development activities; there are well over 100 users of the ArcView license across the City, that impact police needs to use ArcGIS license that are utilized for crime analysis, which enables them to use analysis in crime investigation; the ArcPublisher license can be used to publish maps that can be used by ArcReader software which is

free, yet it does not have the capability of the ArcView license and or the ArcInfo license, but is valuable for digital mapping access.

This purchase will be made from, State Term Schedule; established by the State of Ohio, contract type STS, contract number 533197-3, which expires 6/30/2009. In addition, it has been determined that ESRI has the expertise to support the Department of Technology's needs; as they already provide maintenance support for existing licenses and related services. Also, ESRI provided a quote based on the State contract, in the amount of \$56,182.64; of which it is desired that this purchase is made prior to the end of December 2008.

FISCAL IMPACT:

Earlier this year, the Department of Technology expended, with ESRI, the amount of \$5,000.00 toward an upgrade for the ArcGIS. Another \$73,194.92 was expended; this year with ESRI, for maintenance support. The cost of \$56,182.64, associated with this ordinance, for the purchase of additional licenses from ESRI, is available in the 2008 Information Services fund's budget.

EMERGENCY DESIGNATION:

This ordinance is submitted as an emergency measure to allow funding to be available to cover the necessary purchase prior to December 2008 and to continue with services that are necessary to support daily operation activities.

CONTRACT COMPLIANCE:

Vendor Environmental Systems Research Institute, Inc. (ESRI) - 95-2775732 Expiration Date: 5/21/2010

Title

To authorize the Director of Finance and Management, for the Department of Technology, and on behalf of the Department of Public Safety, Public Utilities, and Public Service, to establish a purchase order with Environmental Systems Research Institute, Inc. for software licenses; to authorize the expenditure of \$56,182.64 from the Department of Technology Information Services Fund; and to declare an emergency. (\$56,182.64)

Body

WHEREAS, this legislation authorizes the Director of Finance and Management, for the Department of Technology, and on behalf of the Department of Public Safety, Public Utilities, and Public Service, to establish a purchase order with Environmental Systems Research Institute, Inc. (ESRI) for additional software licenses; a total of six licenses for the Department of Public Safety Crime Analysis section, two licenses for the Department of Public Utilities, one license for the Columbus Public Service Department; two for the Department of Technology, and

WHEREAS, the Department of Technology has sixty-one (61) licenses to share across the City. These numbers of licenses have not increased in the last ten (10) years, there has been an increase in the number of users, and additional access requests are expected to continue to grow, and

WHEREAS, this purchase will be made from, State Term Schedule; established by the State of Ohio, contract type STS, contract number 533197-3, which expires 6/30/2009, and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, the Department of Technology, as there is an immediate need to purchase additional software licenses, associated with GIS, from Environmental Systems Research Institute, Inc. (ESRI), to ensure adequate availability for users throughout the City, for the preservation of the public health, peace, safety, and welfare; now, therefore

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

SECTION 1: This legislation authorizes the Director of Finance and Management, for the Department of Technology, and on behalf of the Department of Public Safety, Public Utilities, and Public Service, to establish a purchase order with Environmental Systems Research Institute, Inc. (ESRI) for additional software licenses.

SECTION 2: That the expenditure of \$56,182.64 or so much thereof as may be necessary is hereby authorized to be expended from:

Public Safety

Div: 47-01|Fund: 514|Subfund: 010|OCA Code: 300347|Obj. Level One:03|Obj. Level Three: 3358|Amount: \$13,239.17

Public Service

Div: 47-01|Fund: 514 |Subfund: 265|OCA Code: 514265|Obj. Level One:03|Obj. Level Three: 3358|Amount: \$2,040.00

Public Utilities

Div: 47-01|Fund:514|Subfund:600|OCA Code:514600|Obj. Level One:03|Obj. Level Three: 3358|Amount: \$18,272.08

Technology

Div: 47-02|Fund: 514|Subfund: 001|OCA Code: 286021|Obj. Level One:03|Obj. Level Three: 3358|Amount: \$22,631.39

SECTION 3: That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance.

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

Legislation Number: 1782-2008

Drafting Date: 11/03/2008

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 and lesser interests in and to real estate necessary for the Hilliard-Rome Road Improvement Project.

Fiscal Impact: It has been determined that Funding for this project will come from the Public Service Department, Transportation Divisions' Federal-State Highway Engineering Fund.

Emergency Justification: Emergency action is requested to allow the Eminent Domain actions to proceed without delay thereby allowing this project to meet its acquisition schedule.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Hilliard-Rome Road Improvement Project, to authorize the expenditure of \$62,589.00 from the Federal-State Highway Engineering Fund; and to declare an emergency. (\$62,589.00).

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Hilliard-Rome Road Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0108X-2007, on the 30th day of July, 2007, 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 Department of Public Utilities, Division of Sewerage and Drainage, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

Section 1. That fee simple title and lesser interests in and to the parcels listed in Section 4 hereof, as are fully described in Resolution No. 0108X-2007, on the 30th day of July, 2007, said descriptions being incorporated herein, be appropriated for the public purpose of the Hilliard-Rome Road Improvement Project, #561005, pursuant to the power and authority granted to the City of Columbus by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909.

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

Section 3. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 4. That the Council of the City of Columbus hereby declares the value of said fee simple title and /or lesser interests as follows:

- | | |
|------------|-------------|
| 1. 10WD, T | \$17,035.00 |
| 2. 17WD, T | \$36,632.00 |
| 3. 55 BS-1 | \$8,922.00 |

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

Section 6. That the expenditure of \$62,589.00, or so much thereof as may be necessary from the Federal-State Highway Engineering Fund, Fund #765; Dept./Div. 59-09; Project No. 561005; OCA Code 561005; Object Level Three 6601, Auditor Certificate(s) #027311 and/or #028732 or acquisition costs related to the aforesaid purpose is hereby authorized.

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

Section 8 That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1800-2008

Drafting Date: 11/04/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

This is consent legislation with the Ohio Department of Transportation (ODOT) for a pavement repair project. The project proposes to perform partial depth repairs, plane and resurface pavement with asphalt concrete, and replace pavement marking and loop detectors. Overall Project Limits extend on US 40 (Broad Street) from the US 42 interchange in Madison County to east of Galloway Road in Franklin County (approximately 12 miles). The portion of the project which is located in Columbus is from west of Doherty Road to east of Galloway Road (approximately 0.4 miles). (MAD/FRA-40-7.84/0.00 PID 76356)

This is an Ohio Department of Transportation resurfacing project and there is no new curb ramps, sidewalks or bike paths associated with the City of Columbus portion of this project to be constructed. All existing bus stops will be preserved and/or maintained and maintenance of traffic plans take into account active bus stops for the project throughout construction.

Since a portion of this project lies within the City of Columbus, this consent ordinance is necessary. Construction of this project is scheduled for Summer 2010. This legislation also authorizes the Public Service Director to enter into the necessary agreements to complete this project.

2. FISCAL IMPACT

The estimated total cost of this project is \$4,400,000.00. The estimated cost of the portion of the project within Columbus is \$150,000.00, with The City's share currently estimated at \$30,000. Funding will be legislated in a separate ordinance prior to the beginning of construction.

TitleTo authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for the US-40 Resurfacing Project for the Transportation Division. (\$0.00)

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

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

On US 40 perform pavement reconstruction and resurfacing.

Overall Project Limits extend from the US 42 interchange in Madison County to east of Galloway Road in Franklin County. The portion of the project which is located in Columbus is from west of Doherty Road to east of Galloway Road; now, therefore

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

Section 1 - Consent Statement

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

Section 2 - Cooperation Statement

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

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director.

That prior to the construction commencement date of the above-referenced project, the LPA shall install and/or repair all curb ramps which are necessary to ensure compliance with the Americans with Disabilities Act and the LPA agrees to assume and bear one hundred percent (100%) of the cost of such installation and/or repair of curb ramps.

For the portion of the project within Columbus the City will assume and bear one hundred percent (100%) of the cost of construction less the amount of Federal and State funds set aside by the Director of Transportation and the Federal Highway Administration. The City will assume and bear one hundred percent (100%) of the cost of curbs, gutters, utility relocations, partial-and full-depth pavement repairs and other non-surface related items.

In the event that the City requests certain features or appurtenances be included within the highway improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the State's highway improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its Council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent (100%) of the costs of incorporating such additional features or appurtenances within the State's project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

Section 3 - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4 - Maintenance

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

Section 5 - Authority to Sign

The Director of Public Service of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation necessary to complete the above described project.

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

Legislation Number: 1802-2008

Drafting Date: 11/05/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

The purpose of this legislation is to authorize the Director of Finance and Management, on behalf of the Department of Technology (DOT), to establish a purchase order for the purchase of three (3) studio camera systems for the Department of Technology, Information Services Division, with ProVideo Systems, Inc. The three (3) studio camera systems replace end of life and failing cameras currently used for GTC-3 studio productions to include " Community Tapestry ", "Education is Everybody's Business ", Access to Business, Call the Roll, EMS Perspectives, and Command Post, as well as various productions for the City of Columbus, Mayor's Office. The existing cameras are over 10 years old and have become either inoperable or obsolete. The equipment being purchased includes studio viewfinders, control units, zoom and focus controls, and will replace video equipment in the GTC-3 Studio Control Room. Through this purchase, the quality of GTC-3 productions will increase because of the digital technology employed and will be used by Media Services Personnel to record live and taped programming originating in the GTC-3 Studio, City Council Chambers as well as studio programs produced for the Community Relations Commission, Office of Education, EBOCO, Fire Division and the Mayor's Office.

The Department of Technology, through the Purchasing Office, exercised due diligence by completing the competitive bid process in compliance with Columbus City Code Section 329. A formal bid was prepared and posted on the City's solicitation web site. On October 16, 2008 the City of Columbus, Purchasing Office received and opened two (2) bids, associated with bid solicitation SA003073; One bid was from ProVideo Systems, Inc., with a total amount of \$68,910.00. The other bid from Roscor Corporation was deemed non-responsive as Roscor Corporation submitted additional terms and conditions that were unacceptable to the City of Columbus. The bid submitted by ProVideo Systems, Inc. was acceptable to the City of Columbus.

Upon completion of reviewing the bids, it was recommended that the award be made to ProVideo Systems Inc. in the amount of \$68,910.00, as they were the only bidder that was deemed, responsive, responsible and best bidder per specification.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

CONTRACT COMPLIANCE NUMBER:

Supplier Name: ProVideo Systems, Inc.

CC #: 34-1657683

Expiration Date: 10/09/2010

EMERGENCY DESIGNATION:

This ordinance is submitted as an emergency measure to allow funding to be available to cover the necessary purchase prior to December 2008 and to continue with services that are necessary to support daily operation activities.

FISCAL IMPACT:

Funds are available and budgeted for this expenditure within the Department of Technology, Information Services Fund.

Title

To authorize the Director of Finance and Management, on behalf of the Department of Technology (DoT), to establish a

purchase order, for the purchase of three (3) studio camera systems, with ProVideo Systems, Inc. for the Department of Technology, Information Services Division; to authorize the expenditure of \$68,910.00 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$68,910.00)

Body

WHEREAS, the Department of Technology, Information Services Division (ISD) has an immediate need for the purchase of three (3) studio camera systems, and

WHEREAS, the Purchasing Office opened a formal bid on October 16, 2008 via SA003073 and only two (2) bids were received, and

WHEREAS, a recommendation has been made to the lowest, responsive and responsible bidder, ProVideo Systems, Inc., and

WHEREAS, a purchase order will be issued in accordance with the terms and specifications of Solicitation Number: SA003073 on file in the Purchasing Office; and

WHEREAS, an emergency exists in the usual daily operation of The Department of Technology, in that there is an immediate need for the Director of Finance and Management, on behalf of the Department of Technology (DoT), to establish a purchase order, for the purchase of three (3) studio camera systems, with ProVideo Systems, Inc., to support daily operational needs throughout the City, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the Director of Finance and Management, on behalf of the Department of Technology (DoT), be and is hereby authorized to establish a purchase order, in the amount of \$68,910.00 for the purchase of three (3) studio camera systems with ProVideo Systems, Inc. for the Department of Technology, Information Services Division, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$68,910.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-02| **Fund:** 514| **Subfund:** 001| **OCA:** 472425| **Obj. Level 1:** 06| **Obj. Level 3:** 6644| **Amount:** \$65,343.00.

Div.: 47-02| **Fund:** 514| **Subfund:** 001| **OCA:** 472425| **Obj. Level 1:** 03| **Obj. Level 3:** 3336| **Amount:** \$2,034.00.

Div.: 47-02| **Fund:** 514| **Subfund:** 001| **OCA:** 472425| **Obj. Level 1:** 03| **Obj. Level 3:** 3372| **Amount:** \$1,533.00.

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1810-2008

Drafting Date: 11/06/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: An appropriation is needed for the ongoing Bulletproof Vest Partnership (BVP) program. This federal program provides grant funds directly to local governments to assist in equipping law enforcement officers with armor vests. The program is designed to pay up to 50% of the approved application vests. Due to limited federal program funds, the city application received only a partial award of the FY2008 original request. This appropriation is needed to utilize the funding that was awarded for the continuing purchase of uniform and supply items.

Emergency Designation: Emergency legislation is necessary to make the funds available as soon as possible for future legislation and expenditures.

FISCAL IMPACT: This ordinance authorizes an appropriation of \$29,502.38 in the General Government Grant fund to equip law enforcement officers with armor vests. There is no impact on the General Fund since the vests are procured using grant funds.

Title

To authorize an appropriation of \$29,502.38 from the unappropriated balance of the General Government Grant fund to the Division of Police to cover the costs of the Bulletproof Vest Partnership FY2008 program, and to declare an emergency. (\$29,502.38)

Body

WHEREAS, the City of Columbus Division of Police has applied for and been awarded partial federal funding through the FY2008 Bulletproof Vest Partnership grant program; and

WHEREAS, the Division of Police has additional uniform and supply needs; and

WHEREAS, an emergency exists in the usual daily operation of the Public Safety Department, Division of Police, in that it is immediately necessary to authorize this appropriation because the awarded funds need to be made available at the earliest possible time for legislation and expenditures, for the preservation of the public health, peace, property, safety, and welfare; Now, therefore

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

SECTION 1. That from the unappropriated monies in the 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 grant period, the sum of \$29,502.38 is appropriated as follows:

<u>DIV</u>	<u>FD</u>	<u>OBLevel 1</u>	<u>OBLevel 3</u>	<u>OCA</u>	<u>GRANT</u>	<u>AMOUNT</u>
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30-03 220 02 2221 338041 338041 29,502.38

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

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

Legislation Number: 1823-2008

Drafting Date: 11/07/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Transportation, is currently developing plans for the improvement of Hudson Street, from a point approximately 50 feet west of Dresden Street to a point approximately 200 feet west of Parkwood Avenue, and Joyce Avenue, from a point approximately 75 feet north of Kenmore Road to a point approximately 400 feet north of Hudson Street. This project consists of the reconstruction of these portions of Hudson and Joyce and includes curb, storm sewer and water line improvements. Also, as a part of this project sidewalks and/or shared use paths are proposed for both sides of Hudson and Joyce within the project limits. The proposed sidewalks/shared use paths are a minimum of 5 feet wide and a maximum of 8 feet wide. Based upon the preliminary plans for this project (2630 DR. E) it appears successful completion of this project will require the acquisition of additional permanent right-of-way, permanent easements and temporary construction easements. Preliminary acquisition costs for professional services including title, appraisal and City Attorney's Real Estate Division staff costs, associated with this project are estimated to be \$75,000.00. Additional funding for land acquisition and acquisition authority will be requested after appraisals are completed.

2. FISCAL IMPACT

Monies to pay these initial acquisition costs are available within the Streets and Highways G.O. Bonds Fund due to encumbrance cancellations of completed projects.

TitleTo authorize the City Attorney's Real Estate Division to contract for professional services, including title and appraisal services, relative to the acquisition of those property rights needed for the Hudson Street and Joyce Avenue Improvement project; to amend the 2008 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to authorize the City Attorney's Real Estate Division to expend \$75,000.00 from the Streets and Highways G.O. Bonds Fund for acquisition related expenses. (\$75,000.00)

Body**WHEREAS**, the City of Columbus, Department of Public Service, Division of Transportation, is currently developing plans for the improvement of Hudson Street, from a point approximately 50 feet west of Dresden Street to a point approximately 200 feet west of Parkwood Avenue, and Joyce Avenue, from a point approximately 75 feet north of Kenmore Road to a point approximately 400 feet north of Hudson Street; and

WHEREAS, this project consists of the reconstruction of these streets along with the addition of curb, sidewalk, bike paths, storm sewer and water line improvements; and

WHEREAS, based upon the preliminary plans for this project (2630 DR. E) it appears successful completion of this project will require the acquisition of additional permanent right-of-way, permanent easements and temporary construction easements; and

WHEREAS, preliminary project acquisition cost estimates for professional services, including title, appraisal and City Attorney's Real Estate Division staff costs are \$75,000.00; now therefore

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

Section 1. That the City Attorney's Real Estate Division be and is hereby authorized to hire professional services, including but not limited to title and appraisal services relative to the acquisition of fee simple title and lesser interests in and to real estate needed for the Hudson Street and Joyce Avenue Improvement project.

Section 2. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended due to cancellations as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
530790-100000 / Sidewalk Program (Carryover) / \$0.00 (Carryover) / \$342,564.00 (Carryover) / \$342,564.00 (Carryover)

Section 3. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended to provide funding for this project as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
530790-100000 / Sidewalk Program / \$342,564.00 (Carryover) / (\$75,000.00) (Carryover) / \$267,533.00 (Carryover)
590955-100000 / Operation Safewalks (Carryover) / \$309,419.00 (Carryover) / \$75,000.00 (Carryover) / \$384,419.00 (Carryover)

Section 4. That the transfer of monies within the Streets and Highways GO Bonds Fund, Fund 704 be authorized as follows:

TRANSFER FROM:

Fund / Project # / Project / Object Level One/Object Level Three Codes / OCA Code
704 / 530790 / Sidewalk Program / 06/6600 / 644385 / \$75,000.00

TRANSFER TO

Fund / Project # / Project / Object Level One/Object Level Three Codes / OCA Code
704 / 590955 / Operation Safewalks / 06 / 6600 / 644385 / \$75,000.00

Section 5. That the City Attorney's Real Estate Division be and is hereby authorized to expend \$75,000.00, or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund as follows: Project 590955, Department/Division 59-09, O.L. 01/03 Codes, 06/6601, OCA Code 644385, to pay preliminary costs relative to the acquisition of the additional rights-of-way required for this project.

Section 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1827-2008

Drafting Date: 11/07/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: Ordinance No. 1051-2008 was passed by Columbus City Counsel on July 21, 2008. This Ordinance authorized the Public Service Director to enter into a contract for the Seventh Avenue water line improvements.

Contract Number EL008507 was initially established with Columbus Asphalt Paving Inc. The contract number had to be cancelled as it was set up incorrectly. When the Transportation Division tried to re-encumber the funds, it was discovered that appropriation and actual cash did not align.

Therefore, the Department of Public Utilities, Division of Power and Water requests that the City Auditor's Office appropriate the amount of \$68,201.00 so it will align with actual cash, and the Transportation Division can re-establish funds needed for the project.

Fiscal Impact: Project Number 690236 in the Water Works Enlargement Voted Bonds Fund will have increased appropriation of \$68,201.00.

Title

To authorize and direct the City Auditor's Office to appropriate \$68,201.00 to align with actual cash; and to authorize the expenditure of \$6,062.75 to allow the Transportation Division to re-establish funds needed for the Seventh Avenue water line improvements project; within the Waterworks Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$6,062.75)

Body

WHEREAS, Ordinance No. 1051-2008 was passed by Columbus City Counsel on July 21, 2008 authorizing the City of Columbus to enter into a contract for the Seventh Avenue water line improvements project; and

WHEREAS, the Transportation Division incorrectly established contract number EL008507 and when funds were to be re-encumbered, there was insufficient appropriation authority; and

WHEREAS, additional appropriation needs authorized by City Council in order to align with actual cash; and

WHEREAS, additional funds are needed by the Transportation Division to re-establish construction inspection services needed for the Seventh Avenue water line improvements project; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize and direct the City Auditor to increase the appropriation authority needed for Project Number 690236 within the Water Works Enlargement Voted Bonds Fund, for the Seventh Avenue water line improvements project; for the preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the City Auditor is hereby authorized and directed to increase the appropriation authority for the Seventh Avenue water line improvements project; in the Waterworks Enlargement Voted Bonds Fund, Fund Number 606, Department/Division Number 60-09, Project Number 690236, OCA Code 642900, Object Level Three 6629, amount of \$68,201.00; for the Department of Public Utilities, Division of Power and Water.

SECTION 2. That \$68,201.00 is hereby appropriated and that the expenditure of \$6,062.75 is hereby authorized as follows: Division of Power and Water, Dept./Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Project 690236, OCA Code 642900, Object Level One 06, Object Level Three 6629.

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

Legislation Number: 1828-2008

Drafting Date: 11/07/2008

Current Status: Passed

Version: 4

Matter Type: Ordinance

Explanation

Rezoning Application Z08-037

APPLICANT: Nationwide Children's Hospital; c/o Daniel H. Schoedinger, Atty.; 52 East Gay Street, P.O. Box 1008; Columbus, Ohio 43216.

PROPOSED USE: Expands subarea B and reconfigures the boundaries of subareas A, B and C for hospital and hospital related use and commercial use in subarea B.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (7-0) on October 9, 2008.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The proposed modification to the CPD Plan and Text would allow for orderly expansion of the hospital and associated facilities. The allowance of retail, office institutional uses in the expanded subarea B is consistent with the development and zoning patterns of the area. The rest of the changes maintain or increase standards over the existing CPD.

Title

To rezone **700 CHILDRENS DRIVE (43205)**, being 52.7± acres generally located from the southeast corner of Parsons Avenue and Mooberry Street, east to the southwest corner of Mooberry Street and the first alley east of and parallel with Eighteenth Street, south to the northwest corner of the first alley east of and parallel with Eighteenth Street and Livingston Avenue, south to the southeast corner of Livingston Avenue and Heyl Avenue, west to the southeast corner of Jackson Street and Putnam Street, west to the southwest corner of Jackson Street and Parsons Avenue, and north to the northwest corner of Parsons Avenue and Denton Alley, north and west to the southwest corner of Livingston and Parsons Avenues, west 732 feet along the north side of Livingston Avenue, north to Interstate 70, then east to the northwest corner of Parsons Avenue and Mooberry Street (excluding all of Livingston Park). **From:** AR-1, Apartment Residential, R-2F, Residential, C-4, Commercial, and CPD, Commercial Planned Development Districts, **To:** CPD, Commercial Planned Development District **and to declare an emergency.** (Rezoning # Z08-037)

Body

WHEREAS, application #Z08-037 is on file with the Building Services Division of the Department of Development requesting rezoning of 52.7± acres from the R-2F, Residential AR-1, Apartment Residential, C-4, Commercial, and CPD, Commercial Planned Development Districts to CPD, Commercial Planned Development 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 City Departments recommend approval of the proposed modification to the CPD Plan and Text would allow for orderly expansion of the hospital and associated facilities. The allowance of retail, office institutional uses in the expanded subarea B is consistent with the development and zoning patterns of the area. The remainder of the changes

increase standards over the existing CPD; 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:

700 CHILDRENS DRIVE (43205), being 52.7± acres generally located from the southeast corner of Parsons Avenue and Mooberry Street, east to the southwest corner of Mooberry Street and the first alley east of and parallel with Eighteenth Street, south to the northwest corner of the first alley east of and parallel with Eighteenth Street and Livingston Avenue, south to the southeast corner of Livingston Avenue and Heyl Avenue, west to the southeast corner of Jackson Street and Putnam Street, west to the southwest corner of Jackson Street and Parsons Avenue, and north to the northwest corner of Parsons Avenue and Denton Alley, north and west to the southwest corner of Livingston and Parsons Avenues, west 732 feet along the north side of Livingston Avenue, north to Interstate 70, then east to the northwest corner of Parsons Avenue and Mooberry Street (excluding all of Livingston Park), and being more particularly described as follows:

SUBAREA A

DESCRIPTION OF SUBAREA A,
A 27.228 ACRE TRACT BOUNDED BY LIVINGSTON AVENUE, PARSONS AVENUE, MOOBERRY STREET,
SOUTH EIGHTEENTH STREET, AND LIVINGSTON PARK, COLUMBUS, OHIO,
TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all or portions of the following tracts of land:

All of Parcels A, B, C, D, E, 6, 7, 8, 9, 10A, 10B, 10C, 11, 12C, 12D, 2B, 3, 5, 5A, and portion of Parcels 4, 2A, and 1 in Children's Hospital Urban Renewal Area "A", as shown of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio,

All of Reserve "A", all of Lot Nos. 86, 87, 88, 89, 107, 108, 109, 110, 118, 119, 120, 121, 122, 123, 132, 133, 134, 135, and 136 and portions of Lots Nos. 116, 117, and 131 in Livingston Park Addition, as shown of record in Plat Book 4, Pages 300 and 301, Recorder's Office, Franklin County, Ohio,

All of Lot Nos. 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16 in John Stone's Subdivision, as shown of record in Plat Book 3, Page 236, Recorder's Office, Franklin County, Ohio,

All of a 6,057 square feet tract of land remaining as a portion of South Monroe Avenue and conveyed to The Children's Hospital by deed of record in Official Record 10846, Page B 02, Recorder's Office, Franklin County, Ohio,

Portions of Raymond Street, South Monroe Avenue, Stone Avenue, South Seventeenth Street, Pedestrian Mall and alleys vacated by Ordinances 31564, 470-47, 582-48, 1179-52, 290-59, 54-68, 614-73, 352-80, 1785-83, 1903-83, and 160-84, Clerk's Office, City of Columbus, Ohio and portions of Parcels 2A, 4, and 12 of said Children's Hospital Urban Renewal Plat "A" and referenced in Instrument Numbers 200308270271668 and 200308270271677, Recorder's Office, Franklin County, Ohio,

All of Children's Drive West, Children's Drive Relocated, and part of Ann Street conveyed to Children's Hospital in Instrument Number 200712310221603,

And being more particularly described as follows:

Beginning at the point of tangency for a curve connecting the north line of Livingston Ave with the east line of Ann St, thence along a line separating Livingston Avenue with said Plat A, North 63°45'18" West, a distance of 98.89 feet to a

point of curvature of a curve to the left connecting the north line of Livingston Avenue with the west line of said Ann Street;

Thence crossing through said Parcel 3, Parcel 2B, and Parcel 5A along the north right of way line of Livingston Ave, North $69^{\circ}17'17''$ West a distance of 715.98 feet to a point on the east line of said Parcel 5A and the west line of said Parcel 3;

Thence crossing through said Parcel 5A along a line connecting the north right of way line of Livingston Ave with the east right of way line of Parsons Ave, North $40^{\circ}31'30''$ West a distance of 15.64 feet to a point on the east right of way line of Parsons Ave;

Thence crossing through said Parcel 5A along the said east right of way line, North $01^{\circ}24'21''$ West a distance of 8.76 feet;

Thence crossing said Parcel 5A and said Parcel 5 along the east right of way line of Parsons Avenue, North $03^{\circ}12'51''$ East a distance of 624.81 feet to a point on the north line of said Parcel 5A and the south line of said Parcel 5;

Thence North $46^{\circ}50'44''$ East along a line connecting the east line of Parsons Ave with the south line of Mooberry Street and along the northwest line of said Parcel 5 a distance of 23.07 feet to the corner of said Parcel and in the south line of Mooberry Street;

Thence North $82^{\circ}59'44''$ East along the south line of Mooberry Street and along a north line of said Parcel 5 a distance of 84.14 feet to an angle point in the south line of Mooberry Street and at a corner of said Parcel 5;

Thence North $80^{\circ}52'24''$ East along the south line of Mooberry Street and along a north line of said Parcel 5 a distance of 20.47 feet to an angle point in the south line of Mooberry Street and at a corner of said Parcel 5;

Thence North $83^{\circ}32'42''$ East along the south line of Mooberry Street and along a north line of said Parcel 5 a distance of 103.74 feet to a point of curvature;

Thence easterly along the curved south line of Mooberry Street, along the curved north line of said Parcel 5 and with a curve to the right having a radius of 2,266.83 feet, a delta of $7^{\circ}47'10''$, an arc length of 308.05 feet, and a chord bearing North $87^{\circ}26'19''$ East a distance of 307.81 feet to a point;

Thence South $88^{\circ}38'43''$ East along the south line of Mooberry Street, along the north line of said Parcel 6, along the north line of said 6,057 square feet tract, along the north line of said Lot No. 107 a distance of 664.26 feet to a point in the west line of vacated South Seventeenth Street and at the northeast corner of said Lot No. 107;

Thence South $75^{\circ}09'05''$ East along the south line of Mooberry Street, crossing vacated South Seventeenth Street crossing said Lot No.'s 116, 117, 130, and 131 and crossing a vacated alley (20 feet wide) a distance of 400.88 feet to a point on the west line of South Eighteenth Street;

Thence South $2^{\circ}49'02''$ West along the west line of South Eighteenth Street, along a portion of the east line of said Lot No. 131, along the east lines of said Lots Nos. 132,133,134,135, and 136, along the east line of said Reserve "A", along the east end of vacated Stone Avenue, along the east line of said Parcel E, and along the east end of Children's Drive, a distance of 603.80 feet to a point on the south line of Children's Drive;

Thence along said south line, North $86^{\circ}40'52''$ West, a distance of 699.15 feet to a point on a curve to the left;

Thence along said curve through said Parcel 1 and with a curve to the left having a radius of 188.50 feet, a delta of $17^{\circ}26'21''$, an arc length of 57.37 feet, and a chord bearing South $66^{\circ}44'44''$ West a distance of 57.15 feet to a point;

Thence continuing through said Parcel 1 and through the former Ann Street, along a curve to the left having a radius of 113.50 feet, a delta of $60^{\circ}21'36''$, an arc length 119.57 feet, and a chord bearing South $27^{\circ}48'38''$ West a distance of 114.12 feet to a point of curvature of a curve to the left;

Thence continuing through the former Ann Street along said curve having a radius of 411.50 feet, a delta of 22°43'48", and arc length of 163.25 feet, and a chord bearing South 08°59'41" West a distance of 162.18 feet to a point;

Thence continuing through the former Ann Street South 69°22'58" East a distance of 0.33 feet to a point on the east line of the former Ann Street and the West line of Parcel 1;

Thence along said easterly and westerly lines, South 20°46'05" West, a distance of 6.12 feet to a point on a curve to the left connecting the east line of the former Ann Street with the north line of said Livingston Avenue;

Thence along said curve to the left and the curved southwest line of said Parcel 1, said curve having a radius of 20.00 feet, a delta of 89°17'46", an arc length of 31.17 feet, and a chord distance of 28.11 feet bearing South 24°29'08" East to the TRUE POINT OF BEGINNING and containing 27.228 acres more or less.

The above description was prepared by Korda/Nemeth Engineering, Inc. under the direction and supervision of Nathan W. Anderson, Ohio Registered Surveyor No. 8322.

The basis of bearings of this description is based on the north right of way line of Livingston Avenue being, North 69°17'17" West as determined by monumentation found in the field and as shown in Children's Hospital Renewal Area Plat "A" as recorded in Plat Book 43 Page 17.

SUBAREA B

DESCRIPTION OF SUBAREA B, A 13.130 ACRE TRACT BOUNDED BY EAST LIVINGSTON AVENUE, PARSONS AVENUE, AFRICENTRIC HIGH SCHOOL AND I-70, COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, and being all of the following tracts of land: All of Parcels 1, 2, 3, 4, 5, 6, 7, and 8 (Parcel 8 being the entire portion of Kennedy Drive - 50 feet wide) of the Children's Hospital Urban Renewal Area Plat B-3 of Parcel 3-B as shown of record in Plat Book 42 Page 134, Recorder's Office, Franklin County, Ohio, and being more particular described as follows:

Beginning at the northeast corner of said Parcel 4 also being at the intersection of the south line of Interstate 70 with the west line of Parsons Ave (60 feet wide);

Thence along the west line of Parsons Ave and the east lines of Parcels 4, 8, 1, and 3 (east line of Parcel 8 being the easterly terminus line of Kennedy Drive with the west line of Parsons Ave), South 03°12'51" West a distance of 723.95 feet to a point of curvature of a curve connecting the west line of Parsons Ave with the north line of Livingston Ave (66 feet wide);

Thence along said connecting curve, also being a curved southeast line of said Parcel 3, to the right, data of which is: radius = 25.00 feet, subdelta = 90°09'29", a chord distance of 35.40 feet bearing South 48°17'36" West to the point of tangency at the southwest end of said connecting curve on the north line of Livingston Ave and the south line of said Parcel 3;

Thence along the north line of Livingston Ave and the south lines of said Parcels 3, 8, and 7 (south line of Parcel 8 being the southerly terminus of Kennedy Drive with the north line of Livingston Ave), North 86°37'40" West a distance of 781.76 feet to a point on the southwest corner of Parcel 7 and on the southeast corner of Parcel 3-A of the Children's Hospital Urban Renewal Area Plat B-3 of Parcels 3-A and 3-C as shown of record in Plat Book 43 Page 16, Recorder's Office, Franklin County, Ohio;

Thence along the west line of said Parcels 7 and 6 and the east line of Parcel 3-A, North 03°54'00" East a distance of 667.88 feet to the northwest corner of said Parcel 6, the northeast corner of said Parcel 3-A, and on the south line of Interstate 70;

Thence along the north line of Parcel 6 and the south line of Interstate 70, North 81°29'30" East a distance of 31.00 feet to an angle point;

Thence continuing along the north line of Parcel 6 and the south line of Interstate 70, North 87°00'25" East a distance of 390.29 feet to an angle point;

Thence continuing along the north line of Parcel 6 and the south line of Interstate 70, North 88°16'00" East a distance of 55.39 feet to angle point;

Thence continuing along the north line of Parcel 6 and the south line of Interstate 70, and along the north line of Parcels 5 and 4, North 88°42'00" East a distance of 326.32 feet to the point of beginning and containing 13.130 acres more or less. This zoning description was prepared by Nathan W. Anderson, Ohio Surveyor No. 8322, Korda Nemeth Engineering, Columbus, Ohio, from record information on file in the Recorder's Office, Franklin County, Ohio. A boundary survey of this consolidated area may yield minor variations in boundary data. Basis of bearings is the north line of Livingston Ave, being North 86°37'40" West as shown of record in Plat Book 42, Page 134, Recorder's Office, Franklin County, Ohio.

SUBAREA C

DESCRIPTION OF REZONING AREA C-1 ON
EAST LIVINGSTON AVENUE WEST OF HEYL AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being 33.00 feet off of the entire west side of Lot Number Five (5) in Amended Plat of Theo. H. Butler's Subdivision, as shown of record in Plat Book 4, Pages 242 and 243, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the south line of East Livingston Avenue (63 feet wide), at the northwest corner of said Lot No. 5 and at the northeast corner of Lot Number Four (4) in said Amended Plat of Theo. H. Butler's Subdivision;

thence S 62° 39' 17" E along the south line of East Livingston Avenue and along a portion of the north line of said Lot No. 5 a distance of 33.00 feet to a point;

thence S 27° 03' 42" W crossing said Lot No. 5 and parallel with and 33.00 feet easterly by perpendicular measurement from the west line of said Lot No. 5 and from the east line of said Lot No. 4 a distance of 150.00 feet to a point in the north line of Denton Alley (20 feet wide) and in the south line of said Lot No. 5;

thence N 62° 39' 17" W along the north line of Denton Alley and along a portion of the south line of said Lot No. 5 a distance of 33.00 feet to a point at the southwest corner of said Lot No. 5 and at the southeast corner of said Lot No. 4;

thence N 27° 03' 42" E along the west line of said Lot No. 5 and along the east line of said Lot No. 4 a distance of 150.00 feet to the place of beginning;

containing 4,950 square feet (= 0.114 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-2 ON
EAST LIVINGSTON AVENUE EAST OF SOUTH EIGHTEENTH STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Two (2) and Three (3) and a portion of Lot Number One (1) in Amended Plat of Theo. H. Butler's Subdivision, as shown of record in Plat Book 4, Pages 242 and 243, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the west line of May Alley (20 feet wide) and at the northeast corner of said Lot No. 3;

thence S 27° 03' 42" W along the west line of May Alley and along the east line of said Lot No. 3 a distance of 150.00 feet to a point at the intersection of the west line of May Alley with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 3;

thence N 62° 39' 17" W along the north line of Denton Alley, and along the south lines of said Lots Nos. 3 and 2 a distance of 100.00 feet to a point at the southwest corner of said Lot No. 2, at the southeast corner of said Lot No. 1 and at the southeast corner of a 0.047 acre tract of land conveyed out of said Lot No. 1 to Florence E. and Cheryl L. Byrd by deed of record in Instrument 199710140118514, Recorder's Office, Franklin County, Ohio;

thence N 27° 03' 42" E along a portion of the west line of said Lot No. 2, along a portion of the east line of said Lot No. 1 and along the east line of said 0.047 acre tract a distance of 36.04 feet to a point at the northeast corner of said 0.047 acre tract;

thence N 62° 39' 17" W crossing said Lot No. 1, along the north line of said 0.047 acre tract and parallel with the south line of East Livingston Avenue a distance of 64.48 feet to a point in the east line of South Eighteenth Street (40 feet wide), in the west line of said Lot No. 1 and at the northwest corner of said 0.047 acre tract;

thence N 3° 12' 02" E along the east line of South Eighteenth Street and along a portion of the west line of said Lot No. 1 a distance of 26.26 feet to a point at the southwest corner of a 0.096 acre tract of land conveyed out of said Lot No. 1 as Parcel III to Glen A. Robbins by deeds of record in Official Record 32823, Pages F 10 and F 12, Recorder's Office, Franklin County, Ohio;

thence S 62° 39' 17" E crossing a portion of said Lot No. 1, along the south line of said 0.096 acre tract and parallel with the south line of East Livingston Avenue a distance of 26.94 feet to a point at the southeast corner of said 0.096 acre tract;

thence N 26° 48' 33" E crossing a portion of said Lot No. 1 and along the east line of said 0.096 acre tract a distance of 90.00 feet to a point in the south line of East Livingston Avenue and in the north line of said Lot No. 1;

thence S 62° 39' 17" E along the south line of East Livingston Avenue, along a portion of the north line of said Lot No. 1 and along the north lines of said Lots Nos. 2 and 3 a distance of 148.56 feet to the place of beginning; containing 21,025 square feet (0.483 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-3 AT
S.E. CORNER OF EAST LIVINGSTON AVENUE & HOPE ALLEY
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lot Number Twenty-Nine (29) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of Hope Alley (20 feet wide) and at the northwest corner of said Lot No. 29;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north line of said Lot No. 29 a

distance of 40.00 feet to a point at the northeast corner of said Lot No. 29 and at the northwest corner of Lot Number Thirty (30) in said Swaynes Addition;

thence S 20° 42' 43" W along the east line of said Lot No. 29 and along the west line of said Lot No. 30 a distance of 150.00 feet to a point in the north line of Denton Alley (20 feet wide), at the southeast corner of said Lot No. 29 and at the southwest corner of said Lot No. 30;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south line of said Lot No. 29 a distance of 40.00 feet to a point at the intersection of the north line of Denton Alley with the east line of Hope Alley and at the southwest corner of said Lot No. 29;

thence N 20° 42' 43" E along the east line of Hope Alley and along the west line of said Lot No. 29 a distance of 150.00 feet to the place of beginning;

containing 6,000 square feet (0.138 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-4 AT
S.E. CORNER OF EAST LIVINGSTON AVENUE & SOUTH SEVENTEENTH STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Twenty-Five (25), Twenty-Six (26), Twenty-Seven (27) and Twenty-Eight (28) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of South Seventeenth Street (40 feet wide) and at the northwest corner of said Lot No. 25;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north lines of said Lots Nos. 25, 26, 27 and 28 a distance of 147.60 feet to a point at the intersection of the south line of East Livingston Avenue with the west line of Hope Alley (20 feet wide) and at the northeast corner of said Lot No. 28;

thence S 20° 42' 43" W along the west line of Hope Alley and along the east line of said Lot No. 28 a distance of 150.00 feet to a point at the intersection of the west line of Hope Alley with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 28;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 28, 27, 26 and 25 a distance of 147.60 feet to a point at the intersection of the north line of Denton Alley with the east line of South Seventeenth Street and at the southwest corner of said Lot No. 25;

thence N 20° 42' 43" E along the east line of South Seventeenth Street and along the west line of said Lot No. 25 a distance of 150.00 feet to the place of beginning;

containing 22,140 square feet (0.508 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from

an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-5 AT
S.W. CORNER OF EAST LIVINGSTON AVENUE & SOUTH SEVENTEENTH STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Twenty-One (21), Twenty-Two (22), Twenty-Three (23) and Twenty-Four (24) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the west line of South Seventeenth Street (40 feet wide) and at the northeast corner of said Lot No. 24;

thence S 20° 42' 43" W along the west line of South Seventeenth Street and along the east line of said Lot No. 24 a distance of 150.00 feet to a point at the intersection of the west line of South Seventeenth Street with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 24;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 24, 23, 22 and 21 a distance of 147.60 feet to a point at the intersection of the north line of Denton Alley with the east line of Putnam Alley (20 feet wide) and at the southwest corner of said Lot No. 21;

thence N 20° 42' 43" E along the east line of Putnam Alley and along the west line of said Lot No. 21 a distance of 150.00 feet to a point at the intersection of the east line of Putnam Alley with the south line of East Livingston Avenue and at the northwest corner of said Lot No. 21;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north lines of said Lots Nos. 21,22,23 and 24 a distance of 147.60 feet to the place of beginning;

containing 22,140 square feet (= 0.508 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-6 AT
S.E. CORNER OF EAST LIVINGSTON AVENUE & ANN STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Seventeen (17), Eighteen (18) and Nineteen (19) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of Ann Street (40 feet wide) and at the northwest corner of said Lot No. 17;

thence S 69° 17' 17" E along the south side of East Livingston Avenue and along the north lines of said Lots Nos. 17, 18 and 19 a distance of 111.00 feet to a point at the northeast corner of said Lot No. 19 and at the northwest corner of Lot Number Twenty (20) in said Swaynes Addition;

thence S 20° 42' 43" W along the east line of said Lot No. 19 and along the west line of said Lot No. 20 a distance of 150.00 feet to a point in the north line of Denton Alley (20 feet wide), at the southeast corner of said Lot No. 19 and at the southwest corner of said Lot No. 20;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 19, 18 and 17 a distance of 111.00 feet to a point at the intersection of the north line of Denton Alley with the east line of Ann Street and at the southwest corner of said Lot No. 17;

thence N 20° 42' 43" E along the east line of Ann Street and along the west line of said Lot No. 17 a distance of 150.00 feet to the place of beginning;

containing 16,650 square feet (= 0.382 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J Bull, Inc. Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban

Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.
Break1

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRIANGLE AT THE S.E. CORNER OF LIVINGSTON AVENUE AND ANN STREET:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being part of Lot 17 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being that tract of land as conveyed to Children's Hospital by deed of record in Official Record 14938J13 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Ann Street (40 feet) with Livingston Avenue (66 feet);

thence South 20° 59' 35" West, with the centerline of Ann Street, a distance of 33.00 feet to a point;

thence South 68° 59' 18" East, across the right-of-way of Ann Street, a distance of 20.00 feet to an iron pin set at a northwesterly corner of said Lot 17, being the TRUE POINT OF BEGINNING;

thence South 68° 59' 18" East, with the southerly right-of-way line of Livingston Avenue, a distance of 6.73 feet to an iron pin set;

thence South 66° 18' 45" West, across said Lot 17, a distance of 9.46 feet to an iron pin set in the easterly right-of-way line of Ann Street;

thence North 20° 59' 35" East, a distance of 6.66 feet to the TRUE POINT OF BEGINNING and containing 0.001 acre of land, more or less.

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

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

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

DESCRIPTION OF REZONING AREA C-7 AT
S.E. CORNER OF EAST LIVINGSTON AVENUE & WAGER STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Nine (9), through Sixteen (16), inclusive, in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, together with Drake Alley (20 feet wide) between said Lots Nos. 12 and 13, as said alley was vacated by City Ordinance No. 1463-96, passed June 25, 1996, all bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the east line of Wager Street (40 feet wide) and at the northwest corner of said Lot No. 9;

thence S 69° 17' 17" E along the south line of East Livingston Avenue, along the north lines of said Lots Nos. 9, 10, 11 and 12, along the north end of vacated Drake Alley and along the north lines of said Lots Nos. 13, 14, 15 and 16 a distance of 316.00 feet to a point at the intersection of the south line of East Livingston Avenue with the west line of Ann Street (40 feet wide) and at the northeast corner of said Lot No. 16;

thence S 20° 42' 43" W along the west line of Ann Street and along the east line of said Lot No. 16 a distance of 150.00 feet to a point at the intersection of the west line of Ann Street with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 16;

thence N 69° 17' 17" W along the north line of Denton Alley along the south lines of said Lots Nos. 16, 15, 14 and 13, along the south end of vacated Drake Alley and along the south lines of said Lots Nos. 12, 11, 10 and 9 a distance of 316.00 feet to a point at the intersection of the north line of Denton Alley with the east line of Wager Street and at the southeast corner of said Lot No. 9;

thence N 20° 42' 43" E along the east line of Wager Street and along the west line of said Lot No. 9 a distance of 150.00 feet to the place of beginning;

containing 47,400 square feet (= 1.088 acres) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED STRIP ALONG THE WEST SIDE OF ANN STREET
EXTENDING SOUTH FROM LIVINGSTON AVENUE:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a part of Lot 16 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being that tract of land as conveyed to Children's Hospital by deed of record in Official Record 14938J09 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Ann Street (40 feet) with Livingston Avenue (66 feet);

thence South 20° 59' 35" West, with the centerline of Ann Street, a distance of 33.00 feet to a point;

thence North 69° 00' 25" West, across the right-of-way of Ann Street, a distance of 20.00 feet to an iron pin set in the northeasterly corner of said Lot 16, being the TRUE POINT OF BEGINNING;

thence South 20° 59' 35" West, with the westerly right-of-way line of Ann Street, a distance of 35.52 feet to an iron

pin set;

thence across said Lot 16, the following courses and distances;

North 71° 46' 48" West, a distance of 1.33 feet to an iron pin set;

North 18° 15' 58" East, a distance of 35.62 feet to an iron pin set in the southerly right-of-way line of Livingston Avenue;

thence South 69° 00' 25" East, with said southerly right-of-way line, a distance of 3.02 feet to the TRUE POINT OF BEGINNING and containing 0.002 acre of land, more or less.

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

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

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

AND FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRIANGLE AT THE S.E. CORNER OF LIVINGSTON AVENUE AND WAGER STREET:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a strip of land on, over, and across that tract conveyed to Children's Hospital by deed of record in Official Record 10583D19, being Lot 9 of that subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly bounded and described as follows:

Beginning at an iron pin set at the intersection of the easterly right-of-way line of Wager Street (40') with the southerly right-of-way line of Livingston Avenue (66'), being the northwesterly corner of said Lot 9;

thence South 68° 59' 18" East, with said southerly right-of-way line, being the northerly line of said Lot 9, a distance of 9.03 feet to a pin set;

thence South 78° 11' 17" West, across said Lot 9, a distance of 10.75 feet to an iron pin set on the easterly right-of-way line of said Wager Street, being the westerly line of said Lot 9;

thence North 20° 59' 35" East, with said easterly right-of-way line, being said westerly line, a distance of 5.83 feet to the TRUE POINT OF BEGINNING, containing 0.001 acre of land, more or less.

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

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

The bearings herein are based on North 00° 00' 00" East for the centerline of Parsons Avenue as shown in the plat of "Swaynes Addition", a subdivision of record in Plat Book 2, page 35.

DESCRIPTION OF REZONING AREA C-8 ALONG WEST SIDE OF WAGER STREET BETWEEN LIVINGSTON AVENUE AND JACKSON STREET COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Tract One

S.W. CORNER OF WAGER STREET AND LIVINGSTON AVENUE

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Five (5), Six (6), Seven (7) and Eight (8) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of East Livingston Avenue (66 feet wide) with the west line of Wager Street (40 feet wide) and at the northeast corner of said Lot No. 8;

thence S 20° 42' 43" W along the west line of Wager Street and along the east line of said Lot No. 8 a distance of 150.00 feet to a point at the intersection of the west line of Wager Street with the north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 8;

thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lots Nos. 8, 7, 6 and 5 a distance of 147.50 feet to a point at the intersection of the north line of Denton Alley with the east line of Lisle Alley (20 feet wide) and at the southwest corner of said Lot No. 5;

thence N 20° 42' 43" E along the east line of Lisle Alley and along the west line of said Lot No. 5 a distance of 150.00 feet to a point at the intersection of the east line of Lisle Alley with the south line of East Livingston Avenue and at the northwest corner of said Lot No. 5;

thence S 69° 17' 17" E along the south line of East Livingston Avenue and along the north lines of said Lots Nos. 5, 6, 7 and 8 a distance of 147.50 feet to the place of beginning;

containing 22,125 square feet (= 0.508 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

Tract Two

N.W. CORNER OF WAGER STREET AND JACKSON STREET

Situated in the County of Franklin, State of Ohio, City of Columbus: Being Lot Nos. 97, 98, 99 and 100 of Swayne's Addition as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 35, Franklin County Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the north line of Jackson Street (South Lane) (40 feet wide) with the west line of Wager Street (40 feet wide) and at the southwest corner of said Lot No. 36;

thence N 3° 18' 07" E along the west line of Wager Street and along the east lines of said Lot Nos. 97, 98, 99 and 100 a distance of 175.30 feet to a point at the intersection of the west line of Wager Street with south line of Denton Alley (20 feet wide) and at the northeast corner of said Lot No. 100;

thence N 69° 17' 17" W along the south line of Denton Alley and along the north line of said Lot No. 100 a distance of 146.80 feet to a point at the intersection of the south line of Denton Alley and the east line of Lisle Alley (20 feet wide) and at the northwest corner of said Lot No. 100;

thence S 3° 18' 07" W along the east line of Lisle Alley and along the west lines of said Lot Nos. 100, 99, 98 and 97 a distance of 218.11 feet to a point at the intersection of the east line of Lisle Alley with the north line of Jackson Street, at

the southwest corner of said Lot No. 97;

thence S 86° 28' 30" E along the north line of Jackson Street and along the south line of said Lot No. 97 a distance of 140.00 feet to the place of beginning;

containing 27,538.7 square feet (0.632 acre) of land more or less.

Tract Three

DENTON ALLEY BETWEEN WAGER STREET AND LISLE ALLEY

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands, being part of Denton Alley, as dedicated in "Swaynes Addition", a subdivision of record in Plat Book 2, Page 35, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the southerly right-of-way line of said Denton Alley and the easterly right-of-way of Lisle Alley, as dedicated in said "Swaynes Addition", being the northwest corner of Lot 100 of said "Swaynes Addition", and being the northeast corner of the section of said Lisle Alley vacated in Instrument Number 200305050130673;

Thence North 05° 04' 23" East, a distance of 20.70 feet, across said Denton Alley, to an iron pin set at the intersection of the northerly right-of-way line thereof and said easterly right-of-way line;

Thence South 72° 37' 07" East, a distance of 146.86 feet, with said northerly right-of-way line, to an iron pin set at the intersection of said northerly right-of-way line and the westerly right-of-way line of Wager Street, as dedicated in said "Swaynes Addition";

Thence South 04° 52' 41" West, a distance of 20.71 feet, across said Denton Alley, to an iron pin set at the intersection of the southerly right-of-way line thereof and said westerly right-of-way line;

Thence North 72° 37' 07" West, a distance of 146.93 feet, with said southerly right-of-way line, to the POINT OF BEGINNING, containing 0.068 acre of land, more or less.

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

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

The bearings herein are based on North 00° 00' 00" East for the centerline of Parsons Avenue as shown in the plat of "Swaynes Addition", a subdivision of record in Plat Book 2, Page 35.

EXCEPTING, HOWEVER, FROM SAID TRACTS ONE, TWO AND THREE THE FOLLOWING DESCRIBED STRIP ALONG THE WEST SIDE OF WAGER STREET EXTENDING SOUTH FROM LIVINGSTON AVENUE.

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a part of Lot 8 and Lot 100 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being those tracts of land as conveyed to Children's Hospital by deed of record in Official Record 15365B13 and Instrument Number 200304010093785 and part of vacated Denton Alley as conveyed to Children's Hospital by deed of record in Instrument Number 200607210143574 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Wager Street (40 feet) with Livingston Avenue (66 feet);

thence South 20° 59' 35" West, with the centerline of Wager Street, a distance of 33.01 feet to a point;

thence North 68° 59' 18" West, across the right-of-way of Wager Street, a distance of 20.00 feet to an iron pin set at the northeasterly corner of said Lot 8, being the TRUE POINT OF BEGINNING;

thence with the westerly right-of-way line of Wager Street, the following courses and distances:

South 20° 59' 35" West, a distance of 150.15 feet to an iron pin set;

South 09° 03' 24" West, a distance of 20.45 feet to an iron pin set; and

South 03° 44' 34" West, a distance of 8.54 feet to an iron pin set;

thence across said Lot 100, Lot 8 and Vacated Denton Alley, the following courses and distances:

North 86° 15' 26" West, a distance of 13.00 feet to an iron pin set;

North 03° 44' 34" East, a distance of 14.66 feet to an iron pin set;

North 20° 59' 35" East, a distance of 168.17 feet to an iron pin set in the southerly right-of-way line of Livingston Avenue;

thence South 68° 59' 18" East, with said southerly right-of-way line, a distance of 10.00 feet to the TRUE POINT OF

BEGINNING and containing 0.043 acre of land, more or less.

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

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

The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

DESCRIPTION OF REZONING AREA C-9 AT
N.E. CORNER OF WAGER STREET & JACKSON STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers One Hundred One (101), One Hundred Two (102) and One Hundred Three (103) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, Recorder's Office, Franklin County, Ohio, all of Lot Number One (1) and portions of Lots Numbers Two (2) and Three (3) in Wagner & McComb's Subdivision, as shown of record in Plat Book 4, Page 206, Recorder's Office, Franklin County, Ohio, together with Drake Alley (20 feet wide) west of said Lot No. 1, as said alley was vacated by City Ordinance No. 938-54, passed June 28, 1954, all bounded and described as follows:

Beginning at a point at the intersection of the east line of Wager Street (40 feet wide) with the north line of Jackson Street (40 feet wide) and at the southwest corner of said Lot No. 103;

thence N 3° 18' 07" E along the east line of Wager Street and along the west lines of said Lots Nos. 103, 102 and 101 a distance of 163.45 feet to a point at the intersection of the east line of Wager Street with the south line of Denton Alley (20 feet wide) and at the northwest corner of said Lot No. 101;

thence S 69° 17' 17" E along the south line of Denton Alley, along the north line of said Lot No. 101, along the north end of vacated Drake Alley and along the north line of said Lot No. 1 a distance of 199.28 feet to a point at the northeast corner of said Lot No. 1, at the northwest corner of said Lot No. 2 and at the northwest corner of a 160 square foot tract of land conveyed out of said Lot No. 2 as Parcel 34 to Columbia Gas of Ohio, Inc. by deed of record in Deed Book 2542, Page 578, Recorder's Office, Franklin County, Ohio;

thence S 3° 18' 07" W along a portion of the east line of said Lot No. 1, along a portion of the west line of said Lot No. 2 and along the west line of said 160 square foot tract a distance of 12.00 feet to a point at the southwest corner of said 160 square foot tract;

thence S 69° 17' 17" E crossing a portion of said Lot No. 2, parallel with the south line of Denton Alley and along the south line of said 160 square foot tract a distance of 14.00 feet to a point at the southeast corner of said 160 square foot tract;

thence N 3° 18' 07" E crossing a portion of said Lot No. 2 parallel with the west line of said Lot No. 2, parallel with the east line of said Lot No. 1 and along the east line of said 160 square foot tract a distance of 12.00 feet to a point in the south line of Denton Alley, in the north line of said Lot No. 2 and at the northeast corner of said 160 square foot tract;

thence S 69° 17' 17" E along the south line of Denton Alley, along a portion of the north line of said Lot No. 2 and along a portion of the north line of said Lot No. 3 a distance of 52.02 feet to a point at the northwest corner of a 253.9 square foot tract of land conveyed out of said Lot No. 3 to Golden and Inez Gannon by deed of record in Official Record 8199, Page J 13, Recorder's Office, Franklin County, Ohio;

thence S 3° 18' 07" W crossing said Lot No. 3, along the west line of said 253.9 square foot tract and parallel with and 3.00 feet westerly by perpendicular measurement from the east line of said Lot No. 3 and from the west line of Lot Number Four (4) in said Wagner & McComb's Subdivision a distance of 85.05 feet to a point in the north line of Jackson Street, in the south line of said Lot No. 3 and at the southwest corner of said 253.9 square foot tract;

thence N 86° 28' 30" W along the north line of Jackson Street, along a portion of the south line of said Lot No. 3, along the

south lines of said Lots Nos. 2 and 1, along the south end of vacated Drake Alley and along the south line of said Lot No. 103 a distance of 253.15 feet to the place of beginning;

containing 31,294 square feet (= 0.718 acre) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED STRIP ALONG THE EAST SIDE OF WAGER STREET EXTENDING NORTH FROM JACKSON STREET:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being a part of Lots 102 and 103 of the subdivision plat entitled Swaynes Addition of record in Plat Book 2, Page 35; being that tract of land as conveyed to Children's Hospital by deed of record in Official Record 08792F13 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Wager Street (40 feet) with Jackson Street (40 feet);
thence South 86° 07' 18" East, with the centerline of Jackson Street, a distance of 20.00 feet to a point;
thence North 03° 44' 34" East, across the right-of-way of Jackson Street, a distance of 20.00 feet to an iron pin in the southwesterly corner of said Lot 103, being the TRUE POINT OF BEGINNING;
thence North 03° 44' 34" East, with the easterly right-of-way line of Wager Street, a distance of 46.16 feet to an iron pin set;
thence across said Lots 102 and 103, the following courses and distances:
South 86° 15' 26" East, a distance of 1.00 feet to an iron pin set;
South 03° 44' 34" West, a distance of 12.15 feet to an iron pin set;
South 01° 38' 09" East, a distance of 31.01 feet to an iron pin set;
South 50° 01' 45" East, a distance of 5.34 feet to an iron pin set in the northerly right-of-way line of Jackson Street;

thence North 86° 07' 18" West, with said northerly right-of-way line, a distance of 8.22 feet to the TRUE POINT OF BEGINNING and containing 0.002 acre of land, more or less.

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

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

The bearings herein are based on the Ohio State Plan Coordinator System, South Zone, per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department.

DESCRIPTION OF REZONING AREA C-10 AT
N.E. CORNER OF ANN STREET & JACKSON STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lot Number One Hundred Sixty-Six (166) in Swaynes Addition, as shown of record in Plat Book 2, Page 35, and being all of Tracts 4 and 5 conveyed to The Children's Hospital by deed of record in Official Record 14938, Page J 09 and all of the remaining east part of said Lot No. 166 conveyed to Children's Hospital by deed of record in Instrument No. 200306110174878, all references to Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the east line of Ann Street (40 feet wide) with the north line of Jackson Street (40 feet wide), at the southwest corner of said Lot No. 166 and at the southwest corner of said Tract 5;

thence N 3° 18' 07" E along the east line of Ann Street, along the west line of said Lot No. 166 and along the west lines of said Tracts 5 and 4 a distance of 55.38 feet to a point at the intersection of the east line of Ann Street with the south line of Denton Alley (20 feet wide), at the northwest corner of said Lot No. 166 and at the northwest corner of said Tract 4;

thence S 69° 17' 17" E along the south line of Denton Alley, along the north line of said Lot No. 166, along the north line of said Tract 4 and along the north line of the remaining east part of said Lot No. 166 a distance of 146.80 feet to a point at the northeast corner of said Lot No. 166, at the intersection of the south line of Denton Alley with the west line of Putnam Alley (20 feet wide) and at the northeast corner of said east tract;

thence S 3° 18' 07" W along the east line said Lot No. 166, along the west line of Putnam Alley and along the east line of said east tract a distance of 12.00 feet to southeast corner of said east tract, at the southeast corner of said Lot No. 166 and at the intersection of the north line of Jackson Street with the west line of Putnam Alley;

thence N 86° 28' 30" W along the north line of Jackson Street, along the south line of said east tract, along the south line of said Lot No. 166 and along the south line of said Tract 5 a distance of 140.08 feet to the place of beginning;

containing 4,719 square feet (= 0.108 acre) of land more or less.

The above description was prepared by Jay R. Miller, Ohio Surveyor No. 8061, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in June, 2006, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-11 AT
S.W. CORNER OF EIGHTEENTH STREET & LIVINGSTON AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the County of Franklin in the State of Ohio and in the City of Columbus: Being Lot Nos. Thirty (30) and Thirty-One (31) in Noah H. and Sarah A. Swaynes Addition, to the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book Number 2, Page 35, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the south line of Livingston Avenue (66 feet wide) with the west line of South Eighteenth Street (40 feet wide) and at the northeast corner of said Lot No. 31;

thence S 3° 18' 07" W along the west line of South Eighteenth Street and along the east line of said Lot No. 31 a distance of 157.00 feet to a point at the intersection of the west line of South Eighteenth Street with north line of Denton Alley (20 feet wide) and at the southeast corner of said Lot No. 31;

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thence N 69° 17' 17" W along the north line of Denton Alley and along the south lines of said Lot Nos. 31 and 30 a distance of 113.00 feet to a point at the southwest corner of said Lot No. 30 and at the southeast corner of Lot No. 29 in said Swaynes Addition;

thence N 20° 42' 43" E along the west line of said Lot No. 30 and along the east line of said Lot No. 29 a distance of 150.00 feet to a point in the south line of Livingston Avenue, at the northwest corner of said Lot No. 30 and at the northeast corner of said Lot No. 29;

thence S 69° 17' 17" E along the south line of Livingston Avenue and along the north lines of said Lot Nos. 30 and 31 a distance of 64.50 feet to the place of beginning;

containing 13,312.5 square feet (0.30 acre) of land more or less.

DESCRIPTION OF REZONING AREA C-12 AT N.E. CORNER

OF JACKSON STREET (SOUTH LANE) AND PARSONS AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the County of Franklin, State of Ohio, City of Columbus: Being Lot Nos. 32, 33, 34, 35 and 36 of Swayne's Addition as the same are numbered and delineated in the recorded plat thereof, of record in Plat Book 2, page 35, Franklin County Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the north line of Jackson Street (South Lane) (40 feet wide) with the east line of Parsons Avenue (60 feet wide) and at the southwest corner of said Lot No. 36;

thence N 3° 18' 07" E along the east line of Parsons Avenue and along the west lines of said Lot Nos. 36, 35, 34, 33 and 32 a distance of 269.00 feet to a point at the intersection of the east line of Parsons Avenue with south line of Denton Alley (20 feet wide) and at the northwest corner of said Lot No. 32;

thence S 69° 1' 17" E along the south line of Denton Alley and along the north line of said Lot No. 32 a distance of 146.80 feet to a point at the intersection of the south line of Denton Alley and the west line of Lisle Alley (20 feet wide) and at the northeast corner of said Lot No. 32;

thence S 3° 18' 07" W along the west line of Lisle Alley and along the east lines of said Lot Nos. 32, 33, 34, 35 and 36 a distance of 225.40 feet to a point at the intersection of the west line of Lisle Alley with the north line of Jackson Street, at the southeast corner of said Lot No. 36;

thence N 86° 28' 30" W along the north line of Jackson Street and along the south line of said Lot No. 36 a distance of 140.00 feet to the place of beginning;

containing 34,608 square feet (0.794 acre) of land more or less.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED STRIP ALONG THE EAST SIDE OF PARSONS AVENUE BETWEEN JACKSON STREET AND DENTON ALLEY:

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands and being part of Lots 32 through 36 of Swayne's Addition as recorded in Plat Book 2 Page 35 and as conveyed to Children's Hospital and recorded in Instrument No. 200304010093785, all references being recorded in the Franklin County Ohio Recorder's Office, and being more particularly described as follows:

Beginning at a ¾" iron pipe found at the northwest corner of Lot 32 of said Swayne's Addition at the intersection of the south line of Denton Alley (20') with the east line of Parsons Avenue (width varies), thence along the south line of said Alley and the north line of said Lot 32, South 69°13'11" East, a distance of 11.53 feet to an iron pin set;

Thence crossing through Lots 32, 33, 34, 35, and 36, along the proposed right of way line (being parallel to 41.00 feet east of the centerline of Parsons Avenue), South 03°17'27" West, a distance of 265.56 feet to an iron pin set on the north line of Jackson Street (40') and on the south line of said Lot 36;

Thence along said north and south lines, North 86°32'40" West, a distance of 11.00 feet to an iron pin set at the intersection of the east line of Parsons Avenue with the north line of Jackson Street on the southwest corner of said Lot 36;

Thence along said east line and the west line of said Lots 32 through 36, North 03°17'27" East, a distance of 269.00 feet to the point of beginning and containing 0.067 acres, more or less.

Subject, however, to a perpetual, exclusive easement hereby reserved by Grantor for itself, its successors and assigns as the owners of the fee simple title to the real property described on Exhibit B attached hereto, made a part hereof and incorporated herein by reference for the construction, installation, maintenance, repair, replacement and use of caissons, foundations and footers below the surface of a five (5) foot wide strip of the above-described 0.067 acres, said strip being located adjacent to and immediately west of the entire east property line of said 0.067 acres and being shown as the cross-hatched area on Exhibit A attached hereto, made a part hereof and incorporated herein by reference, said easement being hereby reserved for the benefit of the real property described on said Exhibit B.

The above description was prepared by Korda/Nemeth Engineering, Inc. from field and record observations under the direction and supervision of Nathan W. Anderson, Ohio Registered Surveyor No. 8322.

The basis of bearings of this description is based on Livingston Avenue being, North 69°17'17" West as determined by monumentation found in the field and as shown in Children's Hospital Urban Renewal Area Plat A as recorded in Plat

Book 43 Page 17.

Monuments referred to as iron pins set will be 5/8 diameter x 30 inches long capped iron bars inscribed "KNE 8322".

DESCRIPTION OF REZONING AREA C-13 AT DENTON ALLEY BETWEEN ANN STREET AND PUTNAM
ALLEY
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands, being part of Denton Alley (20 feet wide), as dedicated in "Swayne's Addition", a subdivision of record in Plat Book 2 Page 35, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the southerly right-of-way line of said Denton Alley with the westerly right-of-way line of Putnam Alley (20 feet wide), as dedicated in said "Swayne's Addition";

Thence North 68° 59' 18" West, a distance of 146.61 feet, with said southerly right-of-way line, to an iron pin set at the intersection of said southerly right-of-way line and the easterly right-of-way line of Ann Street (40 feet wide), as dedicated in said "Swayne's Addition";

Thence North 03° 48' 01" East, a distance of 20.94 feet, across said Denton Alley, to an iron pin set at the intersection of the northerly right-of-way line thereof and said easterly right-of-way line;

Thence South 68° 59' 18" East, a distance of 147.92 feet, with said northerly right-of-way line, to an iron pin set at the intersection of said northerly and westerly right-of-way lines;

Thence South 07° 17' 16" West, a distance of 20.59 feet, across said Denton Alley, to the POINT OF BEGINNING, containing 0.068 acre, more or less.

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

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

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 57' 16" East, established by the Franklin County Engineering Department, using Global Positioning System Procedures and equipment.

DESCRIPTION OF REZONING AREA C-14 TAX PARCEL NUMBER 010-266057 (LISLE ALLEY), COLUMBUS,
OHIO, TO BE REZONED BY
NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Lisle Alley as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the westerly right-of-way line of said Lisle Alley and the northerly right-of-way line of Jackson Street (Court Street);

Thence North 20° 42' 43" East, a distance of 225.38 feet, with said westerly right-of-way line of Lisle Alley, to a point in the southerly right-of-way line of Denton Alley;

Thence South 72° 37' 07" East, a distance of 20.96 feet, with said southerly right-of-way line of Denton Alley, to

a point in the easterly right-of-way line of said Lisle Alley;

Thence South **20° 42' 43"** West, a distance of 219.12 feet, with said easterly right-of-way line of Lisle Alley, to a point in said northerly right-of-way line of Jackson Street;

Thence North **90° 00' 00"** West, a distance of 20.00 feet, with said northerly right-of-way line of Jackson Street, to the POINT OF BEGINNING. Containing 0.10 acres (4445.1 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-15 TAX PARCEL NUMBER 010-266058 (DENTON ALLEY), COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Denton Alley as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the southerly right-of-way line of said Denton Alley and the easterly right-of-way line of Wager Street;

Thence North **20° 42' 43"** East, a distance of 20.96 feet, with said easterly right-of-way line of Wager Street, to a point in the northerly right-of-way line of said Denton Alley;

Thence South **72° 37' 07"** East, a distance of 314.35 feet, with said northerly right-of-way line of Denton Alley, to a point in the westerly right-of-way line of Ann Street;

Thence South **20° 42' 43"** West, a distance of 20.96 feet, with said westerly right-of-way line of Ann Street, to a point in said southerly right-of-way line of Denton Alley;

Thence North **72° 37' 07"** West, a distance of 314.35 feet, with said southerly right-of-way line of Denton Alley, to the POINT OF BEGINNING. Containing 0.14 acres (6287.1 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-16 TAX PARCEL NUMBER 010-266059 (HOPE ALLEY), COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Hope Alley as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Denton Alley and the westerly right-of-way line of said Hope Alley;

Thence North **17° 22' 53"** East, a distance of 150.00 feet, with said westerly right-of-way line of Hope Alley, to a point in the southerly right-of-way line of Livingston Avenue;

Thence South 72° 37' 07" East, a distance of 20.00 feet, with said southerly right-of-way line of Livingston Avenue, to a point in the easterly right-of-way line of said Hope Alley;

Thence South 17° 22' 53" West, a distance of 150.00 feet, with said easterly right-of-way line of Hope Alley, to a point in said northerly right-of-way line of Denton Alley;

Thence North 72° 37' 07" West, a distance of 20.00 feet, with said northerly right-of-way line of Denton Alley, to the POINT OF BEGINNING. Containing 0.07 acres (3000.0 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-17
TAX PARCEL NUMBER 010-019880 (705 E. LIVINGSTON AVENUE),
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being all of Lot No. 20 as delineated on the plat for "SWAYNE'S ADDITION", a subdivision plat of record in Plat Book 2, Page 35 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Denton Alley and the westerly right-of-way line of Putnam Alley, said point being the southeasterly corner of said Lot No. 20;

Thence North 72° 37' 07" West, a distance of 36.10 feet, with said northerly right-of-way line of Denton Alley and southerly line of said Lot No. 20, to a point at the southwesterly corner of said Lot No. 20;

Thence North 17° 22' 53" East, a distance of 150.00 feet, with the westerly line of said Lot No. 20, to a point in the southerly right-of-way line of Livingston Avenue at the northwesterly corner of said Lot No. 20;

Thence South 72° 37' 07" East, a distance of 36.10 feet, with said southerly right-of-way line of Livingston Avenue and northerly line of said Lot No. 20, to a point in the westerly right-of-way line of said Putnam Alley at the northeasterly corner of said Lot No. 20;

Thence South 17° 22' 53" West, a distance of 150.00 feet, with said westerly right-of-way line of Putnam Alley and easterly line of said Lot No. 20, to the POINT OF BEGINNING. Containing 0.12 acres (5415.0 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-18 TAX PARCEL NUMBER 010-055004 (694 S. EIGHTEENTH STREET),
COLUMBUS, OHIO, TO BE REZONED BY
NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Half Section 30, Section 22, Township 5, Range 22, Refugee Lands and being part of Lot No. 1 as delineated on the plat for "THEO. H. BUTLER'S SUBDIVISION", a subdivision plat of record in Plat Book 4, Page 242 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Denton Alley and the easterly right-of-way line of Eighteenth Avenue (Butler Avenue), the southwesterly corner of said Lot No. 1;

Thence North 03° 12' 12" East, a distance of 39.41 feet, with said easterly right-of-way line of Eighteenth Avenue and westerly line of said Lot No. 1, to a point;

Thence South 66° 08' 19" East, a distance of 64.59 feet, across said Lot No. 1, to a point in the easterly line of said Lot No. 1;

Thence South 23° 51' 41" West, a distance of 36.04 feet, with said easterly line of Lot No. 1, to a point in said northerly right-of-way line of Denton Alley at the southeasterly corner of said Lot No. 1;

Thence North 66° 08' 19" West, a distance of 48.65 feet, with said northerly right-of-way line of Denton Alley and southerly line of said Lot No. 1, to the POINT OF BEGINNING. Containing 0.05 acres (2040.6 S.F.), more or less.

This description was prepared from record information only and should not be considered a boundary survey for transfer.

DESCRIPTION OF REZONING AREA C-19 PUTNAM ALLEY BETWEEN EAST LIVINGSTON AVENUE AND DENTON ALLEY, COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 22, Township 5, Range 22, Refugee Lands, being part of Putnam Alley (20 feet wide), as dedicated in "Swayne's Addition", a subdivision of record in Plat Book 2, Page 35, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the westerly right-of-way line of said Putnam Alley with the southerly right-of-way line of Livingston Avenue (66 feet wide), as dedicated in said "Swayne's Addition";

Thence South 68° 59' 18" East, a distance of 20.00 feet, across said Putnam Alley, to an iron pin set at the intersection of the easterly right-of-way line thereof and said southerly right-of-way line;

Thence South 20° 59' 35" West, a distance of 150.00 feet, with said easterly right-of-way line, to an iron pin set at the intersection of said easterly right-of-way line and the northerly right-of-way line of Denton Alley (20 feet wide), as dedicated in said "Swayne's Addition";

Thence North 68° 59' 18" West, a distance of 20.00 feet, across said Putnam Alley, to an iron pin set at the intersection of said northerly and westerly right-of-way lines;

Thence North 20° 59' 35" East, a distance of 150.00 feet, with said westerly right-of-way line, to the POINT OF BEGINNING, containing 0.069 acre, more or less.

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

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

The bearings shown hereon are based on the Ohio State Plan Coordinate System, South Zone, as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments Frank 43 and Frank 143, having a bearing of South 87° 56' 16" East, established by the Franklin County Engineering Department, using Global Positioning System Procedures and equipment.

DESCRIPTION OF REZONING AREA C-20 AT S.W. CORNER OF LIVINGSTON AVENUE AND LISLE ALLEY, COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

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

Being Lot Number Four (4) in Swayne's Addition as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, Page 35, Recorder's Office, Franklin County, Ohio.

Beginning at the intersection of the southerly right of way line of Livingston Avenue (width varies) and the westerly right of way line of Lisle Alley (20') and being the northeast corner of said lot, thence along west line of said Alley, South 20° 36' 53" West a distance of 149.80 feet to the southeast corner of said lot and on the northerly right of way line of Denton Alley;

Thence along said northerly right of way line, North 69° 13' 11" West a distance 40.26 feet to the southwest corner of said lot;

Thence North 20° 36' 53" East along the west line of said lot, a distance of 149.76 feet to the northwest corner of said lot and on the south right of way line of Livingston Avenue;

Thence along said southerly right of way line, South 69° 17' 17" East a distance of 40.26 feet to the point of beginning containing 0.138 acres, more or less.

The above description was prepared by Nathan W. Anderson, Ohio Surveyor No. 8322 of Korda Nemeth Engineering, Inc., Columbus, Ohio, from an actual field survey completed in 2007. Basis of bearings is a north line of East Livingston Avenue, being North 69° 17'17" West, as shown Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA C-21 AT S.E. CORNER OF LIVINGSTON AVENUE AND FIRST ALLEY EAST OF SOUTH EIGHTEENTH STREET (797-799 LIVINGSTON AVENUE), COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

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

Being Lot Number Four (4) of Theo H. Butler's Amended Subdivision Plat Book 1, Page 297.

Beginning at the northwest corner of said Lot 4 at the intersection of the south line of Livingston Ave with the east line of the first alley east of Eighteenth Street, thence along said south line South 62° 59' 42" East a distance of 50.00 feet to the northeast corner of said lot;

Thence along the east line of said lot South 27° 08' 54" West distance of 150.00 feet to the north line of South Alley;

Thence along the north line of said South Alley, North 62° 59' 42" West a distance of 50.00 feet to the southwest corner of said lot also being in the easterly right of way line of Logan Alley;

Thence along said easterly right of way line, North 27° 08' 54" East a distance of 150.00 feet to the point of beginning containing 0.172 acres, more or less.

The above description was prepared by Nathan W. Anderson, Ohio Surveyor No. 8322, of Korda Nemeth Engineering, Inc., Columbus, Ohio, from record information and not an actual field survey. Basis of bearings is the south line of East Livingston Avenue, being North 62° 59' 42" West.

DESCRIPTION OF REZONING AREA C-22 AT S.E. CORNER OF SOUTH EIGHTEENTH STREET AND LIVINGSTON AVENUE (769-775 LIVINGSTON AVENUE), COLUMBUS, OHIO TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

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

Beginning in the south right-of-way of East Livingston Avenue and the east right-of-way of South Eighteenth Avenue:

Thence along the south right-of-way of East Livingston Avenue S 62° 39' 17" E a distance of 66.44 feet;

Thence S 26° 48' 33" W a distance of 90.00 feet;

Thence N 62° 39' 17" W a distance of **26.94** feet to the east right-of-way of South Eighteenth Street;

Thence N 3° 12' 02" E a distance of 99.00 feet to point of beginning, containing 0.11 acres, more or less.

The above description was prepared from record information and not an actual field survey. Basis of bearings is the south line of East Livingston Avenue, being South 62° 39' 17" East.

SUBAREA D

DESCRIPTION OF REZONING AREA D-1 AT
N.E. CORNER OF SOUTH EIGHTEENTH STREET & STONE AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers Fifteen (15) through Twenty-Four (24), inclusive, in Graessle's Subdivision, as shown of record in Plat Book 4, Page 48, Recorder's Office, Franklin County, Ohio, together with the alley (20 feet wide) between said Lots Nos. 16 and 17, as said alley was vacated by City Ordinance No. 1993-82, passed October 25, 1982, all bounded and described as follows:

Beginning at a point at the intersection of the east line of South Eighteenth Street (60 feet wide) with an angle point in the south limited access right-of-way line of Interstate Route 70 and at the northwest corner of said Lot No. 15;

thence S 87° 13' 07" E along a south limited access right-of-way line of Interstate Route 70 and along the north line of said Lot No. 15 a distance of 175.61 feet to a point at the intersection of the south limited access right-of-way line of Interstate Route 70 with the west line of an alley (30 feet wide) and at the northeast corner of said Lot No. 15;

thence S 2° 33' 20" W along the west line of said alley, along the east lines of said Lots Nos. 15 and 16, along the east end of said vacated alley and along the east lines of said Lots Nos. 17, 18, 19, 20, 21, 22, 23 and 24 a distance of 334.16 feet to a point at the intersection of the west line of said alley with the north line of Stone Avenue (45 feet wide) and at the southeast corner of said Lot No. 24;

thence N 86° 40' 53" W along the north line of Stone Avenue and along the south line of said Lot No. 24 a distance of 176.94 feet to a point at the intersection of the north line of Stone Avenue with the east line of South Eighteenth Street and at the southwest corner of said Lot No. 24;

thence N 2° 46' 53" E along the east line of South Eighteenth Street, along the west lines of said Lots Nos. 24, 23, 22, 21, 20, 19, 18 and 17, along the west end of said vacated alley and along the west lines of said Lots Nos. 16 and 15 a distance of 332.50 feet to the place of beginning;

containing 58,755 square feet (= 1.349 acres) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in

Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

DESCRIPTION OF REZONING AREA D-2 AT
N.E. CORNER OF SOUTH EIGHTEENTH STREET & NEWTON STREET
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being Lots Numbers One Hundred Seventy (170) through One Hundred Seventy-Eight (178), inclusive, in J.W. Andrews Park Addition, as shown of record in Plat Book 5, Pages 20 and 21, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point at the intersection of the east line of South Eighteenth Street (60 feet wide) with the south line of Stone Avenue (45 feet wide) and at the northwest corner of said Lot No. 170;

thence S 86° 40' 53" E along the south line of Stone Avenue and along the north line of said Lot No. 170 a distance of 172.00 feet to a point at the intersection of the south line of Stone Avenue with the west line of an alley (30 feet wide) and at the northeast corner of said Lot No. 170;

thence S 2° 39' 22" W along the west line of said alley and along the east lines of said Lots Nos. 170, 171, 172, 173, 174, 175, 176, 177 and 178 a distance of 315.00 feet to a point at the intersection of the west line of said alley with the north line of Newton Street (50 feet wide) and at the southeast corner of said Lot No. 178;

thence N 86° 41' 04" W along the north line of Newton Street and along the south line of said Lot No. 178 a distance of 172.95 feet to a point at the intersection of the north line of Newton Street with the east line of South Eighteenth Street and at the southwest corner of said Lot No. 178;

thence N 2° 49' 43" E along the east line of South Eighteenth Street and along the west lines of said Lots Nos. 178, 177, 176, 175, 174, 173, 172, 171 and 170 a distance of 315.00 feet to the place of beginning; containing 54,327 square feet (= 1.247 acres) of land more or less.

The above description was prepared by Ted L. Robinson,

Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

break3

DESCRIPTION OF REZONING AREA D-3 AT
N.E. CORNER OF SOUTH EIGHTEENTH STREET & EAST LIVINGSTON AVENUE
COLUMBUS, OHIO, TO BE REZONED BY NATIONWIDE CHILDREN'S HOSPITAL

Situated in the State of Ohio, County of Franklin, City of Columbus: Being all of Lots Numbers One Hundred Forty-Four (144) through One Hundred Forty-Eight (148), inclusive, and all of Lots Numbers One Hundred Seventy-Nine (179) through One Hundred Eighty-Seven (187), inclusive, in J.W. Andrews Park Addition, as shown of record in Plat Book 5, Pages 20 and 21, Recorder's Office, Franklin County, Ohio, together with a 0.080 acre tract of land formerly known as Will Alley (20 feet wide) south of said Lot No. 187, as said alley was conveyed by City Ordinance No. 1075-89 to Children's Hospital by deed of record in Official Record 14089, Page D 09, Recorder's Office, Franklin County, Ohio, all bounded and described as follows:

Beginning at a point at the intersection of the east line of South Eighteenth Street (60 feet wide) with the north line of East Livingston Avenue (63 feet wide) and at the southwest corner of said Lot No. 148;

thence N 2° 49' 43" E along the east line of South Eighteenth Street, along the west line of said Lot No. 148, along the west

end of said 0.080 acre tract and along the west lines of said Lots Nos. 187, 186, 185, 184, 183, 182, 181, 180 and 179 a distance of 452.00 feet to a point at the intersection of the east line of South Eighteenth Street with the south line of Newton Street (50 feet wide) and at the northwest corner of said Lot No. 179;

thence S 86° 41' 04" E along the south line of Newton Street and along the north line of said Lot No. 179 a distance of 173.09 feet to a point at the intersection of the south line of Newton Street with the west line of an alley (30 feet wide) and at the northeast corner of said Lot No. 179;

thence S 2° 38' 53" W along the west line of said alley, along the east lines of said Lots Nos. 179, 180, 181, 182, 183, 184, 185, 186 and 187, along the east end of said 0.080 acre tract and along an east line of said Lot No. 144 a distance of 430.01 feet to a point at the intersection of the west line of said alley with the south line of Will Alley (20 feet wide) and at a corner of said Lot No. 144;

thence S 86° 41' 04" E along the south line of Will Alley and along a north line of said Lot No. 144 a distance of 14.68 feet to a point at a northeast corner of said Lot No. 144 and at the northwest corner of Lot Number One Hundred Forty-Three (143) in said J.W. Andrews Park Addition;

thence S 2° 38' 53" W along an east line of said Lot No. 144 and along the west line of said Lot No. 143 a distance of 106.80 feet to a point in the north line of East Livingston Avenue, at the southeast corner of said Lot No. 144 and at the southwest corner of said Lot No. 143;

thence N 62° 39' 17" W along the north line of East Livingston Avenue and along the south lines of said Lots Nos. 144, 145, 146, 147 and 148 a distance of 208.22 feet to the place of beginning;

containing 86,900 square feet (= 1.995 acres) of land more or less.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in April, 2000, and not from an actual field survey. Basis of bearings is a north line of East Livingston Avenue, being N 69° 17' 17" W, as shown in Children's Hospital Urban Renewal Area Plat "A", of record in Plat Book 43, Page 17, Recorder's Office, Franklin County, Ohio.

To Rezone From: AR-1, Apartment Residential, R-2F, Residential, C-4, Commercial, and CPD, Commercial Planned Development Districts,

To: CPD, Commercial Planned Development District.

SECTION 2. That Height Districts of Thirty-five (35) feet, Sixty (6) feet, One Hundred Ten (110) feet and Two Hundred (200) feet are hereby established on respective subareas in the CPD, Commercial Planned Development District on this property per the plan titled, "**NCH CAMPUS ZONING**," **0** signed by **Daniel H. Schoedinger, Attorney for the Applicant, and dated October 15, 2008.**

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**NCH SCHEMATIC HEIGHT EXAMPLE**," "**NCH CAMPUS ZONING**," and "**NCH "D-L" BLDG LOCATOR**," all signed by Daniel H. Schoedinger, Attorney for the Applicant, all dated October 15, 2008; and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT**," signed by Daniel H. Schoedinger, Attorney for the Applicant, and dated November 13, 2008, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: Commercial Planned Development District

PROPERTY ADDRESS: 700 Children's Drive, Columbus, Ohio 43205

OWNERS: Nationwide Children's Hospital (fka The Children's Hospital), Nationwide Children's Hospital Foundation (fka The Children's Hospital Foundation), Research Institute at Nationwide Children's Hospital (fka Children's Research Institute and Children's Hospital Research Foundation), Childhood League, Inc., CHACC Office Condo Partnership, Mary C. Hart, KT Partners, PEDO-URO Realty Ltd, and Children's Orthopedic Medical Center, L.L.C.

APPLICANT: Nationwide Children's Hospital

DATE OF TEXT: November 13, 2008

APPLICATION NUMBER: Z08-037

I. **INTRODUCTION:** The property consists of four subareas which, together, contain a total of approximately 52.65 acres (the "Subject Property"). Subarea A consists of approximately 27.228 acres within the area bounded by Livingston Avenue, Parsons Avenue, Mooberry Street, South Eighteenth Street and Livingston Park. Subarea B consists of approximately 13.130 acres within the area bounded by Parsons Avenue, Livingston Avenue, Africentric High School and I-70. Subarea C consists of approximately 7.116 acres contained in various parcels located south of Livingston Avenue between Heyl Avenue and Parsons Avenue. Subarea D consists of a total of approximately 4.591 acres contained in various parcels located within the area bounded by Livingston Avenue, South Eighteenth Street, Mooberry Street and the north-south alley between South Eighteenth Street and Carpenter Street. The site plan entitled "NCH CAMPUS ZONING," signed by Daniel H. Schoedinger and dated October 15, 2008, is incorporated into this zoning for the purposes of schematically showing the Subareas, the parking and building setbacks and the height districts. Also filed with this application are drawings entitled "NCH 'D-L' Bldg Locator" and "NCH Schematic Height Example," both signed by Daniel H. Schoedinger and dated October 15, 2008, and both of which are filed only as examples of possible development on the Subject Property and are not binding upon the Applicant or the Subject Property.

All of the Subject Property, except approximately 2.715 acres of Subarea A, approximately 11.186 acres of Subarea B and approximately 0.406 acres of Subarea C, was rezoned to the Commercial Planned Development District in Case No. Z05-087 (Ordinance No. 0827-2006). This Application makes only the following four substantive changes to the zoning established in Case No. Z05-087:

Combines former Subarea A, the part of former Subarea B east of Parsons Avenue and the former rights of way of Children's Drive, Ann Street north of Livingston Avenue and Children's Drive West and removes recently dedicated right of way to create new Subarea A with the same permitted uses and substantially the same development standards as the former Subareas A and B.

Combines the part of former Subarea B west of Parsons Avenue with the remainder of the property bounded by Parsons Avenue, Livingston Avenue, Africentric School and I-70 to create new Subarea B with permitted uses and development standards.

Removes recently dedicated right of way and adds 0.406 acres to Subarea C along Livingston Avenue to fill in gaps in Subarea C.

Permits parking space on the Subject Property which are in excess of code required parking for the Subject Property to be counted as code-required parking for Applicant's property located at the intersection of South Eighteenth Street and Fulton Street and vice versa.

All other substantive terms and conditions of the zoning established by Case No. Z05-087 remain unchanged.

The requested zoning classification is consistent with existing city zoning in this area.

The subject real property falls within the jurisdiction of the Livingston Park Neighborhood Improvement Association, Council of South Side Organization and Southern Orchards Civic Association.

II. SECTION 3361.03(d) REPORT:

A. Natural environment: The Subject Property is essentially flat and contains no wetlands or streams. The only vegetation is street trees and landscaping which have been provided in connection with the existing development of the property. Storm water drainage for all of the property is provided by existing City storm sewers.

B. Existing land uses: The Subject Property is developed with a number of buildings and parking facilities used as Nationwide Children's Hospital, related medical research facilities and related medical offices and facilities. Subarea C also contains older houses which may be removed and redeveloped with uses permitted by this Text. Subarea B also contains an older strip shopping center and fast food restaurant which will be demolished and redeveloped with uses permitted by this Text. The Subject Property also contains a building used by Childhood League.

C. Transportation and circulation facilities: The Subject Property is located at an exit from I-70, which is located immediately north of the Subject Property across Mooberry Street. Livingston Avenue, an arterial street, runs through the Subject Property in an east-west direction. Parsons Avenue, another arterial street, runs north-south through the Subject Property. Various other local streets and alleys run through or adjacent to the Subject Property. All of the streets have sidewalks. Both Livingston Avenue and Parsons Avenue are on bus lines having bus stops at or near the Subject Property.

D. Visual form of the environment: Subarea A is now developed with a very high density, high rise urban complex, including a hospital, a heliport, a medical research facility, related doctors' offices, a medical education facility, large parking garages and surface parking. It is anticipated that that development pattern will continue in Subarea A and that the surface parking in Subarea A will, over time, be redeveloped with a high density, medium-to-high rise development similar to that now located in Subarea A. Subarea B is developed as described in II.B above. It is anticipated that Subarea B will be redeveloped with higher density, higher rise facilities related to the hospital and research uses in Subarea A, along with retail commercial uses. Subarea C is developed with surface parking facilities, the Center for Child and Family Advocacy, the new Ronald McDonald House, a parking garage, parking lots and a few older houses. Subarea D is developed with surface parking facilities and low rise, low density development of facilities related to the hospital/medical uses located in Subarea A, including the Childhood League facility. It is anticipated that, over time, Subareas C and D will be redeveloped with high density, medium rise facilities related to the hospital/medical uses located in Subarea A and parking.

E. View and visibility: Visibility at intersections is good for the urban environment in which the Subject Property is located and is compatible with the speed limits on the various streets in and surrounding the Subject Property. Visibility at intersections of driveways with public streets does not in all instances currently include, and is not in all instances anticipated to include, the 10 foot clear vision triangle. This Text permits the omission of the clear vision triangle at future driveways onto less traveled streets within or adjacent to the Subject Property, but only with the approval of the Division of Transportation.

F. Proposed development: It is anticipated that the Subject Property will be developed and redeveloped with a combination of the following: a hospital and related facilities; facilities for medical- and health-related uses; facilities oriented toward providing uses for the convenience or comfort of the staff and clientele of the foregoing uses; other office uses; and, in Subarea B, retail commercial facilities. Because the Subject Property is in a fully-developed urban location public infrastructure improvements are in place although some street and utility improvements will be needed in connection with the full development and redevelopment of the Subject Property. Many street and utility improvements have been made, and others are planned.

G. Behavior patterns: The principal use of the Subject Property is a hospital and related support uses. The Subject Property also includes a medical research facility, a medical office building, an outpatient surgery center and a medical education facility. The hospital operates 24-hours a day seven days a week, although the more intensive activity is during the daytime. The other activities operate primarily during normal business hours. Approximately 85% of the staff utilizes private vehicles for transportation to and from the Subject Property, while approximately 15% utilize public transportation. Most of the patients utilize private vehicles for transportation to and from the Subject Property, and it is assumed that some small percentage utilize public transportation.

H. Emissions: Light emitted from the Subject Property is currently and will be directed down by virtue of cut-off

(downlighting) fixtures, except that some pedestrian lighting, accent lighting and lighting for signs is not cut-off lighting. It is anticipated that the types and levels of light emissions from Subarea A will continue to be similar to the current light emissions existing in Subarea A. The types and levels of light emissions in Subarea B will be consistent with the light emissions existing in Subarea A. It is anticipated that, over time, the types and levels of light emissions in Subarea C and D will be consistent with the uses of high density, medium rise facilities related to the medical/hospital uses located in Subarea A. The principal sound emissions will be: the sound of motor vehicles being operated by both employees and visitors to the Subject Property; the sound of HVAC equipment; and the intermittent sounds of emergency helicopters and emergency vehicles. Types and levels of sound emissions from the Subject Property are anticipated to continue to be consistent with the current sound emissions existing on the Subject Property. There currently is, and it is anticipated that there will be, negligible dust (except such dust as is typically generated by demolition and construction projects in which all dust control measures required by law are employed) and odor emissions from the Subject Property.

III. PERMITTED USES:

- A. All uses permitted by Columbus City Codes Sections 3349.03, 3353.03, hotels, parking lots and garages and all other uses listed in the Columbus City Codes as being permitted in the I or C-2 zoning district.
- B. To the extent not otherwise permitted in III.A above, all uses permitted by Columbus City Codes Sections 3351.03, 3355.03 and 3356.03 and all other uses listed in the Columbus City Codes as being permitted in the C-1, C-3 or C-4 zoning district, subject to the following:
 - 1. The uses otherwise permitted in this sentence shall not be permitted in Subarea D;
 - 2. A "Ronald McDonald House" or similar facility for housing families of hospital patients shall be permitted in Subarea C; and
 - 3. Each use permitted by this sentence must be a medical- or health-related use or a use oriented primarily toward providing for the convenience or comfort of the staff or clientele of the uses permitted by III.A above, except that the limitation in this item 3 shall not apply to Subarea B.
- C. Uses listed in the Columbus City Codes as special or conditional uses in I, C-1, C-2, C-3 or C-4 zoning district are special or conditional uses for the Subject Property, except the special or conditional uses in C-1, C-3 and C-4 zoning district are not special or conditional uses for Subarea D.
- D. Each use which is accessory to a principle use, building or structure may be located off of the parcel(s) on which such principle use, building or structure is located.
- E. Billboards are prohibited.

IV. DEVELOPMENT STANDARDS:

- A. Development Standards for Subarea A.
 - 1. Density, Height, Lot and/or Setback commitments.
 - a. The height district shall be two hundred (200) foot height district, and the height of each part of each building may be increased above two hundred (200) feet by the distance in feet from that part to the public Street right of way line closest to that part.
 - b. The building setback shall be zero (0) feet along Mooberry Street, South Eighteenth Street and Parsons Avenue and ten (10) feet along Livingston Avenue.
 - c. The parking and maneuvering setback shall be zero (0) feet along Mooberry Street and South Eighteenth Street, ten (10) feet along Livingston Avenue and three (3) feet along Parsons Avenue.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries, except that buildings shall be set back a minimum of fifty-five(55) feet from Livingston Park.

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

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Division of Transportation.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

d. Maneuvering for loading spaces shall be permitted in the right-of-way of Mooberry Street.

e. Subject to the approval of the Division of Transportation, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3342.25, Columbus City Codes, are eliminated.

f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

g. Subject to the approval of the Division of Transportation, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3342.06, Columbus City Codes.

h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.

i. Subject to the approval of the Division of Transportation, the required minimum width of one way driveways shall be ten (10) feet.

j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. No internal parking lot landscaping shall be required.

b. Each loading space shall be screened only if it is located within two hundred (200) feet of a Street (each public right-of-way 35 feet or more in width) and is not substantially screened from that Street by buildings, landscape materials or a change in grade. If such screening is required for a loading space, then it shall be provided to a minimum of seven (7) feet in height and shall be designed to interrupt vision into such loading space from each Street located within two hundred (200) feet of that loading space.

4. Building design and/or Interior-Exterior treatment commitments. N/A

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

- a. All lighting shall be cut-off type fixtures (downlighting), except that pedestrian and accent lighting and lighting for signs are not required to be cut-off.
 - b. Light poles shall be no higher than forty (40) feet.
 - c. Each dumpster shall be screened only if it is located within 200 feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade.
6. Graphics and Signage commitments.
- a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
7. Variances. The foregoing development standards for Subarea A effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:
- a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five (25) feet to zero (0) feet, except that the variance for above-ground buildings shall be from twenty-five (25) feet to ten (10) feet along Livingston Avenue.
 - b. Variance from Section 3342.29 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
 - c. Variance from Section 3342.13 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
 - d. Variance from Section 3342.15 to permit maneuvering for loading spaces in the right-of-way of Mooberry Street.
 - e. Variance from Section 3342.25 to eliminate all required clear vision triangles, subject to the approval of the Division of Transportation.
 - f. Variance from Section 3342.19 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
 - g. Variance from Section 3342.06 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3342.06, subject to the approval of the Division of Transportation.
 - h. Variance from Section 3342.28 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.
 - i. Variance from Section 3342.08c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
 - j. Variance from Sections 3342.13, 3342.15 and 3342.19 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.
 - k. Variance from Section 3342.11(a) to eliminate the requirement for any interior parking lot landscaping.
 - l. Variance from Section 3342.09 to eliminate the requirement that a dumpster be screened from view on all sides for

each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

B. Development Standards for Subarea B.

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

a. The height district shall be two hundred (200) foot height district, subject to the limitation that, except as provided in the next-following sentence, the maximum heights for all buildings shall be one hundred fifty (150) feet. The height of each part of each building may be increased above one hundred fifty (150) feet by the distance in feet from that part to the public Street right of way line closest to that part.

b. The building setback shall be zero (0) feet along all Streets, except Livingston Avenue along which the building setback shall be ten (10) feet.

c. The parking and maneuvering setback shall be zero (0) feet along all Streets except Parsons Avenue and Livingston Avenue. The parking and maneuvering setback along Parsons Avenue shall be three (3) feet, and the parking and maneuvering setback along Livingston Avenue shall be ten (10) feet, provided that parking and maneuvering within parking garages may be located at the building setback.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries.

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

- a. All new curb cuts shall be designed to the specifications of the Division of Transportation.
- b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.
- c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.
- d. The text of this item is omitted, but the item letter is maintained to preserve cross-reference continuity.
- e. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.
- f. Subject to the approval of the Division of Transportation, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3342.06, Columbus City Codes.
- g. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.
- h. Subject to the approval of the Division of Transportation, the required minimum width of one way driveways shall be ten (10) feet.
- i. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item i is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.
- j. No parking structure designed to provide parking for uses on any part of the Subject Property east of Parsons Avenue will be located west of Parsons Avenue unless a pedestrian crosswalk, controlled intersection or other improvement for the passage of pedestrians across Parsons Avenue is approved by the Division of Transportation and installed.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

- a. No internal parking lot landscaping shall be required.
- b. Each loading space shall be screened only if it is located within two hundred (200) feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade. If such screening is required for a loading space, then it shall be provided to a minimum of seven (7) feet in height and shall be designed to interrupt vision into such loading space from each Street located within two hundred (200) feet of that loading space.

4. Building design and/or Interior-Exterior treatment commitments. N/A

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

- a. All lighting shall be cut-off type fixtures (downlighting), except that pedestrian and accent lighting and lighting for signs are not required to be cut-off.

- b. Light poles shall be no higher than forty (40) feet.
 - c. Each dumpster shall be screened only if it is located within 200 feet of a Street and is not substantially screened from that Street by buildings, landscape materials or a change in grade.
6. Graphics and Signage commitments.
- a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
7. Variances. The foregoing development standards for Subarea B effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:
- a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five (25) feet to zero (0) feet along all Streets except as follows: (i) any yard parallel and adjacent to Livingston Avenue shall be reduced from twenty-five (25) feet to ten (10) feet; and (ii) all surface parking and maneuvering areas shall be set back minimum of three (3) feet from Parsons Avenue.
 - b. Variance from Section 3342.29 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
 - c. Variance from Section 3342.13 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
 - d. The text of this item is omitted, but the item letter is maintained to preserve cross-reference continuity.
 - e. Variance from Section 3342.19 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
 - f. Variance from Section 3342.06 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3342.06, subject to the approval of the Division of Transportation.
 - g. Variance from Section 3342.28 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.
 - h. Variance from Section 3342.08c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
 - i. Variance from Sections 3342.13, 3342.15 and 3342.19 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.
 - j. Variance from Section 3342.11(a) to eliminate the requirement for any interior parking lot landscaping.
 - 1. Variance from Section 3342.09 to eliminate the requirement that a dumpster be screened from view on all sides for each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

C. Development Standards for Subarea C.

1. Density, Height, Lot and/or Setback commitments.
 - a. Building height
 - i. The height district for that portion of Subarea C located east of Wager Street shall be the sixty (60) foot height district.
 - ii. The height district for that portion of Subarea C located west of Wager Street shall be the one hundred ten (110) foot height district, subject to the limitations that (y) for all buildings in that portion of Subarea C except parking garages, the maximum height (measured as provided in Section 3303.08) shall be sixty-eight (68) feet, and (z) for parking garages in that portion of Subarea C, the maximum height (measured to the top of any wall or screening structure for the exposed top deck) shall be sixty-eight (68) feet, except as follows:
 - aa. The height to the top of the roof of stairwell enclosures for a parking garage may be seventy-eight (78) feet;
 - bb. In the fifty-five (55) feet immediately south of the right of way line of Livingston Avenue, the height to the top of the roof of any enclosed area for a parking garage may be one hundred (100) feet, and architectural ornamentation may extend up to a maximum height of one hundred ten (110) feet;
 - cc. The height of each part of each parking garage may be increased above sixty-eight (68) feet by the distance in feet from that part to the maximum building setback from the public Street right of way line closest to that part;
 - dd. Along the Denton Alley and Lisle Alley facades of each parking structure, architectural ornamentation may extend up to a height of eighty-two (82) feet; and
 - ee. The maximum height for any part of a building in Rezoning Area C-20 shall be eighty-two (82) feet.
 - b. From Parsons Avenue, the minimum building, parking and maneuvering setbacks shall be zero (0) feet and the maximum building, parking and maneuvering setbacks shall be fifteen (15) feet, except that within thirty-five (35) feet of Jackson Street the maximum building, parking and maneuvering setbacks shall be thirty (30) feet.
 - c. From that part of Jackson Street which is west of Wager Street, the minimum building, parking and maneuvering setback shall be ten (10) feet and the maximum building, parking and maneuvering setback shall be fifteen (15) feet, except that within thirty (30) feet of Parsons Avenue the maximum building, parking and maneuvering setback shall be thirty-five (35) feet.
 - d. From the west side of Wager Street, the minimum building, parking and maneuvering setback shall be zero (0) feet and the maximum building, parking and maneuvering setback shall be sixteen (16) feet.
 - e. From that part of the Livingston Avenue which is west of Wager Street, the minimum building, parking and maneuvering setback shall be twenty-five (25) feet and the maximum building, parking and maneuvering setback shall be thirty-five (35) feet, and those setbacks shall be measured from the Livingston Avenue right of way line existing on the date of this Text.
 - f. From all Streets and parts of Streets, other than Livingston Avenue west of Wager Street, Parsons Avenue, Jackson Street west of Wager Street and the west side of Wager Street, the minimum building setback shall be ten (10) feet.
 - g. The parking and maneuvering setback shall be ten (10) feet along Livingston Avenue east of Wager Street and three (3) feet along all Streets and parts of Streets other than Livingston Avenue, Parsons Avenue, Jackson Street west of Wager Street and the west side of Wager Street, provided that parking and maneuvering within parking garages may be located at the building setback.
 - h. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries.
2. Access, Loading, Parking and/or other Traffic related commitments.

- a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Division of Transportation.
- b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.
- c. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.
- d. Maneuvering for loading spaces shall be permitted in South Seventeenth Street.
- e. Subject to the approval of the Division of Transportation, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3342.25, Columbus City Codes, are eliminated.
- f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.
- g. Subject to the approval of the Division of Transportation, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3342.06, Columbus City Codes.
- h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.
- i. Subject to the approval of the Division of Transportation, the required minimum width of one way driveways shall be ten (10) feet.
- j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

- a. Internal parking lot landscaping for each parking lot may be located at the perimeter of that parking lot, except that internal parking lot landscaping for any parking lot located on Rezoning Area C-12 or C-13 of the Subject Property shall be installed as required by Section 3342.11, Columbus City Codes. No internal parking lot landscaping shall be required for parking located in or on any parking structure.
- b. Each loading space shall be screened to a minimum of seven (7) feet in height, with such screening being so designed as to interrupt vision into such loading space from adjacent Streets and adjacent private properties which are not part of the Subject Property.

4. Building design and/or Interior-Exterior treatment commitments. N/A

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

- a. All lighting shall be cut-off type fixtures (downlighting), except that pedestrian and accent lighting and lighting for

signs are not required to be cut-off.

b. Light poles shall be no higher than twenty-two (22) feet. For light poles which are ground mounted, that height shall be measured from the surrounding grade. For light poles which are mounted on a parking garage, that height shall be measured from the level of the floor to be lighted by the lights.

c. Search lights shall be prohibited.

6. Graphics and Signage commitments.

a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Miscellaneous commitments. The provisions of the Parsons Avenue Urban Commercial Overlay shall apply to the portion of Subarea C located west of Wager Street, except to the extent that conflicting provisions are set forth above in IV.C and except as follows:

a. For any parking garage, no main entrance door shall be required along the Parsons Avenue frontage.

b. Along Parsons Avenue, Jackson Street and Wager Street, except the portion of Wager Street that is within fifty-five (55) feet of Livingston Avenue, that part of a parking garage which is more than twenty (20) feet above grade shall not be required to comply with Section 3372.611B, and a parking garage shall not be required to comply with Section 3372.611B along Livingston Avenue or that part of Wager Street located within fifty-five (55) feet of Livingston Avenue.

c. For any parking garage, compliance with Sections 3372.611C and D shall not be required.

d. To the extent that a parking garage falls within the definition of parking lot, a parking garage shall not be required to comply with Section 3372.611I, but the parking spaces within the parking garage shall be screened, except at vehicle entrances and exits, from all abutting public Streets (aa) on the first level to the full height of the vehicles by one or a combination of a solid wall or an ornamental metal grill providing at least sixty (60) percent capacity when viewed head-on and (bb) on each other level by one or a combination of the following to a height of not less than forty-two (42) inches above floor level: solid wall; ornamental metal grill providing at least sixty (60) percent capacity when viewed head-on; louvered panel providing sixty (60) percent opacity when viewed head-on; and metal mesh panel providing at least sixty (60) percent opacity when viewed head-on.

8. Variances. The foregoing development standards for Subarea C effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

a. Variance from Section 3361.04B to increase the height district for that portion of Subarea C located west of Wager Street from thirty-five (35) feet to one hundred ten (110) feet, subject to the height limitations in IV.C.1.a.ii above.

b. Variance from Section 3372.609 to increase the maximum building setback from Parsons Avenue from ten (10) feet to fifteen (15) feet, except within thirty-five (35) feet of Jackson Street where the maximum building setback shall be increased from ten (10) feet to thirty (30) feet, and to reduce the minimum parking and maneuvering setback from Parsons Avenue from five (5) feet to zero (0) feet.

c. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to fifteen (15) feet along that part of Jackson Street which is west of Wager Street, except within thirty (30) feet of Parsons Avenue where the maximum building setback shall be increased from ten (10) feet to thirty-five (35) feet.

d. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to sixteen (16) feet along the west side of Wager Street, and to reduce the minimum parking and maneuvering setback from Wager Street from five (5) feet to zero (0) feet.

- e. Variance from Section 3372.609 to increase the maximum building setback from ten (10) feet to thirty-five (35) feet along Livingston Avenue west of Wager Street, and to measure all setbacks from Livingston Avenue from the right of way line of Livingston Avenue existing as of the date of this Text.
- f. Variance from Section 3361.04A to reduce the minimum front yard requirements from twenty-five (25) feet to ten (10) feet for that part of Subarea C extending east from the east side of Wager Street except as follows: (i) surface parking and maneuvering areas may extend up to seven (7) feet into the required front yards parallel and adjacent to all Streets except Livingston Avenue; and (ii) the minimum requirement for any front yard parallel and adjacent to a public right of way which is not a Street is reduced from twenty-five (25) feet to zero (0) feet.
- g. Variance from Section 3361.04A to reduce the minimum side and rear yard requirements from twenty-five (25) feet to zero (0) feet, except that the minimum requirement for any such side or rear yard which is parallel and adjacent to a Street shall only be reduced to the extent provided for front yards in IV.C.8.g above and shall not be reduced in any way which would reduce the minimum setbacks provided for in IV.C.1.b, c, d and e above.
- h. Variance from Section 3342.29 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
- i. Variance from 3342.13 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
- j. Variance from Section 3342.15 to permit maneuvering for loading spaces in South Seventeenth Street.
- k. Variance from Section 3342.25 to eliminate all required clear vision triangles, subject to the approval of the Division of Transportation.
- l. Variance from Section 3342.19 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
- m. Variance from Section 3342.06 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3342.06, subject to the approval of the Division of Transportation.
- n. Variance from Section 3342.28 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.
- o. Variance from Section 3342.08c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
- p. Variance from Sections 3342.13, 3342.15 and 3342.19 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.
- q. Variance from Section 3342.11(a) to permit internal parking lot landscaping for each parking lot to be located at the perimeter of that parking lot, except for any parking lot located in Rezoning Area C-12 or C-13 of the Subject Property.
- r. Variance from 3372.611A to eliminate the required main entrance door along the Parsons Avenue frontage for any parking garage.
- s. Variance from 3372.611B to eliminate the requirement that any portion of a parking garage building frontage more than twenty (20) feet above grade along Parsons Avenue, the west side of Wager Street and Jackson Street west of Wager

Street, except the portion of Wager Street that is within fifty-five (55) feet of Livingston Avenue, be required to include vertical piers or other vertical visual elements otherwise required by that Section, and to eliminate the requirement that any part of a parking garage building frontage along Livingston Avenue or that part of the west side of Wager Street located within fifty-five (55) feet of Livingston Avenue be required to include vertical piers or other vertical visual elements otherwise required by that Section.

t. Variance from Sections 3372.611C and D to eliminate the requirement that any parking garage located west of Wager Street include the windows otherwise required by those Sections.

u. Variance from Section 3371.611I to eliminate the requirement that any parking garage located west of Wager Street include screening otherwise required by that Section, subject to the requirement that any such parking garage must include the screening required by IV.C.7.b.iv above.

D. Development Standards for Subarea D.

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

a. The thirty-five (35) foot height district shall apply, subject to the limitation set forth in the next-following sentence. Any portion of any building or structure which is more than thirty-five (35) feet in height pursuant to Section 3309.142, Columbus City Codes, or any successor provision, must be located a distance from the right-of-way line of the Alley (as hereinafter defined) equal to the number of feet (and any fraction thereof) by which the height of that portion exceeds thirty-five (35) feet. "Alley" means the north-south alley between South Eighteenth Street and Carpenter Street.

b. The building setback shall be zero (0) feet along all Streets, except Livingston Avenue along which the building setback shall be ten (10) feet.

c. The parking and maneuvering setback shall be zero (0) feet along all Streets, except Livingston Avenue along which that setback shall be ten (10) feet, provided that parking and maneuvering within parking garages may be located at the building setback.

d. No setbacks from side or rear lot lines shall be required, and buildings and other structures shall be permitted to cross parcel boundaries.

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

a. All existing curb cuts being used for vehicular access to any part of the Subject Property on the date of this Text shall be permitted to remain, except that, promptly after the use of any such curb cut for such access is hereafter abandoned, that curb cut shall be removed. All new curb cuts shall be designed to the specifications of the Division of Transportation.

b. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

break5

- c. The required number of loading spaces for any use may be located off of the parcel(s) on which such use is located so long as such loading spaces are located on the Subject Property.
- d. Maneuvering for loading spaces shall be permitted in the rights-of-way of Stone Avenue and Newton Avenue.
- e. Subject to the approval of the Division of Transportation, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3342.25, Columbus City Codes, are eliminated.
- f. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.
- g. Subject to the approval of the Division of Transportation, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3342.06, Columbus City Codes.
- h. The number of off-street parking spaces required for each use referred to in IV.E below will be determined in accordance with IV.E below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of IV.E below.
- i. Subject to the approval of the Division of Transportation, the required minimum width of one way driveways shall be ten (10) feet.

j. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster is located. The intent of this item j is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

- a. Internal parking lot landscaping for each parking lot may be located at the perimeter of that parking lot. No internal parking lot landscaping shall be required for parking located in or on any parking structure.
- b. Each loading space shall be screened to a minimum of seven (7) feet in height, with such screening being so designed as to interrupt vision into such loading space from adjacent Streets and adjacent private properties which are not part of the Subject Property.

4. Building design and/or Interior-Exterior treatment commitments. N/A

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

- a. All lighting shall be cut-off type fixtures (downlighting), except that pedestrian and accent lighting and lighting for signs are not required to be cut-off.

b. Light poles shall be no higher than twenty-two (22) feet.

c. Search lights shall be prohibited.

6. Graphics and Signage commitments.

- a. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
7. Miscellaneous commitments. Except as otherwise provided in this IV.D., development on each parcel in Subarea D shall comply with all applicable provisions of the Columbus City Codes governing that parcel.
8. Variances. The foregoing development standards for Subarea D effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:
- a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements from twenty-five feet to zero (0) feet except that the minimum requirements for any front, side or rear yards parallel and adjacent to Livingston Avenue are reduced from twenty-five (25) feet to ten (10) feet.
 - b. Variance from Section 3342.29 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
 - c. Variance from Section 3342.13 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
 - d. Variance from Section 3342.15 to permit maneuvering for loading spaces in the rights-of-way of Stone Avenue and Newton Avenue.
 - e. Variance from Section 3342.25 to eliminate all required clear vision triangles, subject to the approval of the Division of Transportation.
 - f. Variance from Section 3342.19 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
 - g. Variance from Section 3342.06 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3342.06, subject to the approval of the Division of Transportation.
 - h. Variance from Section 3342.28 to permit the required number of off-street parking spaces to be the number determined in accordance with IV.E below and to permit the required off-street parking for each use to be located off of the parcel on which that use is located, subject to the provisions of IV.E.4 below.
 - i. Variance from Section 3342.08c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.
 - j. Variance from Sections 3342.13, 3342.15 and 3342.19 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not parcel(s) on which that parking space, loading space or dumpster is located.
 - k. Variance from Section 3342.11(a) to permit internal parking lot landscaping for each parking lot to be located at the perimeter of that parking lot.

E. **Parking Requirements.**

- 1. To the extent that the following uses are located on the Subject Property, the following shall be the parking requirements for those uses:
 - a. Hospital - 2.5 parking spaces per licensed hospital bed for which the hospital is then licensed. For the purpose of this

calculation, "hospital" shall include all uses and space typically included in a large, urban, in-patient hospital providing some services to outpatients infacilities regularly utilized for in-patients, including, without limitation, in-patient rooms, hospital pharmacy, clinical laboratory, physical therapy, radiology, in-patient surgery suites, respiratory therapy department, emergency department, G.I. laboratory, MRI unit, CT unit, dialysis unit, water supply, sleeping quarters for interns and residents, records department, chapel, gift shop, cafeteria, medical reference library, administrative offices, morgue, environmental services department, storage, maintenance shops and fueling station.

b. Outpatient/Day Surgery Clinic - one (1) parking space for each two hundredfifty (250) square feet of gross floor area.

c. Research Facility - one and three-quarters (1.75) parking spaces for each one thousand (1,000) square feet of gross floor area.

d. Meeting/Conference Facility - one (1) parking space for each fifty (50) square feet of gross floor area of meeting room area. Zero (0) parking spaces shall be required for lobby area, corridors, restrooms and other space ancillary to those meeting rooms.

e. Sleeping quarters (including, but not limited to, houses and apartments) which are not part of a hospital (as described in IV.E.1.a above) or part of a facility described in IV.E.1.f below, - one (1) parking space for every three (3) beds provided in such sleeping quarters.

f. Living quarters for use of families of patients - zero (0) parking spaces shall be required.

g. General mechanical rooms and facilities used for the generation of steam, hot water or chilled water or for electrical substation or transformer - zero (0) parking spaces shall be required.

h. Corridors and atria utilized as connections between buildings - zero (0) parking spaces shall be required.

i. Vacated space, regardless of the use for which the same shall have been constructed - zero (0) parking spaces shall be required.

2. For the purpose of determining satisfaction of the off-street parking requirements for the Subject Property, each Qualifying Space (as hereinafter defined) shall be deemed to be located on the Subject Property. Anything in the immediately preceding sentence or IV.E.4 below to the contrary notwithstanding, each Qualifying Space shall be counted toward the off-street parking requirements for only those uses specified by Nationwide Children's Hospital. As used herein: (a) "Qualifying Street" means (i) Mooberry Street between Parsons Avenue and South Eighteenth Street, and (ii) South Eighteenth Street between Mooberry Street and Livingston Avenue; (b) "Qualifying Areas" means those portions of the curb lanes of Qualifying Streets in which parking is permitted including, without limitation, designated loading zones and metered parking areas; and (c) "Qualifying Space" means each parking space located in Qualifying Area. For the purpose of determining the number of parking spaces in the Qualifying Areas: (A) in each Qualifying Area in which the parking spaces are designated by striping, parking meters or otherwise, the number of parking spaces will be the number of parking spaces so designated; (B) in each Qualifying Area consisting of a designated loading zone in which parking spaces are not designated, the number of parking spaces will be one (1) parking space for each twenty-five (25) feet of length of that loading zone; and (C) in each other Qualifying Area, the number of parking spaces will be one (1) parking space for each twenty-three (23) feet of length of that Qualifying Area.

3. For the purpose of determining the number of parking spaces available on the Subject Property during the construction of any improvement on any portion of the Subject Property, the number of parking spaces located on that portion immediately before the commencement of construction of that improvement shall not be deemed to have been removed from that portion of the Subject Property until completion of that improvement.

4. Subject to the limitation set forth in the next-following sentence, off-street parking spaces required for any use may be located off of the parcel(s) on which that use is located so long as such parking spaces are located on the Subject Property. Parking spaces required for any use may be located on a parcel or parcels not owned by the owner of the parcel(s) on which that use is located only if the owner(s) or lessee(s) of the parcel(s) on which such parking spaces are located consent(s) thereto.

5. Subject to the limitation set forth in the next-following sentence, at any time that Fulton Street Property (defined in IV.E.6 below) includes a provision substantially the same as IV.E.6 below with the Fulton Street Property and the Subject Property reversed, off-street parking spaces required for any use on the Subject Property may be located on the Fulton Street Property.

6. Off-street parking spaces located on the Subject Property shall be used solely for the uses located on the Subject Property and for the uses located on the real property that is, from time to time, subject to Ordinance No. 0986-2007 and any amendments to or replacements of that Ordinance (the "Fulton Street Property"). As a part of any zoning clearance for development (other than parking) on the Subject Property, the property owner shall establish that both of the following will be satisfied: (a) the number of off-street parking spaces required by this text for all of the uses on the Subject Property and (b) the number of off-street parking spaces required by Ordinance No. 0986-2007, as then amended or replaced, for the Fulton Street Property.

V. **ADDITIONAL PROPERTY/AMENDMENTS:**

A. Addition of Property. From time to time, one or more properties may be added to any Subarea or Subareas (although each property may be added to only one Subarea), with the effect described below, by rezoning only that additional property, regardless of whether that additional property is contiguous to the Subarea to which it is added and regardless of whether each property included in such a rezoning is contiguous to any other property included in the same application, provided that each rezoning of such additional property complies with the requirements of the next sentence. Any such rezoning must be to the CPD, Commercial Planned Development District, and must include a commercial planned development text (an "Addition Text") which (1) refers to this Text by case number, (2) states the Subarea to which each property so rezoned is added, (3) states that each property so rezoned is subject to the provisions of this Text affecting that Subarea in the same manner and to the same extent as if that property had been part of that Subarea and the Subject Property at the time of this rezoning, and (4) sets forth the permitted uses in and development standards for each Subarea to which property so rezoned is added. Any rezoning of additional property which satisfies the requirements of the preceding sentence shall be effective to make each additional property so rezoned part of the applicable Subarea and the Subject Property for all purposes of this Text, both those affecting that Subarea and those affecting other Subareas.

B. Amendment of Subarea Provisions. The provisions of this Text relating to one or more, but not all, of the Subareas may be amended, with the effect described below, by rezoning only that Subarea or those Subareas, provided that that rezoning complies with the requirements of the next sentence. Any such rezoning must be to the CPD, Commercial Planned Development District, and must include a commercial planned development text (an "Amending Text") which (1) refers to this Text, (2) sets forth the permitted uses in and development standards for the Subarea or Subareas for which such amendments are made, as such permitted uses or development standards are thereby amended, and (3) states that the applicable Subarea(s) remain part of the Subject Property under and for the purposes of this Text, as amended by that Amending Text, and are subject to the provisions of this Text affecting that Subarea, as amended by that Amending Text. Any such rezoning of one or more Subareas shall be effective to make the Subarea(s) so rezoned subject to this Text, as amended by the applicable Amending Text, without removing such Subarea(s) from the Subject Property under and for the purposes of this Text, as amended by that Amending Text, or in any way affecting the other provisions of this Text.

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

Legislation Number: 1831-2008

Drafting Date: 11/10/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: To authorize the Director of Finance and Management to enter into contract with IES Interactive Training for the purchase of hardware and software to upgrade the MILO Range System. The MILO Range System is a computer based training tool for law enforcement. MILO Range addresses the entire use of force training continuum in law enforcement, training the Division's officers to use posture, verbalization, soft hand skills, impact weapons, chemical spray, low-light, electronic weapons and lethal force in a scenario based classroom environment. The MILO Range System helps the officers keep pace and train on the latest technology using real world scenarios by featuring self authoring editing capabilities, thus keeping the training relevant, current, and stimulating to the trainee. This enables the Division to evaluate officers' suspect encountering skills and evaluate their decision making abilities. The upgrade will include the latest version of MILO (Range PRO) and new scenarios and graphic-based targeting skill builders.

Bid Information: The upgrade for the Division of Police's MILO Range System will add proprietary software to our existing training system and will add hardware that was previously unavailable at the time of our initial purchase in August 2005 (Ordinance 1235-2005). The Division of Police is requesting that the Finance and Management Director make this purchase in accordance with the sole source procurement of Columbus City Codes Chapter 329.

The contract with IES Interactive Training will cost \$6,500.00

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Contract Compliance No: 38-2690218 expires 11/11/2010

Emergency Designation: Emergency legislation is requested in order to expedite delivery and payment of the equipment by the end of the year and for quote on pricing to remain valid.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$6,500.00 from the Law Enforcement Seizure Fund for the purchase of an upgrade to the MILO Range System for the Police Division. There will be no impact on the financial status of the General Fund.

Title

To authorize the Director of Finance and Management to enter into contract for the upgrade of the MILO Range System with IES Interactive Training for the Division of Police in accordance with the Sole Source procurement provisions of Columbus City Codes; to authorize the expenditure of \$6,500.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$6,500.00)

Body

WHEREAS, the Division of Police needs to upgrade the current MILO Range system; and

WHEREAS, this purchase was budgeted in the Law Enforcement Drug Seizure Funds; and

WHEREAS, IES Interactive Training is the sole distributor for the Milo Range System; and

WHEREAS, it is in the best interest of the City to enter into this contract in accordance with provisions of Section 329-07c (Sole Source) of the Columbus City Codes, 1959; and

WHEREAS, emergency legislation is needed in order to expedite delivery of equipment prior to year-end and for quotation to remain valid; 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 the upgrade of the MILO Range System from IES Interactive Training 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 enter into contract with IES Interactive Training, for the upgrade of the MILO Range System for the Division of Police.

SECTION 2. That the expenditure of \$6,500.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:
DIV 30-03 | FUND 219 | SUBFUND 002 | OBJ LEVEL (1) 02 | OBJ LEVEL (3) 2224 | OCA 301838 | AMOUNT \$6,500.00 |

SECTION 3. That said contract shall be awarded in accordance with provisions of Section 329.07c (Sole Source) of the Columbus City Code, 1959.

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

Legislation Number: 1833-2008

Drafting Date: 11/10/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this ordinance is to authorize the Director of Finance and Management to enter into a purchase order with E.H. Wachs Company for three Transportable Vacuum Clean Out Systems (Gasoline Powered) for the Department of Public Utilities, Division of Power and Water. This purchase has been approved by the Fleet Management Division.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003096). Forty-five (45) vendors (1 FBE, 3 MBR, 41 MAJ) were solicited and Two (2) bids (2 MAJ) were received and opened on November 6, 2008. The lowest bid from E.H. Wachs Company is recommended for an award, in the amount of \$39,735.00, as the lowest, responsive and responsible bid received.

SUPPLIER: E.H. Wachs Company, CC# 361920320, expires 05/15/2009

FISCAL IMPACT: The Division of Power and Water allocated \$24,000.00 for the purchase of two units in the Water System Operating Fund in 2008. An additional unit is needed to replace a damaged unit from a traffic accident earlier this year. This additional unit was not budgeted in the Water System Operating Fund in 2008. \$15,735.00 in additional funds will be reprioritized to accommodate this expenditure without increasing the existing budget appropriation.

No similar expenditures in 2006 or 2007.

Title

To authorize the Director of Finance and Management to enter into a purchase order with E.H. Wachs Company for purchase of three Transportable Vacuum Clean Out Systems for the Division of Power and Water and to authorize the expenditure of \$39,735.00 from the Water System Operating Fund. (\$39,735.00)

Body

WHEREAS, the Purchasing Office opened formal bids on November 6, 2008 for three Transportable Vacuum Clean Out Systems for the Division of Power and Water, and

WHEREAS, the Division of Power and Water recommends an award to be made to the lowest, responsive and responsible

bidder E.H. Wachs Company, and

WHEREAS, a purchase order will be issued by the Department of Finance and Management, in accordance with the terms, conditions and specifications of Solicitation Number: SA003096 on file in the Purchasing Office; now, therefore

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

SECTION 1. That the Director of Finance and Management be and is hereby authorized to establish a purchase order with E.H. Wachs Company for three Transportable Vacuum Clean Out Systems for the Division of Power and Water, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$39,735.00, or so much thereof as may be needed, be and the same hereby is authorized from the Water System Operating Fund, Fund No. 600, OCA 602730, Object level 1: 06, Object Level 3: 6651.

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

Legislation Number: 1843-2008

Drafting Date: 11/11/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Police needs to purchase a portable live scan fingerprinting workstation for the Identification Section. This equipment will allow fingerprinting off-site for large events or in emergency situations. The workstation will be capable of scanning, capturing, storing, retrieving, printing and electronically transmitting fingerprint and palm print records to the Police Division's Identification System.

Bid Information: A formal bid, Solicitation No. SA003085 was opened on November 6, 2008. Bids were received from the following vendors:

Sagem Morpho, Inc. (MAJ) \$42,010.00 including 5 year maintenance plan

Identix Inc. (MAJ) \$45,719.00 including 5 year maintenance plan.

The five year pricing was requested so that the Division of Police would be able to award based on the total cost over the five years and to be able to budget accordingly for maintenance costs if needed after the initial purchase. Currently, there is sufficient funding in the Law Enforcement Drug Seizure Funds for the entire amount of this contract.

After review of the bids received, the Division of Police recommends acceptance of the bid submitted by Sagem Morpho, Inc., as the lowest, most responsive, responsible bidder meeting all specifications.

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 so the items may be purchased as soon as possible.

Contract Compliance Number: Sagem Morpho, Inc. 33-0154789, expires 08/15/2009

FISCAL IMPACT: This ordinance authorizes an expenditure of \$42,010.00 from the Law Enforcement Drug Seizure Funds for the purchase of a portable fingerprinting workstation.

Title

To authorize and direct the Finance and Management Director to issue a purchase order to Sagem Morpho, Inc. for the Division of Police to purchase a portable live scan fingerprinting workstation, to authorize the expenditure of \$42,010.00

from the Law Enforcement Drug Seizure Funds; and to declare an emergency. (\$42,010.00)

Body

WHEREAS, the Division of Police needs to purchase a portable live scan fingerprinting workstation for the Identification Section; and

WHEREAS, a formal bid, Solicitation 003085, for a Portable Live Scan Fingerprinting Workstation was received by the Purchasing Office on November 6, 2008; and

WHEREAS, Sagem Morpho, Inc. was the lowest, responsive, responsible and best bidder meeting all specifications; 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 purchase a portable live scan fingerprinting workstation for the Identification Section 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 issue a purchase order to Sagem Morpho, Inc. for the purchase of a portable live scan fingerprinting workstation for the Division of Police, Department of Public Safety.

SECTION 2. That the expenditure of \$42,010.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:
DIV 30-03 | FUND 219 | SUBFUND 016 | OBJ LEVEL (1) 06 | OBJ LEVEL (3) 6643 | OCA 300988

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: 1847-2008

Drafting Date: 11/11/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The City of Columbus has been awarded a Federal Fiscal Year 2008 Justice Assistance Grant (JAG) Award from the Bureau of Justice Assistance, Office of Justice Programs via the Franklin County Office of Homeland Security and Justice Programs. The JAG program provides funding to allow states and local governments to support a broad range of activities to prevent and control crime, and improve the criminal justice system. The City has been awarded \$100,000.00 under the purpose area of technology improvements for updates, maintenance, and service to the Division of Police Records Management System, Net RMS. The activities and expenditures are needed to make the system as efficient and effective as possible for both internal users and public access functions. The City must act as subgrantee to the Franklin County Office of Homeland Security and Justice Programs. Therefore, the Mayor is required to sign a subgrantee award on behalf of the City. The official City program contact authorized to act in connection with this grant is Technical Services Bureau Lt. Timothy Sansbury.

Emergency Designation: Emergency legislation is necessary to meet the grant acceptance deadline and to make the funds available to renew a contract that will expire soon.

FISCAL IMPACT: This ordinance authorizes acceptance of a \$100,000 grant from the Bureau of Justice Assistance via the Franklin County Office of Homeland Security and Justice Programs for technology improvements to the Records Management System of the Police Division. There is no fiscal impact for the City General Fund.

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the FY08 Justice Assistance Grant (JAG) program from the Bureau of Justice Assistance, Office of Justice Programs via the Franklin County Office of Homeland Security and Justice Programs; to authorize Lt. Timothy Sansbury as the official City representative to act in connection with the subgrant; to authorize an appropriation of \$100,000.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police, and to declare an emergency. (\$100,000.00)

Body

WHEREAS, the City of Columbus Division of Police has been awarded grant funding through the FY08 Justice Assistance Grant program for a technology improvement project for the Division of Police Records Management System, Net RMS; and

WHEREAS, Lt. Timothy Sansbury has been identified as the official City representative to act in connection with the FY08 Justice Assistance Grant and to provide information as required; and

WHEREAS, updates, maintenance, and service to the Division of Police Records Management System, Net RMS, will support a broad range of activities to prevent and control crime and improve the criminal justice system; and

WHEREAS, emergency legislation is needed to meet the grant acceptance deadline and to make grant funds available for a contract that will expire soon; and

WHEREAS, an emergency exists in the usual and daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to accept and appropriate the FY08 Justice Assistance Grant award for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

SECTION 1. That the Mayor of the City of Columbus be and is hereby authorized and directed to accept a FY08 Justice Assistance Grant for technology updates for the Columbus Division of Police.

SECTION 2. That Lt. Timothy Sansbury is designated as the official City program contact and authorized to act in connection with the FY08 Justice Assistance Grant and to provide information as 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 purpose during the project period the sum of \$100,000.00 is appropriated as follows:

DIV	FUND	OBJ LV 1	OBJ LV 3	OCACD	GRANT	AMOUNT
30-03	220 03	3372	338012	338012	\$100,000.00	

SECTION 4. That the monies 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.

Legislation Number: 1855-2008

Drafting Date: 11/12/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This legislation authorizes the Director of Public Utilities to enter into a service agreement for the Maintenance Manager Service for the Foxboro I/A System in accordance with Section 329.07 of the Columbus City Code. The Jackson Pike Wastewater Treatment Plant utilizes this control system to monitor and provide control functions to the critical digester control area of the treatment plant. The agreement covers the period of one year through August 31, 2009.

This is critical to the operations of the Jackson Pike facility, as all sludge brought into the plant is processed through the digester system and the Foxboro I/A System monitors that process. Invensys Process Systems, Inc. is the manufacturer of the system and software developer of the Foxboro I/A system utilized at the Jackson Pike Wastewater Treatment Plant and is the only entity offering the necessary equipment, service and software for this type of equipment. Therefore, the Division desires to enter into a service agreement for maintenance and support with Invensys Process Systems, Inc., in accordance with the provisions of Columbus City Code Section 329.07 (Sole Source). This is for embedded systems. Quote dated October 1, 2008 is attached to this record.

SUPPLIER: Invensys Systems, Inc. (04-1339430) Expires 9-27-09

FISCAL IMPACT: The amount needed for this agreement is \$29,575.00

Title

To authorize the Director of Public Utilities to enter into a service agreement with Invensys Process Systems Inc. for the Maintenance Manager Service Agreement for the Foxboro I/A System in accordance with the sole source provisions of the Columbus City Code; and to authorize the expenditure of \$29,575.00 from the Sewerage System Operating Fund. (\$29,575.00).

Body

WHEREAS, the Jackson Pike Wastewater Treatment Plant established a Maintenance Manager Service Agreement for the Foxboro I/A System, which is necessary for the continued operation of critical plant systems; and,

WHEREAS, the Division of Sewerage and Drainage uses this system to monitor and provide control of the digester control area of the Jackson Pike Wastewater Treatment Plant; and,

WHEREAS, Invensys Process Systems, Inc., is the manufacturer and software developer and is the sole provider of the services for this process control program; 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 contract with Invensys Systems, Inc. for the purchase of a Maintenance Manager Service Agreement for the Foxboro I/A System in accordance with the provisions of Section 329.07 of the Columbus City Code, for the Division of Sewerage and Drainage.

Section 2. That for the purposes stated in Section 1 hereof, the expenditure of the sum of \$29,575.00, or so much thereof

as may be needed, is hereby authorized and directed from Sewerage System Operating Fund, Fund No. 650, as follows to pay the cost thereof:

OCA: 605022
Object Level 1: 03
Object Level 3: 3372.

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

Legislation Number: 1859-2008

Drafting Date: 11/12/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Complete Clearing, Inc. for the Upground Reservoir Tree Removal Project in the amount of \$83,265.00; to transfer \$83,265.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to amend the 2008 Capital Improvements Budget.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened five bids on September 10, 2008. Bids were received from: Complete Clearing, Inc. - \$82,320.00; Beltwood Processing, Inc. dba Clear Cut Tree Co. - \$83,265.00; Vermilion Tree and Landscaping Services, Inc. - \$84,420.00; Stover and Turner Excavating, Inc. - \$89,250.00; and Homer Tree Service - \$123,900.00.

The low bid at opening was Complete Clearing, Inc. with an amount of \$82,320.00. A correction in the Extended Item Total Price for item number three was needed based on the estimated quantity of two trees instead of one, resulting in a corrected bid amount of \$83,265.00. Bid specifications state that the City will verify that the total price and the individual unit and/or lump sum prices correspond. If there is a discrepancy, the unit and/or lump sum shall govern. This correction made the first and second lowest bidders' total equal.

The bids have been reviewed for conformance with City requirements and Beltwood Processing, Inc. dba Clear Cut Tree Company, the apparent second lowest bidder, did not provide a valid contract compliance number, per Mandatory Factor, M-6 Contract Compliance, of the Qualifications and Resources Factors Proposed for This Project. It was confirmed with the Equal Business Opportunity Commission Office that this vendor is inactive, and that 60 days prior to expiration, they received e-mail notification advising them they needed to rectify their Contract Compliance status.

Therefore, Beltwood Processing, Inc. dba Clear Cut Tree Company has been deemed non-responsive based on the failure to provide a valid Contract Compliance Number and Complete Clearing is the lowest responsive and responsible bidder in the amount of \$83,265.00. Their Contract Compliance Number is 31-1442642 (expires 8/17/09, Majority). Additional information regarding all bidders, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

3. FISCAL IMPACT: This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available. An amendment to the 2008 CIB is also necessary.

Title

To authorize the Director of Public Utilities to execute a construction contract with Complete Clearing, Inc. for the Upground Reservoir Tree Removal Project; to authorize the appropriation and transfer of \$83,265.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; to authorize the expenditure of \$83,265.00 from the Water Works Enlargement Voted Bonds Fund; and to authorize an amendment to the 2008 Capital Improvements Budget; for the Division of Power and Water. (\$83,265.00)

Body

WHEREAS, five bidders for the Upground Reservoir Tree Removal Project were received and publicly opened in the offices of the Director of Public Utilities on September 10, 2008; and

WHEREAS, a correction in the extended item total price made the lowest bidder's amount equal to the second lowest bidder's amount; and

WHEREAS, the second lowest bidder did not provide a valid contract compliance number and thereby deemed non-responsive; and

WHEREAS, the lowest responsive and responsible bidder was Complete Clearing, Inc.; and

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project").

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract for the Upground Reservoir Tree Removal Project; to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds 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 from the unappropriated monies in the Water System Reserve Fund, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$83,265.00 is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

SECTION 2. That the City Auditor is hereby authorized and directed to transfer \$83,265.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 3 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

SECTION 3. That the appropriation and expenditure of \$83,265.00 is hereby authorized for the Upground Reservoir Tree Removal Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690370, Object Level Three 6621, OCA Code 642900.

SECTION 4. That the 2008 Capital Improvements Budget is hereby amended as follows:

Project No. | Project Name | Current Authority | Revised Authority | change

690370 | Upground Reservoir | \$273,000 | \$356,265 | +\$83,265

SECTION 5. That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 2 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 6. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Upground Reservoir Tree Removal Project with the lowest responsive and responsible bidder, Complete Clearing, Inc.; 510 Industrial Way, Marengo, Oh 43334; in the amount of \$83,265.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

SECTION 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 8. That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$83,265.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

SECTION 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1861-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the Director of the Department of Technology, on behalf of the Department of Development for Building Services and Neighborhood Services, to modify the annual maintenance service agreement in accordance with the terms and conditions established in the original agreement.

Currently, Accela, Inc. is the owner of the software programming code embedded within the software awarded in the original contract with Open Data Systems, Inc. (CT-17745). This contract modification will continue the provisions for services between the City of Columbus and Accela, Inc. for maintenance of the Accela, Inc. Citizen Access Module, the purpose of software and support maintenance services utilized by Building Services, Neighborhood Services, agencies within the Department of Development; which also supports daily operational functions that benefit various City departments, divisions and agencies such as but not limited to; the Department of Public Utilities and Transportation Division of the Public Service Department. These maintenance and support services include technical assistance, support, upgrades and telephone support services for the Accela Enterprise (AE) System application, used to issue building permits, track code enforcement activities and monitor the performance of the One Stop Shop. Without the passage of this legislation, the Department of Technology will lose the ability to maintain the AE application, eliminating the ability to provide web access for building permits, data and information utilized by citizens regarding issues such as building permits and inspections.

This ordinance authorizes payment for the annual maintenance and support associated with the Accela application Accela Citizen Access, for the period of the " Go Live Date " through March 31, 2009 (or up to a maximum of three (3) months).

FISCAL IMPACT:

During the fiscal year 2006, \$705,576.00 was expended for on-going maintenance, support services, upgrades, updates and related services. In fiscal year 2007, the Department legislated \$220,812.90 for related services with Accela, Inc. Earlier this year (2008), the Department of Technology legislated \$183,207.84 for related services with Accela, Inc. Currently, funding in the amount of \$6,903.00 is available in the Department of Technology's Budget, split among various agencies within the Department of Technology's Information Services Fund, for the period of the " Go Live Date " through March 31, 2009 (or up to a maximum of three (3) months).

EMERGENCY DESIGNATION:

Emergency designation is being requested to continue with services that are necessary to support daily operation activities.

CONTRACT COMPLIANCE:

Vendor Name: Accela, Inc.
04/09/2009

CC #: 94-2767678

Expiration Date:

Title

To authorize the Director of the Department of Technology to modify and extend a contract with Accela, Inc., on behalf of the Department of Development for Building Services and Neighborhood Services, for software and support maintenance services; and to authorize the expenditure of \$6,903.00 from the Department of Technology, Information Services Fund; and to declare an emergency. (\$6,903.00)

Body

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

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

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

WHEREAS, an emergency exists in the usual daily operation of The Department of Technology, in that there is an immediate need to modify an existing contract, with Accela, Inc. , for the extension and cost to maintain software and support maintenance services, associated with the Accela Citizen Access Software Module, to support daily operational 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 Director of the Department of Technology, on behalf of the Department of Development, for Building Services and Neighborhood Services, be and is hereby authorized to modify and extend a contract associated with purchase order EL001714 for the Accela Citizen Access software and support maintenance services provided by Accela, Inc.

SECTION 2: That the expenditure of \$6,903.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-01|**Fund:** 514|**Subfund:** 550|**OCA Code:** 514550|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|
Amount: \$483.21 Electricity

Div.: 47-01|**Fund:** 514|**Subfund:** 599|**OCA Code:** 514599|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|
Amount: \$138.06 Transportation

Div.: 47-01|**Fund:** 514|**Subfund:** 240|**OCA Code:** 514240|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|
Amount: \$4,003.74 Building Services

Div.: 47-01|**Fund:** 514|**Subfund:** 010|**OCA Code:** 440147|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|
Amount: \$2,277.99 Development

SECTION 3: That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1862-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Taylor Homes is a residential revitalization project containing a mix of new single-family homes and rehabilitated rental properties. The project has developed under the direction of Columbus Urban Growth Corporation (CUGC). Once completed there will be 24 renovated/new dwelling units. 22 will be market rate single family and 2 units will be rental. Two newly constructed homes are to be sold to owner-occupants and when transferred, will close out the new home construction side of the project. Since its inception in 2003, the Taylor Homes project has been successful in reaching its stated goals of improving the housing stock and increasing home ownership along the Taylor Avenue corridor. The Housing Trust for Columbus and Franklin County provided the construction loan to Columbus Urban Growth Corporation for these two homes however, with rising construction costs, they cost \$40,000 more to build. The Housing Trust has agreed to take title to these two homes if a subsidy of \$20,000 each is provided. With this subsidy the two buyers now renting the homes will qualify for a mortgage and successfully complete this project.

Fiscal Impact: \$40,000 is available in the 2008 Capital Improvements Budget under Fund 735 Northland and Other Acquisitions fund.

Emergency Justification: Emergency action is requested in order to close out CUGC's involvement before their operations cease and to transfer ownership as soon as possible to the interested home buyers.

Title

To authorize the Director of Development to enter into a contract with The Housing Trust for Columbus and Franklin County to subsidize the sale of two new homes on Taylor Avenue; to authorize the expenditure of \$40,000 from the

Northland and Other Acquisitions Fund; to waive the competitive bidding provisions of Columbus City Code; and to declare an emergency. (\$40,000)

Body

WHEREAS, Taylor Homes is a residential revitalization project containing a mix of new single-family homes and rehabilitated rental properties. The project has developed under the direction of Columbus Urban Growth Corporation (CUGC); and

WHEREAS, once completed there will be 24 renovated/new dwelling units. 22 will be market rate single family and 2 units will be rental. Two newly constructed homes are to be sold to owner-occupants and when transferred, will close out the new home construction side of the project; and

WHEREAS, since its inception in 2003, the Taylor Homes project has been successful in reaching its stated goals of improving the housing stock and increasing home ownership along the Taylor Avenue corridor; and

WHEREAS, the Housing Trust for Columbus and Franklin County provided the construction loan to Columbus Urban Growth Corporation for these two homes however, with rising construction costs, they cost \$40,000 more to build necessitating a subsidy of that amount to qualify the buyers; and

WHEREAS, The Housing Trust has agreed to take title to these two homes if a subsidy of \$20,000 each is provided; and

WHEREAS, with this subsidy, the two buyers now renting the homes will qualify for a mortgage and successfully complete this project; and

WHEREAS, \$40,000 is available in the 2008 Capital Improvements Budget under Fund 735 Northland and Other Acquisitions fund; and

WHEREAS, emergency action is requested in order to close out CUGC's involvement before their operations cease and to transfer ownership as soon as possible to the interested home buyers; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into contract with The Housing Trust for Columbus and Franklin County, all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE**,

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

Section 1. That the Director of Development is hereby authorized to enter into a contract with The Housing Trust for Columbus and Franklin County for \$40,000 to subsidize the sales of two remaining new single-family homes on Taylor Avenue.

Section 2. That for the purpose stated in Section 1, the expenditure of up to \$40,000 from the Development Department, Division No. 44-01, Fund No. 735 Northland and Other Acquisitions, Project No. 441737 Taylor Homes, OCA Code 441737, Object Level Three 6680 is hereby authorized and approved.

Section 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 4. That the formal consultant selection process provisions of Chapter 329 of the City Code be and hereby are waived.

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.

Legislation Number: 1863-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: It is necessary to appropriate \$152,638.00 from the unappropriated balance of the Agency Fund titled BCI Background Checks. Funds are available in this fund for the purpose of paying the State of Ohio, Bureau of Criminal Identification for fingerprint background check services. Services that BCI provides are outlined in Ohio Revised Code 109.572.

FISCAL IMPACT: The Division of Police collects \$22.00 for a state background check and \$24.00 for a federal background check, in addition to a \$10.00 fee that is charged to the applicant. This \$10.00 fee is deposited into the General Fund. The division uses the National WebCheck to process applicant's request for background checks. The Police Division must reimburse BCI for processing the background checks of potential city employees and residents who request a background check. Since receipts were not deposited into this fund until August of this year, corrections for revenues and expenditures will be needed. There is also a need for the Division of Police to enter into a contract with the State of Ohio, Bureau of Criminal Identification in the amount of \$152,638.00 in order to pay for these services.

Bid Information: N/A

Contract Compliance: N/A

Emergency Designation: Emergency legislation is requested in order to pay outstanding invoices that the Division has accumulated.

Title

To authorize an appropriation in the Agency Fund titled BCI Background Checks, to authorize the Director of Public Safety to enter into a contract with the State of Ohio, Bureau of Criminal Identification, for expenses related to background checks, to authorize the expenditure of \$152,638.00 from the Agency Fund, to authorize a revenue and expenditure correction in this fund and the General Fund; and to declare an emergency. (\$152,638.00)

Body

WHEREAS, the Division of Police, Department of Public Safety agreed to a Memorandum of Understanding with the State of Ohio, Bureau of Criminal Identification for criminal history record checks and related services; and

WHEREAS, the Division of Police has collected fees from the public for these services; and

WHEREAS, an appropriation of these funds is needed in order to pay the State of Ohio, BCI; and

WHEREAS, revenue and expenditure corrections are needed in the General Fund and the Agency Fund; 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 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 Agency Fund No. 332, Subfund No. 001, 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, 2008, the sum of \$152,638.00 is appropriated to the Division of Police, as follows:
| DIV 30-03 | OBJ Level (1) -03 | OBJ Level (3) -3407 | OCA 332100 | AMOUNT - \$152,638.00 |

SECTION 2. That the Director of Public Safety be and is hereby authorized and directed to enter into a contract with the State of Ohio, Bureau of Criminal Identification for the purpose of processing background check services.

SECTION 3. That the expenditure of \$152,638.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

| DIV 30-03 | FUND 332 | OCA 332100 | OBJ Level (1) -03 | OBJ Level (3) - 3407 |

SECTION 4. That the City Auditor is authorized and directed to make revenue and expenditure corrections in Agency Fund No. 332 and Fund No. 010.

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

Legislation Number: 1865-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation The City of Columbus protects its citizens from discriminatory practices through the enactment and enforcement of Chapter 2331 of the Columbus City Codes, 1959. The purpose of this legislation is to amend Chapter 2331 in order to include additional protected classes of individuals from discriminatory practices that are not currently covered. This ordinance will add the following six new protected classes: age, disability, sex, gender identity or expression, familial status and military status.

Title

To amend various sections of Chapter 2331 of the Columbus City Codes, 1959 in order to include additional protected classes of individuals from discriminatory practices that are not currently covered.

Body WHEREAS, the City discourages discriminatory practices that are harmful to Columbus residents; and

WHEREAS, the City Code should be updated periodically to reflect the needs of our growing, changing and diverse population; and

WHEREAS, protection from discriminatory practices will produce a better quality of life for all Columbus residents; and

WHEREAS, this amendment will provide protections to citizens that are not currently covered by the existing ordinance; now, therefore,

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

Section 1. That Sections 2331.01, 2331.02, 2331.03, 2331.04, 2331.05 and 2331.08 of the Columbus City Codes, 1959, shall be amended and shall read as follows:

Section 2. That existing Sections 2331.01, 2331.02, 2331.03, 2331.04, 2331.05, and 2331.08 are hereby repealed.

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

2331.01 Definitions.

(A) As used in Chapter 2331 of the Columbus City Codes:

(1) "Person" includes one (1) or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and other organized groups of persons. It also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesman, agent, employee, lending institution; and the city of Columbus, and all political subdivisions, authorities, agencies, boards and commissions thereof.

(2) "Employer" means any person who employs four (4) or more persons, within the city of Columbus, including the city of Columbus, its departments, boards, commissions, and authorities.

(3) "Employee" does not include any individual employed in the domestic service of any person.

(4) "Labor organization" includes any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or for other mutual aid or protection in relation to employment.

(5) "Employment agency" means any persons regularly undertaking with or without compensation, to procure opportunities for employment or to procure, recruit, refer, or place employees.

(6) "Discriminate and discrimination" includes segregate or separate and any difference in treatment based on race, sex, sexual orientation, color, religion, ancestry, national origin or place of birth.

(7) "Unlawful discriminatory practice" means any act prohibited by Title 23, Chapter 2331 of the Columbus City Codes.

(8) "Place of public accommodation" means any inn, restaurant, eating house, barbershop, public conveyance by air, land or water, theater, store, or other place for the sale of merchandise, or any other place of public accommodation or amusement where the accommodation, advantages, facilities, or privileges thereof are available to the public, or a private club which has more than two hundred (200) members, provides regular meal service and regularly receives payment for dues, fees, use of space, facilities, services, meals or beverages directly or indirectly from or on behalf of nonmembers for the furtherance of trade or business. "Place of public accommodation" does not mean a benevolent corporation incorporated as such or a religious corporation incorporated as such under the laws of Ohio.

(9) "Housing accommodations" includes any building or structure or portion thereof which is used or occupied or is intended, arranged, or designed to be used or occupied as a home residence or sleeping place of one or more individuals, groups or families, whether or not living independently of each other; and any vacant land offered for sale or lease. It also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesman, or agent, or by any other person pursuant to authorization of the owner, by the owner, or by such person's legal representative.

(10) "Restrictive covenant" means any specification in a deed, land contract or lease limiting the use of any housing because of race, sex, sexual orientation, color, religion, national origin, or ancestry, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, sex, sexual orientation, color, religion, national origin, or ancestry as a condition of affiliation or approval.

(11) "Burial lot" means any lot for the burial of deceased persons within any public burial ground or cemetery, including but not limited to, cemeteries owned and operated by the city of Columbus or companies or associations incorporated for cemetery purposes.

(12) "Sexual orientation" means a person's actual or perceived homosexuality; bisexuality; or heterosexuality, by orientation or practice, by and between consenting adults.

(13) "Racial profiling" means to stop, detain, investigate, search, seize or arrest an individual based on the racial or ethnic status of such individual except when based upon a physical description of a suspect in a criminal or traffic offense. The use of race or ethnicity as a factor for determining the existence of reasonable suspicion and/or probable cause in the absence of actual physical evidence or observations linking that individual to a crime constitutes a violation of Section 2331.07 of this chapter. (Ord. 2535-94; Ord. 1475 § 1 (part).)

(14) "Age" means at least forty (40) years old.

(15) "Disability" means a physical or mental impairment that substantially limits one or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; a record of a physical or mental impairment; or being regarded as having a physical or mental impairment.

(16)(a) "Except as provided in division (b) of this subsection, "physical or mental impairment" includes any of the following:

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of

the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine;

(ii) Any mental or psychological disorder, including, but not limited to, mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

(iii) Diseases, blood disorders and conditions, including, but not limited to, orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, sickle cell, human immunodeficiency virus infection, mental retardation, emotional illness, drug addiction, and alcoholism.

(b) "Physical or mental impairment" does not include any of the following:

(i) Pedophilia, exhibitionism, voyeurism, or other sexual behavior disorders;

(ii) Compulsive gambling, kleptomania, or pyromania;

(iii) Psychoactive substance use disorders resulting from current illegal use of a controlled substance.

(17) "Sex" means male or female. The terms "because of sex" and "on the basis of sex" include pregnancy, any illness arising out of and occurring during the course of a pregnancy, childbirth, or related medical conditions.

(18) "Gender identity or expression" means having or being perceived as having gender-related identity, appearance, expression, or behavior, whether or not that identity, appearance, expression, or behavior is different from that traditionally associated with the person's actual or perceived sex.

(19) "Familial status" means either of the following:

(i) One or more individuals who are under eighteen years of age and who are domiciled with a parent or guardian having legal custody of the individual or domiciled, with the written permission of the parent or guardian having legal custody, with a designee of the parent or guardian;

(ii) Any person who is pregnant or in the process of securing legal custody of any individual who is under eighteen years of age.

(iii) "Family" includes a single individual.

(20) "Military status" means a person's status in "service in the uniformed services" as defined in section 5923.05 of the Ohio Revised Code.

(21) "Service in the uniformed services" means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio organized militia pursuant to Chapter 5923. of the Revised Code. "Service in the uniformed services" includes also the period of time for which a person is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.

(22) "Uniformed services" means the armed forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.

2331.02 Fair housing.

(A) It shall be an unlawful discriminatory practice for any person to recklessly:

(1) Refuse to sell, transfer, assign, rent, lease, sublease, finance or otherwise deny or withhold housing accommodations from any person because of the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status of any prospective owner, occupant, or user of such housing accommodations;

(2) Represent to any person that housing accommodations are not available for inspection when in fact they are so available;

(3) Refuse to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations or otherwise withhold financing of housing accommodations from any person because of the race, sex, sexual orientation, gender identity or expression color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status of any present or prospective owner, occupant, or user of such housing accommodations, provided such person, whether an individual, corporation, or association of any type, lends money as one of the principal aspects of their business or incidental to their principal business and not only as apart of the purchase price of an owner occupied residence they are selling nor merely casually or occasionally to a relative or friend;

(4) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or,

subleasing any housing accommodations or in furnishing facilities, services, or privileges in connection with the ownership, occupancy or use of any housing accommodations because of the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status of any present or prospective owner, occupant, or user of such housing accommodations;

(5) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of any housing accommodations because of the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status of any present or prospective owner, occupant, or user of such housing accommodations;

(6) Print, publish, or circulate any statement or advertisement relating to the sale, transfer, assignment, rental, lease, sublease, or acquisition of any housing accommodations or the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations which indicates any preference, limitation, specification, or discrimination based upon the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status;

(7) Make any inquiry, elicit any information, make or keep any record, or use any form of application containing questions or entries concerning the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status in connection with the sale or lease of any housing accommodations or the loan of any money, whether or not secured by a mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of housing accommodations.

(8) Include in any deed, land contract, or lease of accommodations any covenant, honor or exercise, or attempt to honor or exercise, any covenant, that would prohibit, restrict, or limit the sale, transfer, assignment, rental, lease, sublease, or finance of housing accommodations to or for any person because of the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status of any prospective owner, occupant, or user of such housing accommodations provided that prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this provision;

(9) Induce or solicit, or attempt to induce or solicit, any housing accommodations listing, sale, or transaction by representing that a change has occurred or may occur in the block, neighborhood, or area in which the property is located, which change is related to the presence or anticipated presence of persons of any race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status.

(10) Induce or solicit or attempt to induce or solicit, any housing accommodations listing, sale, or transaction by representing that the presence or anticipated presence of persons of any race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status in the area will or may have results such as the following:

(a) The lowering of property values;

(b) An increase in criminal or antisocial behavior in the area; or

(c) A decline in the quality of schools serving the area;

(11) Discourage or attempt to discourage the purchase by prospective purchasers of any housing accommodations by representing that any block, neighborhood, or area has or might undergo a change with respect to the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, ~~or~~ national origin, age, disability, familial status or military status of the residents;

(12) Deny any person access to or membership or participation in any multiple listing service, real estate, brokers' organization, or other service, organization, or facility relating to the business of selling or renting housing accommodations, or to discriminate against them in the terms or conditions of such access, membership, or participation, on account of race, sex, sexual orientation, gender identity or expression, color, religion, national origin ~~or~~ ancestry, age, disability, familial status or military status.

(13) Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of their having exercised or enjoyed, or on account of their having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this section;

(14) Whether or not acting under color of law, by force or threat of force willfully injure, intimidate or interfere with, or attempt to injure, intimidate, or interfere with:

(a) Any person because of their race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status and because that person is or has been selling purchasing, renting, financing, occupying or contracting or negotiating for the sale, purchase, rental, financing, or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or

renting housing accommodations;

(b) Any person because that person is or has been, or in order to intimidate such person or any other person or any class of persons from:

(1) Participating, without discrimination on account of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status in any of the activities, services, organizations, or facilities described in division (A)(14)(a) of this section.

(2) Affording another person or class of persons opportunity or protection so to participate; or

(c) Discouraging any person from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status in any of the activities, services, organizations, or facilities described in division (A)(14)(a) of this section, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate;

(15) Refuse to sell, transfer, assign, rent or lease, sublease, finance or otherwise deny or withhold a burial lot from any person because of the race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status of any prospective owner or user of such lot; or

(16) For any person to discriminate in any manner against any other person because that person has opposed any unlawful practice defined in Title 23, Chapter 2331 of the Columbus City Codes, or because that person has made a charge, testified, assisted, or participated in any manner, in any investigation, proceeding, or hearing under the provisions of Title 23, Chapter 2331 of the Columbus City Codes.

(B) Nothing in this section shall bar any religious or denominational institution or organization, or any charitable or educational organization, which is operated, supervised, or controlled by or in connection with a religious organization, from giving preference to persons of the same religion or denomination, or from making such selection as is calculated by such organization to promote the religious principles or the aims or purposes for which it is established or maintained.

(C) Nothing in this section shall bar any person from refusing to rent, lease, or sublease any room, suite of rooms, or apartment to any person because of sex if such room, suite of rooms, or apartment is located in a building in which the only toilet and bathroom facilities provided for such room, suite of rooms, or apartment are for the common use of all occupants.

(D) Whoever violates this section is guilty of a misdemeanor of the first degree. (Ord. 2535-94.)

2331.03 Unlawful employment practices.

(A) It shall be an unlawful discriminatory practice, except where based upon applicable national security regulations established by the United States:

(1) For any employer, because of the race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status to refuse to hire that person or otherwise to discriminate against that person with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment;

(2) For any employer, employment agency, or labor organization to establish, announce or follow a policy of denying or limiting, the employment or membership opportunities of any person or group of persons because of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status.

(3) For any employer, labor organization, or joint labor-management committee controlling apprentice training programs to discriminate against any person because of that person's race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status in admission to employment in any program established to provide apprentice training;

(4) For any employer, employment agency, or labor organization to publish or circulate, or to cause to be published or circulated, any notice or advertisement relating to employment or membership which indicates any preference, limitation, specifications or discrimination based upon race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status;

(5) For any person seeking employment to publish or to cause to be published any advertisement which specifies or in any manner indicates that person's race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status or expresses a limitation or preference as to the race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status of any prospective employer;

(6) For any employment agency to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against any person because of race, sex, sexual orientation, gender identity or expression, color, religion,

national origin, ~~or~~ ancestry, age, disability, familial status or military status;

(7) For any employer, employment agency, or labor organization to utilize in the recruitment or hiring of persons, any employment agency, placement service, labor organization, training school or center, or any other employee-referring source, known to discriminate against persons because of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status;

(8) For any labor organization to discriminate against any person or limit that person's employment opportunities, or otherwise adversely affect that person's status as an employee, or that person's wages, hours, or employment conditions, because of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status;

(9) For an employment agency, to comply with, accommodate, or otherwise assist with locating an employee related to, a request from an employer for referral of applicants for employment if the request indicates, directly or indirectly, that the employer fails, or may fail, to comply with Title 23, Chapter 2331, of the Columbus City Codes;

(10) For any labor organization to limit or classify its membership on the basis of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status;

(11) For any employer, employment agency or labor organization to:

(a) Elicit or attempt to elicit any information concerning the race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status of an applicant for employment or membership;

(b) Use any form of application for employment or personnel or membership blank seeking to elicit information regarding race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status but an employer holding a contract containing a non-discrimination clause with the government of the United States or any department or agency thereof, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain such proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes.

(12) For any employer, employment agency or labor organization to discriminate against any person because that person has opposed any practice forbidden by Title 23, Chapter 2331, of the Columbus City Codes, or because that person has made a complaint or testified or assisted in any manner in any investigation or proceeding under Title 23, Chapter 2331, of the Columbus City Codes.

(13) For any person, whether or not an employer, employment agency or labor organization, to aid, incite, compel, coerce, or participate in the doing of any act declared to be unlawful discriminatory practice by Title 23, Chapter 2331, of the Columbus City Codes, or to obstruct or prevent any person from enforcing or complying with the provisions of this chapter, or to attempt directly or indirectly to commit any act declared by this chapter, to be an unlawful discriminatory practice.

(B) Whoever violates this section is guilty of unlawful employment practices, a misdemeanor of the first degree.

(C) Recklessness is intended to be imposed as the culpable mental state for a violation of this section. (Ord. 2535-94.)

2331.04 Unlawful public accommodations.

It shall be an unlawful discriminatory practice:

(A) For any proprietor or his employee, keeper, or manager of a place of public accommodation to deny to any person except for reasons applicable alike to all persons regardless of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status the full enjoyment of the accommodations, advantages, facilities, or privileges thereof;

(B) For any proprietor or his employee, keeper, or manager of a place of public accommodation to publish, circulate, issue, display, post or mail, either directly or indirectly, any printed or written communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities, goods, products, services and privileges of any such place shall be refused, withheld or denied to any person on account of race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status or that such person is unwelcome, objectionable, or not acceptable, desired or solicited;

(C) For any person, whether or not included in divisions (A) and (B) in this section, to aid, incite, compel, coerce, or participate in the doing of any act declared to be an unlawful discriminatory practice under this section;

(D) Whoever violates this section is guilty of unlawful public accommodations, a misdemeanor of the first degree; or

(E) Recklessness is intended to be imposed as the culpable mental state for a violation of this section. (Ord. 2535-94.)

2331.05 Complaint procedure.(A) Whenever it is charged in writing, by a person or aggrieved organization, hereinafter referred to as "complainant," that any person, employer, employment agency, and labor organization, hereinafter referred to as the "respondent," has engaged in or is engaging in any unlawful discriminatory practices as defined in Title

(B) Whoever fails to comply with a subpoena issued by the community relations commission as provided in this section is guilty of a minor misdemeanor. (Ord. 2535-94.)

2331.06 Severability.

Title 23, Chapter 2331, of the Columbus City Codes, and each division of said section thereunder, are hereby declared to be independent divisions and sub-divisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of said divisions, or the application thereof to any person or circumstance is held to be invalid, the remaining divisions or sub-divisions and the application of such provision to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such divisions and sub-divisions would have been passed independently of such division or sub-division so known to be invalid. (Ord. 2535-94.)

2331.07 Interfering with civil rights.

(A) No public servant, under color of his office, employment, or authority, shall knowingly deprive, or attempt to deprive any person of a constitutional or statutory right or any other protections against discriminatory conduct created by an ordinance of the city of Columbus.

(B) Whoever violates this section is guilty of interfering with civil rights, a misdemeanor of the first degree. (Ord. 2535-94 ; Ord. 1475 § 1 (part).)

2331.08 Ethnic intimidation.

(A) No person shall violate Sections 2303.13, 2303.22, 2307.06, 2309.06, 2309.07, 2311.21, 2313.02, 2313.03, 2313.04, 2317.03, 2317.11, 2317.12, 2323.30, or 2329.01, of the Columbus City Codes, by reason of or where one of the motives, reasons or purposes for the commission of the offense is the victim's race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status.

(B) In a prosecution under this section the offenders motive, reason or purpose for the commission of the offense may be shown by the offenders temporarily related conduct or statements before, during or after the offense, including ethnic, sexual orientation, religious or racial slurs, and by the totality of the facts, circumstances and conduct surrounding the commission of the offense.

(C) Whoever violates this section is guilty of ethnic intimidation, a misdemeanor of the first degree. If the underlying offense which is a necessary element of ethnic intimidation is itself a misdemeanor of the first degree, then upon conviction under this section, the court shall impose a mandatory minimum sentence of at least ten (10) days imprisonment. If the offender has previously been convicted under either this section or Section 2927.12, Ohio Revised Code and the underlying offense is a first degree misdemeanor or the offense resulted in physical harm to any person, then upon conviction under this section the court shall impose a mandatory minimum sentence of at least ninety (90) days imprisonment.

(D) This section does not apply if the facts alleged in the complaint would constitute a felony under Section 2927.12, Ohio Revised Code.

(E) The bias crimes unit of the division of police shall keep and maintain records of reported violations of this section and reported incidents the motive of which is the victim's race, sex, sexual orientation, gender identity or expression, color, religion, national origin, ~~or~~ ancestry, age, disability, familial status or military status. ~~or~~. (Ord. 2535-94.)

2331.09 Access and/or disclosure of financial information.

(A) No employee of the city of Columbus or a law enforcement officer assigned to the Columbus division of police, shall purposely request or receive financial information from a financial institution without the consent of the account holder, a search warrant, subpoena, or other process specifically authorized by federal, state or local law. Employees of the city of Columbus and law enforcement officers assigned to the division of police will maintain a record of such transactions with financial institutions.

(B) No employee of a financial institution shall purposely disclose financial information to an employee of the city of Columbus or a law enforcement officer assigned to the Columbus division of police unless pursuant to the consent of the account holder, search warrant, subpoena, or other process specifically authorized by federal, state or local law.

(C) As used in this section:

(1) "Financial information" means charges, deposits, withdrawals or balances of an account of any person or business entity in a bank, savings and loan or credit union.

(2) "Financial institution" means a bank, savings and loan, or credit union.

(D) This section does not apply when:

(1) The financial institution or their account holder is, or may be, the victim of a crime or theft offense and the disclosure of financial information is necessary to investigate that crime or theft offense.

(2) The request or release of financial information concerning the existence of an amount of the lien on any property which has been impounded and/or which is subject to state or federal forfeiture laws.

(E) Whoever violates this section is guilty of prohibited access and/or disclosure of financial information, a misdemeanor of the first degree. (Ord. 2535-94.)

Legislation Number: 1867-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes payment of prisoner medical bills to The Ohio State University Hospitals for the Division of Police. The Division of Police is responsible for medical care provided to prisoners in police custody (i.e. before being taken to the Franklin County Jail). The Division of Police works with the City Attorney's office to determine if individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices.

Contract Compliance: 31-1340739 - NPO

Emergency Designation: Emergency legislation is requested for this ordinance in order to pay outstanding prisoner medical bills.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$26,805.00 from the General Fund for payment of prisoner medical bills to The Ohio State University. The Division of Police budgeted \$375,000.00 in the 2008 General Fund Budget for medical services for prisoners. Thus far in 2008, \$250,264.00 has been encumbered or expended for these medical claims. The Division spent \$465,360.00 for prisoner medical bills in 2007.

Title

To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to The Ohio State University Hospitals for the Division of Police, to authorize the expenditure of \$26,805.00 from the General Fund; and to declare an emergency. (\$26,805.00)

Body

WHEREAS, the individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices; and

WHEREAS, pursuant to the City Attorney's office and the Division of Police findings, the Division is responsible for the medical bills; 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 for payment of medical services to The Ohio State University Hospitals 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 Director of Public Safety be and is hereby authorized and directed to pay The Ohio State University Hospitals for prisoner medical bills.

SECTION 2. That the expenditure of \$26,805.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

<u>DIV</u>	<u>FUND</u>	<u>OBJ LEV (1)</u>	<u>OBJ LEV (3)</u>	<u>OCA#</u>
30-03	010	03	3413	301382

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 enforced 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: 1870-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes an expenditure of \$61,274.07 for the Division of Police to pay prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital. The Division of Police is responsible for medical care provided to prisoners in police custody (i.e. before being taken to the Franklin County Jail). The Division of Police works with the City Attorney's office to determine if individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices.

Contract Compliance: 31-4394942 - NPO

Emergency Designation: Emergency legislation is requested for this ordinance in order to pay outstanding prisoner medical bills.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$61,274.07 from the General Fund for payment of prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital. The Division of Police budgeted \$375,000.00 in the 2008 General Fund budget for medical services for prisoners. Thus far in 2008, \$250,264.00 has been encumbered or expended for these medical claims. The Division spent \$465,360.00 for prisoner medical bills in 2007.

Title

To authorize and direct the Director of Public Safety to authorize payment of prisoner medical bills to Ohio Health Corporation, dba Riverside Methodist Hospital, for the Division of Police, to authorize the expenditure of \$61,274.07 from the General Fund; and to declare an emergency. (\$61,274.07)

Body

WHEREAS, the individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices; and

WHEREAS, pursuant to the City Attorney's office and the Division of Police findings, the Division is responsible for the medical bills; 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 for payment of medical invoices to Ohio Health Corporation d.b.a. Riverside Methodist Hospital 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 Director of Public Safety be and is hereby authorized and directed to pay Ohio Health Corporation d.b.a. Riverside Methodist Hospital for prisoner medical bills.

SECTION 2. That the expenditure of \$61,274.07, or so much thereof as may be needed, be and the same is hereby authorized as follows:

<u>DIV</u>	<u>FUND</u>	<u>OBJ LEV (1)</u>	<u>OBJ LEV (3)</u>	<u>OCA#</u>
30-03	010	03	3413	301382

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 enforced 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: 1875-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Police Crime Lab needs to purchase a 3130 Genetic Analyzer for the Police Crime Laboratory. The 3130 is a multi-capillary system (versus the 310 which is a single capillary system) capable of analyzing four samples at the same time. This equipment will cut down on analysis time.

Bid Information: The Division of Police, Crime Lab purchased a 310 Genetic Analyzer in 2005, (Ord. 1674-2005). The Division of Police will receive a trade-in credit of \$15,000.00 for this equipment. The total purchase price including the trade-in will be \$70,923.00. (The trade-in equipment has been advertised via the Purchasing Office and there were no interested parties.) Applied Biosystems is the only source of the automated capillary electrophoresis genetic analyzer system validated for human identification. The Division of Police is requesting the Finance and Management Director award a purchase order in accordance with the sole source procurement of Columbus City Codes Chapter 329.

Contract Compliance No.: Applera Corporation/Applied Biosystems, 06-1534213, expires 03/31/2010

Emergency Designation: Emergency legislation is requested because this equipment is to be used to provide quicker DNA information for court cases.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$70,923.00 from the General Government Grant fund for the purchase of a 3130 Genetic Analyzer for the Police Crime Lab. There is no impact on the General Fund since the purchase is funded by the 2007 DNA Backlog Reduction Grant funds.

Title

To authorize and direct the Finance and Management Director to issue a purchase order for the purchase of a Genetic Analyzer from Applied Biosystems for the Division of Police Crime Lab in accordance with sole source procurement, to authorize the expenditure of \$70,923.00 from the General Government Grant Fund, and to declare an emergency. (\$70,923.00)

Body

WHEREAS, the Division of Police Crime Laboratory needs to purchase a 3130 Genetic Analyzer to help reduce the backlog of DNA analysis; and

WHEREAS, this purchase was budgeted in the General Government Grant Fund; and

WHEREAS, it is in the best interest of the City to issue a purchase order in accordance with provisions of Section 329.07c (Sole Source) of the Columbus City Codes, 1959; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to issue a purchase order for the purchase of a 3130 Genetic Analyzer for the Police Crime Laboratory because this equipment is to be used to provide quicker DNA information for court cases for the immediate preservation of the public health, peace, property, safety and welfare, now therefore

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to issue a purchase order to Applied Biosystems for the purchase of a 3130 Genetic Analyzer for the Division of Police, Department of Public Safety.

SECTION 2. That said purchase order shall be awarded in accordance with the provisions of Section 329.07c (Sole Source) of the Columbus City Code, 1959.

SECTION 3. That the expenditure of \$70,923.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:
DIV 30-03 | FUND 220 | OBJ LEVEL (1) 06 | OBJ LEVEL (3) 6697 | OCA 337039 | AMOUNT \$70,923.00 |

SECTION 4. 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.

Legislation Number: 1876-2008

Drafting Date: 11/13/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Columbus Fire Chief to accept a grant award of \$5,000.00 from Toys "R" Us for the purchase of smoke detectors for the Fire Division smoke detector distribution program. This ordinance also appropriates \$5,000.00 in the Special Revenue fund for this purpose. This grant will permit the purchase of smoke detectors for the Division of Fire distribution program.

FISCAL IMPACT: This ordinance appropriates \$5,000.00 in the Special Revenue fund for the purchase of smoke detectors for distribution by Columbus Firefighters. There is no required city match for this grant. Therefore, there is no cost to the General Fund for the acquisition of the smoke detectors.

EMERGENCY LEGISLATION: The Fire Division needs a replacement stock of smoke detectors. This is an emergency ordinance that will allow the timely purchase of smoke detectors.

Title

To authorize the Columbus Fire Chief to accept a grant award from Toys "R" Us, Inc. for the purchase of smoke detectors

for the Fire Division distribution program, to appropriate \$5,000.00 from the unappropriated balance of the Special Revenue Private Grants Fund; and to declare an emergency. (\$5,000.00)

Body

WHEREAS, the Columbus Division of Fire received a grant award from Toys "R" Us, Inc. for the purchase of smoke detectors for the Fire Division distribution program, and

WHEREAS, it is in the best interest of the City of Columbus for the Fire Chief to accept this grant, and

WHEREAS, it is necessary to appropriate the funds from this grant in order to purchase the smoke detectors, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is immediately necessary to authorize and direct the grant acceptance and appropriation of funds to enable the timely purchase of smoke detectors 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 Columbus Fire Chief be and he is hereby authorized and directed to accept a grant award in the amount of \$5,000.00 from Toys "R" Us, Inc. for the purchase of smoke detectors for the distribution program.

SECTION 2. That from the unappropriated monies in the Special Revenue Private Grants Fund, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$5,000.00 is appropriated to the Division of Fire as follows:

Division 30-04, Fund 291, Object Level 1, 2249, OCA 348022, Grant # 348022, Amount \$5,000.00.

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

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

Legislation Number: 1878-2008

Drafting Date: 11/14/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

The Department of Public Service, Division of Transportation, requires purchase of the following traffic signal equipment to replace existing equipment and for installation of new signals throughout the City in order to perform its mission of promoting the safe and efficient movement of all users of the transportation system.

- Item #1 8" yellow signal heads
- Item #2 12" yellow signal heads
- Item #4 12" yellow 5-section head
- Item #17 12" yellow arrow insert
- Item #18 12" green arrow insert
- Item #19 Single wire entrance

Total Cost: \$198,250

These commodities are available for purchase through an existing citywide universal term contracts (UTC) with Path Master, Inc., CC#341233777 Expires: 3/28/10.

This ordinance authorizes the purchases per the contract to meet the Division of Transportation's anticipated needs for these products for the remainder of 2008 and part of 2009 in the amount of \$198,250.00.

2. FISCAL IMPACT

Funds for these expenditures are budgeted and available due to cancellation of encumbrances from completed projects within the Streets and Highways G.O. Bonds Fund.

TitleTo authorize the Director of Finance & Management to establish purchase orders from an existing universal term contract for the purchase of traffic signal equipment; to authorize the expenditure of \$198,250.00 or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund. (\$198,250.00)

BodyWHEREAS, the Division of Transportation requires traffic signal equipment to perform its mission of promoting pedestrian safety and traffic control; and

WHEREAS, this equipment can be purchased through an existing citywide universal term contract established by the Purchasing Office for this purpose; and

WHEREAS, this ordinance authorizes the purchase of the Division of Transportation's anticipated needs for these commodities for the remainder of 2008 and part of 2009; and

WHEREAS, this ordinance authorizes the expenditure of up to \$198,250.00 for these traffic commodities; now, therefore,

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

Section 1. That the Finance and Management Director be and hereby is authorized to establish purchase orders per the terms and conditions of an existing citywide contract for the purchase traffic signal equipment through an existing universal term contract established by the Purchasing Office for this purpose on behalf of the Division of Transportation as follows:

Path Master (total \$198,250.00)
#FL 004105 / expires 7/31/10
Project 540007

- Item #1 8" yellow signal heads 200 each at \$270.00 = \$54,000
- Item #2 12" yellow signal heads 300 each at \$320.00 = \$96,000
- Item #4 12" yellow 5-section head 35 each at \$570.00 = \$19,950
- Item #17 12" yellow arrow insert 100 each at \$52.00 = \$5,200
- Item #18 12" green arrow insert 100 each at \$51.00 = \$5,100
- Item #19 Single wire entrance 600 each at \$30.00 = \$18,000

Section 2. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended due to cancellations as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
530052-100000 / Morse Road Investment (Carryover) / \$5,000,000.00 (Carryover) / \$120,281.00 (Carryover) / \$5,120,281.00 (Carryover)
540007-100000 / Traffic Signal Installations (Carryover) / \$318,574.00 (Carryover) / \$53,870.00 (Carryover) / \$372,444.00 (Carryover)

Section 3. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is

amended to provide funding for this project as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount

530052-100000 / Morse Road Investment (Carryover) / \$5,120,281.00 (Carryover) / (\$120,281.00) (Carryover) / \$5,000,000.00 (Carryover)

530086-100000 / Intersection Improvements (Carryover) / \$3,289,078.00 (Carryover) / (21,272.00) (Carryover) / \$3,267,806.00 (Carryover)

540007-100000 / Traffic Signal Installations (Carryover) / \$372,444.00 (Carryover) / \$141,552.00 (Carryover) / \$513,996.00 (Carryover)

Section 4. That the transfer of monies within the Streets and Highways GO Bonds Fund, Fund 704 be authorized as follows:

TRANSFER FROM:

Fund / Project # / Project / Object Level One/Object Level Three Codes / OCA Code

704 / 530052 / Morse Road Investment / 06/6600 / 644385 / \$120,280.13

704 / 530086 / Intersection Improvements / 06/6600 / 644385 / \$21,271.41

TRANSFER TO

Fund / Project # / Project / Object Level One/Object Level Three Codes / OCA Code

704 / 540007 / Traffic Signal Installations / 06 / 6600 / 644385 / \$141,551.54

Section 5. That the expenditure of \$198,250.00 or so much thereof as may be necessary be and hereby is authorized to be expended from Fund 704, the Streets and Highways G.O. Bonds Fund, Department No. 59-09, Division of Transportation, O.L. 01/03 Codes, 06/6621, OCA Code 644385, project 540007, signal installation to pay the cost thereof.

Section 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1882-2008

Drafting Date: 11/14/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND:

This modification is necessary to extend the contract duration to allow this contract work to proceed concurrently with the development of ODOT's I-70/71 plans; to incorporate recommendations from the streetcars project; to produce the Bicentennial Bikeways Plan; and incorporate impacts from downtown development efforts.

The Division of Transportation initially entered into this agreement with the Mid-Ohio Regional Planning Commission (MORPC) on March 4, 2004, to undertake a downtown traffic circulation study. This study has been modified to continue examination of the downtown street network in conjunction with the I-70/71 reconstruction project and recent downtown developments, as well as to produce the Bicentennial Bikeways Plan.

2. FISCAL IMPACT:

The contract modification authorized by this legislation will not increase or decrease the amount of this contract.

TitleTo authorize the Director of Public Service to execute a contract modification with the Mid-Ohio Regional Planning Commission for purposes of extending the term of the Downtown Columbus Circulation Study contract to ensure the

continuation of services that are necessary to address downtown traffic concerns associated with the impacts of the continuing I-70/71 ODOT Improvements Project, for the Division of Transportation. (\$0.00)

Body **WHEREAS**, the Division of Transportation, Department of Public Service has entered into an agreement with the Mid-Ohio Regional Planning Commission (MORPC) to conduct the Downtown Columbus Circulation Study; and

WHEREAS, Ordinance No. 2026-2003 passed by City Council on March 28, 2005, authorized the Director of Public Service to execute a contract agreement necessary for this purpose; and

WHEREAS, Ordinance No. 1492-2004 extended the time to complete the study; and

WHEREAS, Ordinance No. 0408-2005 modified the Downtown Columbus Circulation Study for additional tasks and extended the time to complete the study; and

WHEREAS, Ordinance No. 0722-2005 extended the time to complete the study; and

WHEREAS, Ordinance No. 0821-2006 modified the Downtown Columbus Circulation Study for additional tasks and extended the time to complete the study; and

WHEREAS, Ordinance No. 1988-2007 modified the Downtown Columbus Circulation Study for additional tasks and extended the time to complete the study; and

WHEREAS, Division of Transportation engineering personnel have determined that it is necessary to amend the subject agreement to extend the term of the contract so as to ensure the continuation of professional services necessary to address downtown Columbus traffic concerns associated with the continued planning and design of the I70/I71 Improvements Project for the Ohio Department of Transportation; 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 Service is hereby authorized to execute a modification to the Downtown Columbus Circulation Study Contract with the Mid-Ohio Regional Planning Commission, 111 Liberty St., Ste. 100, Columbus OH 43215 to extend the term of the contract.

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

Legislation Number: 1884-2008

Drafting Date: 11/14/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance authorizes the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities to establish a Purchase Order for the acquisition of computer staff augmentation services associated with the a Universal Term Contract established through the competitive bid process by the Purchasing Office, with the vendor Sophisticated Systems, Inc. (UTC - FL003113, BPCMP91E) which expires 12/31/2008. Note: the City's Purchasing Office is currently in the process of getting UTC FL003113 modified and extended for nine (9) months through and including September 30, 2009.

The computer staff augmentation services that will be provided by this purchase order are for upgrades/replacements of desktop computers, computer related products and equipment that have become outdated and/or obsolete, the creation of reports needed with the upgrade of the water/sewer billing system (WASIMS), upgrade of WASIMS and the migration of Electricity customers into that system, and enhancements to the set of applications known as "Sewer Web", which are used

to manage overtime callouts and payroll in compliance with union contracts.

Sophisticated Systems, Inc. will be providing computer staff augmentation services via the UTC contract with the City of Columbus.

EMERGENCY:

Emergency action is requested to ensure that the needed services are not delayed; and to insure uninterrupted staff augmentation and consulting service from the vendor to meet the Department of Public Utilities critical schedule.

FISCAL IMPACT:

Funds for this service have been identified within the Department of Public Utilities Enterprise Fund 2008 budget to cover the cost. Prior to this ordinance, the department has had a total of \$220,000.00 in purchase orders with Sophisticated Systems, Inc. for similar staff augmentation projects. This ordinance will bring the 2008 year to date accumulative total to \$355,200.00.

CONTRACT COMPLIANCE NUMBERS:

Vendor: Sophisticated Systems Inc.
11/18/2010

CC #/F.I.D. # 31-1303163

Expiration Date:

Title

To authorize the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities to establish a Purchase Order with Sophisticated Systems, Inc. for the acquisition of computer staff augmentation services associated with the pre-existing Universal Term Contract; to authorize the expenditure of \$135,200.00 from the Department of Public Utilities Enterprise Fund; and to declare an emergency. (\$135,200.00)

Body

WHEREAS, this legislation authorizes the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities, to establish a purchase order for computer staff augmentation services to provide for upgrades/replacements of existing desktop computers and creations of reports needed with the upgrade of the water/sewer billing system (WASIMS); upgrade of WASIMS and the migration of Electricity customers into that system; and enhancements to the set of applications known as "Sewer Web", and

WHEREAS, the upgrade will allow for the Payroll and Fiscal sections within the Department of Public Utilities to continue compliance with union contracts; provide for assessment and development of financial and management reports; business needs analysis and documentation; and software programming, with all of these activities being performed under the management and oversight of the Department of Technology, and

WHEREAS, this purchase will be accomplished by modifying and extending for (9) nine months through September 30, 2009 a pre-existing Universal Term Contract (UTC) with Sophisticated Systems, Inc. - FL003113 - which expires 12/31/2008 (and is contingent upon the City's Purchasing Office getting a modification ordinance passed to extend the term of this UTC), and

WHEREAS, this legislation will provide authorization to expend funds that allow for the continuation of computer staff augmentation and consulting services; which allow the aforementioned upgrade projects to remain on schedule, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, on behalf of the Department of Public Utilities, in that it is necessary for the Director of the Department of Finance and Management to establish a purchase order with Sophisticated Systems, Inc. for computer staff augmentation services associated with computer upgrades and enhancement to existing projects, for the preservation of the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1: That the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities, through a pre-existing Universal Term Contract (UTC) establish a purchase order for staff augmentation with Sophisticated Systems, Inc. - FL003113 - which expires 12/31/2008 (and is contingent upon the passage of the City's Purchasing Office modification ordinance to extend the term of this UTC through September 30, 2009).

SECTION 2: That the expenditure of \$135,200.00 or so much thereof as may be necessary is hereby authorized to be expended from:

<u>Dept./Div.:</u>	<u>Fund</u>	<u>OCA Code:</u>	<u>Amount:</u>	<u>Obj. Level 1:03</u>	<u>Obj. Level 3: 3336</u>
60-07	550	600023	\$2,704		
60-09	600	600049	\$48,672		
60-05	650	600056	\$48,672		
60-15	675	600065	<u>\$35,152</u>		
		Total	\$135,200		

SECTION 3: That the City Auditor is authorized to make any changes to revise the funding source for any contract or contracts modifications associated with this ordinance.

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

Legislation Number: 1886-2008

Drafting Date: 11/14/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to modify the professional engineering services agreement with Stantec Consulting Services, Inc. (formerly R.D. Zande and Associates, Inc.), for the Southerly Wastewater Treatment Plant Digester Rehabilitation project. The Stantec Consulting Services, Inc. modification amount requested under this ordinance is \$972,976.00. The contract total including this modification is \$9,615,470.25. The proposed contract modification provides additional funding for technical project representation, field project representation, and construction management services now needed during construction. It is not deemed either feasible or reasonable to suspend work with the entity currently under contract and undertake continuation of these services with another procurement. The cost of the modification is a continuation of the vendor's current pricing structure, as verified by City staff. The Division has determined that these services cannot be performed by City personnel at this time, and has planned for the procurement of these services on a routine basis.

B. **Contract Compliance No.:** 112167170/001 (MAJ) (Expires 01/07/2010)

C. **Emergency Designation:** Emergency designation is not requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the transfer of funds from within the Sanitary Sewer Revenue Bonds Fund for this expenditure.

The 2008 Capital Improvements Budget is amended for this expenditure upon passage of this ordinance.

Title

To authorize the Director of Public Utilities to execute a contract modification to the professional engineering services agreement with Stantec Consulting Services, Inc., for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; to authorize the transfer and expenditure of \$972,976.00 from within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$972,976.00).

Body

WHEREAS, Contract No. EL900074 was authorized by Ordinance No. 2853-98 as passed by Columbus City Council on November 16, 1998, for purposes of authorizing the Director of Public Utilities to enter into a contract for professional engineering services with R. D. Zande & Associates, Inc., now acquired by Stantec Consulting Services, Inc., and so referred to hereafter, for the Southerly Wastewater Treatment Plant Digester Rehabilitation project; and

WHEREAS, it is necessary to modify the subject contract in order to provide funding for additional construction-phase engineering, start-up, and commissioning assistance services now needed during the project's construction of Contract S66; and

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

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer Revenue Bonds Fund; 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 services agreement with Stantec Consulting Services, Inc., for the Southerly Wastewater Treatment Plant Digester Rehabilitation project at the earliest practical 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 modify Contract No. EL900074 with Stantec Consulting Services, Inc., 1500 Lake Shore Drive, Columbus, Ohio 43204, for professional engineering services for the Southerly Wastewater Treatment Plant Digester Rehabilitation project, in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer \$972,976.00 within the Sanitary Sewer Revenue Bonds Fund | Fund 665 | OBJLVL3: 6678 | Division of Sewerage and Drainage | Div. 60-05:

FROM:

Proj. No. | Proj. Name | OCA | Amount

650350 | Wastewater Treatment Plants Rehabilitation | 665350 | \$800,574.00

650364 | SWWTP Headworks, Part 2 | 665364 | \$146,131.00

650367 | SWWTP Primary and Aeration | 665367 | \$26,271.00

TO:

Proj. No. | Proj. Name | OCA | Amount

650353 | SWWTP Digester Rehabilitation | 665353 | \$972,976.00

Section 3. That the 2008 Capital Improvements Budget Ordinance No.0690-2008 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

<u>Project No.</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>(Change)</u>
650350	Wastewater Treatment Plants Rehabilitation	\$1,300,574	\$500,000	(-\$800,574)
650364	SWWTP Headworks, Part 2	\$19,483,488	\$19,337,357	(-\$146,131)
650367	SWWTP Primary and Aeration	\$31,125,416	\$31,099,145	(-\$26,271)
650353	SWWTP Digester Rehabilitation	\$2,000,577	\$2,973,553	(+\$972,976.00)

Section 4. 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, by and the same is hereby authorized as follows: Division 60-05 | Fund 665 | SWWTP Digester Rehabilitation | Project No. 650353 | OBJLVL3: 6678 | OCA Code 665353 | Amount \$972,976.00.

Section 5. 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 are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

Section 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 8. That the said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

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

Legislation Number: 1887-2008

Drafting Date: 11/14/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND:

This legislation authorizes the Auditor's Office to accept name and Federal Identification number changes of Tier Technologies, Inc., and the assignment of all their present and future contracts with the City of Columbus to Cogsdale, Inc. These actions are a result of acquisition by Cogsdale, Inc. of Tier Technologies: System License Agreement, Performance Series 2.0 Implementation Services Contract, WebProcure Subscription Agreement, Extended Warranty and Support Services Agreement ("Contracts") to Cogsdale Holdings, Ltd. ("Cogsdale") on December 1, 2008. The Department currently has several agreements with Tier Technologies, Inc. Cogsdale, Inc. will continue to provide the required services in accordance with the existing contract terms and provisions.

Fiscal Impact

This legislation will not alter the balances of any of the existing contracts covered by this assignment.

Emergency Justification

The Auditor's Office is requesting City Council to declare this ordinance an emergency measure in order to allow the existing contracts to be assigned to Cogsdale, Inc. vendor Federal Employee Identification Number 98-0602340, which is

necessary for the subject services to continue without interruption, and to allow financial transactions to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

Title

To authorize and direct the City Auditor to modify present and future contracts with Tier Technologies, Inc. to reflect a name and Federal Identification Number change to Cogsdale, Inc. as a result of their acquisition , and to authorize the assignment of all existing obligations to the City of Columbus by Tier Technologies, Inc., to Cogsdale, Inc. and to declare an emergency. (\$0.00)

Body

WHEREAS, the City Auditor, has entered into multiple contracts with Tier Technologies, Inc. in connection with numerous agreements; and

WHEREAS, it is necessary to alter existing Tier Technologies, Inc. contracts to reflect a name to Cogsdale, Inc. and Federal Identification Number change to 98-0602340, as a result of their acquisition effective December 1, 2008; and

WHEREAS, Cogsdale, Inc. has informed the City Auditor of its intentions to fulfill the contractual obligations of Tier Technologies Inc.; and

WHEREAS, an emergency exists in the usual daily operation of the City Auditor that it is immediately required for this Council to authorize the City Auditor to assign the aforementioned contractual obligations of Tier Technologies, Inc. to Cogsdale, Inc.; so as to avoid any interruption in the performance of services that are necessary to ensure the continued operation of the City Auditor ; for the preservation of the public health, peace, safety, and welfare; **now, therefore,**

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

Section 1. That the City Auditor is hereby authorized and directed to modify present and future contracts to reflect the change of company names and Federal Identification Numbers from Tier Technologies, Inc. to Cogsdale, Inc.

Section 2. That the City Auditor is hereby authorized to assign Cogsdale, Inc. all existing contractual obligations between the City of Columbus and Tier Technologies, Inc. Including System License Agreement, Performance Series 2.0 Implementation Services Contract, WebProcure Subscription Agreement, Extended Warranty and Support Services Agreement("Contracts") in accordance with Cogsdale, Inc. acquisition of Tier Technologies, Inc. product line mentioned previously.

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: 1888-2008

Drafting Date: 11/14/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance authorizes the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities, to establish a Purchase Order for the acquisition of professional and

related services associated with a Universal Term Contract established through the competitive bid process by the Purchasing Office, with the vendor Echo 24 Inc. for voice/data wiring service; (UTC- FL002553, BPCMP30CA) which expires 12/31/2008. The Purchasing Office is in the process of extending the renewal option for one more additional year through 12/31/2009, therefore allowing this purchase order to be covered under the extended term period.

The Department of Technology's Metronet provides data connectivity that supports various business functions and allows all city agencies and departments to communicate. Currently, the Department of Technology has a need to provide fiber optic connectivity for the Department of Public Utilities, DPU/Electricity at Indianola to the Piedmont facility where increased bandwidth can be attained. However, these services needed through the approval of this ordinance consist of services associated with the installation of fiber optic cabling. These services will consist of connecting two facilities with fiber optic cabling to allow the business continuity of the Electricity Division and provide for future expansion of City business through the Citywide Connectivity initiative.

Echo 24 Inc. will be providing fiber optic cabling services via the Network Services UTC contract with the City of Columbus.

EMERGENCY: Emergency action is requested to ensure that the needed services are not delayed; thus reducing the risk of potential outage and or interruption in services associated with the necessary services requested.

FISCAL IMPACT: Funds for this service have been identified within the Department of Technology's Information Services Fund 2008 budget to cover the cost which will be shared 50/50 between the Department of Technology and the Department of Public Utilities. Prior to this ordinance, the Department of Technology on behalf of other agencies for years 2006, 2007 and 2008 had established purchase orders with Echo 24 Inc. totaling \$119,730.00, \$51,291.00, and \$66,097.00 respectively, for cable wiring and fiber repair projects. This ordinance will bring the 2008 year to date accumulative total to \$157,743.00.

CONTRACT COMPLIANCE NUMBERS:

Vendor Name: Echo 24 Inc.
11/18/2010

CC#/F.I.D.# 31-1753698

Expiration Date:

Title

To authorize the Director of the Department of Finance and Management, for the Department of Technology and on behalf of the Department of Public Utilities to establish a Purchase Order with Echo 24 Inc. for the acquisition of professional and related services associated with the Network Infrastructure Indianola fiber project; to authorize the expenditure of \$91,646.00 from the Information Services Fund; and to declare an emergency. (\$91,646.00)

Body

WHEREAS, the Department of Technology's Metronet provides data connectivity that allows all city agencies and departments to communicate and support other business functions; and

WHEREAS, currently, the Department of Technology has a need to provide services connected to the Metronet's network for the Department of Public Utilities, using a pre-existing Universal Term Contract (UTC), established through the competitive bid process by the Purchasing Office; and

WHEREAS, this UTC has a one year renewal option to extend the time period from December 31, 2008 through December 31, 2009, thereby allowing the purchase order created from this ordinance to be extended with the same term period; and

WHEREAS, these services needed through the approval of this ordinance, consist of services associated with the installation of fiber optic cabling; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, in that it is immediately necessary for the Director of the Finance and Management Department to establish a purchase order with Echo 24 Inc. for services in connection with the Metronet Indianola fiber optic project, to ensure that this project for the Department of Public Utilities is not delayed, thereby not endangering various city systems, 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 Finance and Management, for the Department of Technology, and on behalf of the Department of Public Utilities is hereby authorized to establish a Purchase Order for \$91,646.00 with Echo 24 Inc. for services, in connection with the Metronet Indianola fiber optic project, from a pre-existing Universal Term Contract (UTC- FL002553 expires 12/31/2008 being extended through 12/31/2009), established through the competitive bid process by the Purchasing Office.

SECTION 2: That the expenditure of \$91,646.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Div.:47-02| Fund: 514| Subfund: 001| OCA Code: 471514| Obj. Level 1: 03| Obj. Level 3: 3336| Amount: \$91,646.00

SECTION 3: That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1895-2008

Drafting Date: 11/17/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Department of Public Service, Division of Transportation requires Type II Crosswalk pavement marking materials to perform its mission of promoting pedestrian safety and traffic control. This material is used for the pavement markings at crosswalks throughout the City including those in school zones. These items are available for purchase per the terms and conditions of an existing citywide universal term contract (UTC) with Flint Trading, Inc.

This purchase will meet the Transportation Division's anticipated needs for the balance of 2008 and a portion of 2009 in the amount of \$44,415.00 as follows:

Flint Trading, Inc.

#FL001686 (expiring 4/30/09)/ Type II Crosswalk Material / \$44,415.00

2. CONTRACT COMPLIANCE

Flint Trading, Inc., has a contract compliance number 561736552, which expires 7/22/10.

3. FISCAL IMPACT

This ordinance authorizes the expenditure of \$44,415.00 for the purchase of Type II Crosswalk pavement marking

material. Funding for this purchase is available due to the cancellation of encumbrances from completed projects. TitleTo authorize the Director of Finance and Management to establish a purchase order for the purchase of pavement marking materials for the Division of Transportation per the terms and conditions of an existing citywide universal term contract; to authorize the expenditure of \$44,415.00 from the Streets and Highways G.O. Bonds Fund. (\$44,415.00)

BodyWHEREAS, the Division of Transportation requires Type II Crosswalk pavement marking materials to perform its mission of promoting pedestrian safety and traffic control; and

WHEREAS, these items can be purchased per the terms and conditions of an existing citywide universal term contract established by the Purchasing Office; and

WHEREAS, this ordinance authorizes the purchase of the Division of Transportation's anticipated needs for this commodity for the balance of 2008 and the first part of 2009; now, therefore,

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

Section 1. That the Director of Finance and Management be and hereby is authorized to establish purchase orders per the terms and conditions of an existing citywide universal term contract for the purchase of pavement marking material as follows:

Flint Trading, Inc.
FL003150 (Expires 4/30/09) / Type II Crosswalk Material / \$44,415.00

Section 2. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended due to cancellations as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
540013-100000 / Permanent Pavement Markings (Carryover) / \$168,867.00 (Carryover) / \$54,452.00 (Carryover) / \$223,319.00 (Carryover)

Section 3. That the expenditure of \$44,415.00 or so much thereof as may be needed be and hereby is authorized to be expended from Fund 704, the Streets and Highways G.O. Bonds Fund, Department No. 59-09, Division of Transportation, O.L. 01/03 Codes, 06/6622, OCA Code 644385, Project 540013, Permanent Pavement Markings to pay the cost thereof.

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

Legislation Number: 1898-2008

Drafting Date: 11/18/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Department of Public Service, Division of Transportation, completed the Lane Avenue widening project in 2005. This project widened Lane Avenue from Olentangy River Road to Tuller Road. Utility relocations performed by private utility companies were a necessary part of the work. The relocation expenses incurred by American Electric Power must now be paid. Also, as part of the Lane Avenue project The Ohio State University had requested conduit installed for the purpose of undergrounding utilities in the area and agreed to provide funding for this requested part of the project. This funding has been deposited in the Street and Highway Improvement Fund and is available for use to reimburse American Electric Power for expenses incurred for the relocation of their infrastructure. This legislation authorizes payment for completed utility relocation work based on invoices received from American Electric Power in the amount of \$116,389.81.

2. CONTRACT COMPLIANCE

American Electric Power's (AEP) contract compliance number is 31-4154203. The expiration date for their contract

compliance is 11/26/09.

3. FISCAL IMPACT

Funding for this purpose is available due to deposits received from the Ohio State University in the Street and Highway Improvement Fund for the Lane Avenue Improvement project.

TitleTo authorize the Director of Public Service to pay American Electric Power Company for utility relocation costs incurred in conjunction with the Lane Avenue Widening Project for the Division of Transportation; to authorize the appropriation and expenditure of \$116,389.81 from the Street and Highway Improvement Fund. (\$116,389.81)

Body**WHEREAS**, the City of Columbus, Department of Public Service, Division of Transportation, required utility relocation work to be performed by American Electric Power Company for the Lane Avenue Widening project; and

WHEREAS, it is necessary to authorize payment for utility relocations by American Electric Power; now, therefore

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

Section 1. That the Director of Public Service be and hereby is authorized to pay American Electric Power Company in the amount of \$116,389.81 for utility relocation work performed in connection with the Lane Avenue Widening project for the Division of Transportation.

Section 2. That from the unappropriated monies in the Street and Highway Improvement Fund, Fund 766, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$78,280.52 be and hereby is appropriated to the Division of Transportation, Dept/Div. No. 59-09, Object Level One Code 06, Object Level Three Code 6600, OCA 642728 and Project 530161.

Section 3. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Public Service 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 the expenditure of \$116,389.81 be and hereby is authorized from the Street and Highway Improvement Fund, Fund 766, Department No. 59-09, Department of Public Service, Division of Transportation, Object Level One Code 06, Object Level Three Code 6631, OCA Code 642728, Project 530161 to pay the cost thereof.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1900-2008

Drafting Date: 11/18/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Police needs to purchase a forklift for the Police Property Room. The current forklift is no longer operational. A reliable forklift is essential for daily operations and for the safety of the operators and storage of property.

Bid Information: The City Purchasing Office conducted a formal bid; SA003080, for a 3-Wheel Electric Forklift and Trade-In, which included the trade-in of the old forklift. This old forklift was advertised by the Purchasing Office, but no agency expressed an interest.

Four bids were received including trade-in amount as follows:

Boetcher's Lift Truck Service Inc. \$23,831.00
Doosan Infracore America Corp. \$24,497.00
OKI Systems Limited \$24,729.38
Barloworld \$27,950.00

The vendors are all majority firms.

After review of the bids received, the Division of Police recommends acceptance of the bid submitted by Boetcher's Lift Truck Service as being the lowest, most responsive, responsible bidder.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Contract Compliance No. 31-1040261, expires 03/20/2009

Emergency Designation: Emergency legislation is requested in order to expedite the purchase so the equipment may be on order and in service for the Police Property Room as soon as possible.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$23,831.00 from the Law Enforcement Drug Seizure Fund for the purchase of a forklift for the Police Property Room. There is no impact on the General Fund for this purchase.

Title

To authorize the Finance and Management Director to enter issue a purchase order with Boetcher's Lift Truck Service, Inc. for the purchase of a forklift for the Division of Police, to authorize the expenditure of \$23,831.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$23,831.00)

Body

WHEREAS, the Division of Police has a need for a forklift for Police Property Room; and

WHEREAS, the Purchasing Office solicited formal bids (SA03080) for the purchase of a 3-Wheel Electric Forklift and Trade-In; and

WHEREAS, Boetcher's Lift Truck Service, Inc. was the lowest, most responsible and responsive bid received; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to issue a purchase order for the purchase of a forklift in order to expedite the purchase so the equipment may be on order and in service for the Police Property Room as soon as possible for the immediate preservation of the public health, peace, property, safety and welfare, now therefore

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to issue a purchase order to Boetcher's Lift Truck Service, Inc. for the purchase of a forklift for the Division of Police.

SECTION 2. That the expenditure of \$23,831.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | FUND 219 | SUBFUND 002 | OBJ LEVEL (1) 06 | OBJ LEVEL (3) 6652 | OCA 301838

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

Legislation Number: 1905-2008

Drafting Date: 11/19/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

The Department of Technology, on behalf of the Building Services Division (One Stop Shop) and the Neighborhood Services Division, has an immediate need to upgrade/convert their existing Altris eB imaging application to the newest version provided by Enterprise Informatics. The vendor will no longer support the software version currently in use by Building Services & Neighborhood Services, and failure to transition to the newer version will place in jeopardy all documents that are currently stored in the system. Services the vendor will provide are: installation, design study, migration, configuration, project management and training. This agreement supports the imaging software used to create a central repository for all information, including scanned images of drawings, building plans, building permit application information, building cards, occupancy certificates and violation photographs to property records that are necessary for building and zoning code enforcement.

This ordinance authorizes the Director of the Department of Technology, on behalf of the Building Services Division (One Stop Shop) and the Neighborhood Services Division, to modify a contract with Enterprise Informatics to continue to provide the services identified above with the existing Altris eB imaging application in accordance with sole source provisions, of Section 329 of the Columbus City Code; as it has been determined that Enterprise Informatics is the developer and owner of the software and is therefore the sole source provider for software license and maintenance of the said software.

FISCAL IMPACT:

During fiscal year 2006, \$28,261.00 was expended for related services and in fiscal year 2007, the amount of \$31,088.00 was expended. Earlier this year (2008) \$39,897.00 was expended for related services provided by Enterprise Informatics. Funding has been identified within the Department of Technology's Internal Service Fund; for the Building Services Division and Neighborhood Services Division; This modification is in the amount of \$36,150.00. The aggregate contract total, including this modification is \$241,286.00.

EMERGENCY DESIGNATION:

Emergency designation is being requested to allow immediate updates to continue with services that are necessary to support daily operational activities and to ensure continuous service without interruption.

CONTRACT COMPLIANCE:

Vendor Name: Enterprise Informatics
11/13/2010

CC#/F.I.D#: 95-3634089

Expiration Date:

Title

To authorize the Director of the Department of Technology, on behalf of the Building Services Division and the Neighborhood Services Division, to upgrade/convert the existing software to the newest version provided by Enterprise Informatics in accordance with sole source provisions of the Columbus City Code; to authorize the expenditure of \$36,150.00 from the Department of Technology Information Services Fund; and to declare an emergency. (\$36,150.00)

Body

WHEREAS, the Department of Technology, on behalf of the Divisions of Building Services and Neighborhood Services, has an immediate need to upgrade/convert their software to the newest release provided by Enterprise Informatics, and

WHEREAS, this agreement provides installation, design study, migration, configuration, upgrades, project management, training and supports the imaging software used to create a central repository for all information, such as scanned images of drawings, building plans, building permit information and application, building cards, occupancy certificates and

violation photographs to property records necessary for building and zoning code enforcement, and

WHEREAS, in accordance with sole source provisions of Section 329 of the Columbus City Code, Enterprise Informatics is the developer/owner of the software and is therefore the sole source for software license and maintenance of the said software; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, Department of Technology, in that it is immediately necessary to upgrade/renew the software and maintenance service agreement with Enterprise Informatics that provides new releases, telephone support and upgrades for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1: That the Director of the Department of Technology be and is hereby authorized to upgrade/renew a software support and maintenance agreement, on behalf of the Divisions of Building Services and the Neighborhood Services, provided by Enterprise Informatics.

SECTION 2: That the expenditure of \$36,150.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-01|**Fund:** 514|**SubFund:** 240|**OCA Code:** 514240|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|**Amount:** \$36,150.00

SECTION 3: That the request to modify and extend a contract with Enterprise Informatics is in accordance with Section 329.07(e) (Sole Source Procurement) of the Columbus City Code.

SECTION 4: That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1906-2008

Drafting Date: 11/19/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: The purpose of this ordinance is to authorize the Director of Finance and Management to enter into a purchase order with Southeastern Fabrications, LLC for the purchase of Dumpsters with Covers for the Division of Power and Water (Power) for use at its Indianola Avenue location. The dumpsters with locking covers are required to store scrap metals, lamps, and other materials. These materials are currently stored in open containers. The dumpsters with covers are needed to implement recommendations for preventing non-stormwater runoff from the facility. Covers will eliminate this potential pollutant source, meet best management standards for stormwater pollution prevention control and provide a more secure storage of materials.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003092). Seventeen (MAJ) vendors were solicited and two (MAJ) bids were received and opened on November 13, 2008.

			Southeastern <u>Fabrications</u>	Wastequip <u>Fabrications</u>	<u>Mfg. Co.</u>
Item 1	20 Yard Roll-off Dumpster w/cover	Qty. 3	8,250 = 24,750		9,449 = 28,347
Item 2	25 Yard Roll-off Dumpster w/cover	Qty. 1	8,750 = 8,750		9,847 = 9,847
Item 3	30 Yard Roll-off Dumpster w/cover	Qty. 2	9,250 = <u>18,500</u>		10,032 = <u>20,064</u>
			\$52,000		\$58,258

An award is recommended to Southeastern Fabrications, LLC, as the lowest, responsive and responsible bid received, in the amount of \$52,000.00.

SUPPLIER: Southeastern Fabrications, LLC, CC#260746363, expires 10/28/2010. They do not have MBE/FBE status.

FISCAL IMPACT: Adequate appropriation remains in the Electricity Operating Budget to allow this purchase.

There were no similar expenditures in 2006 or 2007.

Title

To authorize the Director of Finance and Management to enter into a purchase order with Southeastern Fabrications, LLC for the purchase of Dumpsters with Covers for the Division of Power and Water and to authorize the expenditure of \$52,000.00 from the Electricity Operating Fund. (\$52,000.00)

Body

WHEREAS, Dumpsters with Covers are required by the Division of Power and Water to meet best management standards for stormwater pollution prevention control; and

WHEREAS, the Purchasing Office opened formal bids on November 13, 2008 for the purchase of a Dumpsters with Covers for the Division of Power and Water (Power); and

WHEREAS, the Division of Power and Water recommends an award to be made to the lowest, responsive and responsible bidder, Southeastern Fabrications, LLC; and

WHEREAS, a purchase order will be issued by the Finance Department, Purchasing Office in accordance with the terms,

conditions and specifications of Solicitation Number: SA003092 on file in the Purchasing Office; now, therefore

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

SECTION 1. That the Director of Finance and Management be and is hereby authorized to establish a purchase order with Southeastern Fabrications, LLC for the purchase of Dumpsters with Covers for the Division of Power and Water, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$52,000.00, or so much thereof as may be needed, be and the same hereby is authorized from the Electricity Operating Fund, Fund No. 550, OCA 606723, Object Level 1: 06, Object Level 3: 6651.

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

Legislation Number: 1909-2008

Drafting Date: 11/19/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

This ordinance authorizes the City Auditor to move surplus city-match cash within the General Government Grants Fund No. 220 to the Street Construction Maintenance Repair Fund No. 265, for the Department of Public Service, who administer grant programs for the Division of Transportation and Division of Refuse Collection and to authorize the Director of Public Service to expend within the General Government Grant Fund. There is a need to reimburse the Public Utilities Commission of Ohio (PUCO) for funds received in excess of charges for work performed on the New World Drive project and the Ohio Department of Natural Resources (ODNR) for funds not expended during the grant year.

An ODOT sponsored roadway grant, Third St. Resurfacing, has been completed and closed. This grant was through the Ohio General Assembly as part of the State's capital improvement program. This grant was a reimbursement grant (funds not received until project completed) and now has residual city match funds that need to be returned to the Federal Highway Improvement Fund No. 766, within the Division of Transportation for use on other roadway projects.

Program grants within the Division of Transportation, Freeway Management and Paving the Way, are reimbursement grants which include city match funds. The city does not receive these reimbursements until after the work or expense has been completed. Within the Paving the Way and Freeway Management grant programs, there are residual city match dollars as a result of extended absences of grant dedicated employees that should be returned to the Street Construction Maintenance and Repair Fund (Fund 265) as these funds are no longer needed for the 2005 and 2006 grant years. It is also necessary to appropriate match funds to the Paving the Way program for the fiscal year 2007 that began July 1, 2006, from the Street Construction Maintenance Repair Fund.

The Public Utilities Commission of Ohio (PUCO) advanced funds to the Division of Transportation for railroad crossing lights at New World Drive (\$5,000). The cost of the work was \$3,498.95. Therefore, it is necessary to reimburse \$1,501.05 back to the PUCO as this project is complete.

The Ohio Department of Natural Resources (ODNR) advanced funds to the Keep Columbus Beautiful program, which resides within the Division of Refuse Collection, for litter clean-up in the amount of \$2,500. During the course of the grant year, \$2,238.51 of the \$2,500.00 was expended. Therefore, \$261.29 needs to be reimbursed to ODNR in accordance with the grant agreement.

2. EMERGENCY DESIGNATION

Emergency action is requested to allow the financial transactions to be posted in the city's accounting system as soon as

possible. Up to date financial posting promotes accurate accounting and financial management.

TitleTo authorize the City Auditor to make any and all appropriate accounting adjustments to properly account for general government grant fund transfers, appropriations and expenditures for several grant programs within the Department of Public Service, Divisions of Transportation and Refuse Collection as detailed within the body of this ordinance, to authorize the Director of Public Service to expend within the General Government Grant Fund, and to declare an emergency. (\$242,330.52)

Body**WHEREAS**, the Freeway Management and Paving the Way reimbursement grants need to transfer unused city match dollars from prior years back to the Street Construction Maintenance and Repair Fund and to remove any residual appropriation, and

WHEREAS, the Third Street Resurfacing reimbursement grant needs to transfer unused city match dollars back to the Federal Highway Improvement Fund and to remove any residual appropriation, and

WHEREAS, there is a need to transfer funds from the Street Construction Maintenance and Repair Fund to the Paving the Way grant to cover for the city match portion as stipulated in the grant agreement, and

WHEREAS, Division of Transportation needs to refund PUCO \$ 1,501.05 for an overpayment on work performed on the New World Drive project, and

WHEREAS, Division of Refuse Collection needs to refund ODNR \$261.49 for funds remaining from an expired grant, and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service, Divisions of Refuse Collection and Transportation to allow the financial transactions to be posted in the city's accounting system as soon as possible for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

Section 1. That the City Auditor be and hereby is authorized to move appropriation between characters (Object levels 1) within grants, decrease unnecessary grant appropriation, and appropriate available grant cash balances as follows:

Fund/Grant #/Grant/OL-01/OL-03 Codes/OCA Code/Amount

220|595077| Paving the Way|01|1000|595077| -\$11,155.94 (decrease)
220|595077| Paving the Way|02|2000|595077| -\$4,620.46 (decrease)
220|595077| Paving the Way|03|3000|595077| -\$40.05 (decrease)
220|595077| Paving the Way|10|5501|595077| +\$65,983.55 (increase)
220|595004| Freeway Management Systems|01|1000|595004| -\$89,353.55 (decrease)
220|595004| Freeway Management Systems|10|5501|595004| +\$80,664.96 (increase)
220|595008|Resurfacing Third Street|06|6600| 595008| -\$122,096.61 (decrease)
220|595008|Resurfacing Third Street|10|5501| 595008| +\$93,919.47 (increase)
220|598078| Litter Clean-up - ODNR|02|2290|598078| -\$261.49 (decrease)
220|598078| Litter Clean-up - ODNR|05|5515|598078| +\$261.49 (increase)
220|595012| New World Drive RR Crossing|06|6600|595012| -\$1,501.05(decrease)
220|595012| New World Drive RR Crossing|05|5515|595012| +\$1,501.05 (increase)
220|596077| Paving the Way|01|1000|596077| -\$44,251.83 (decrease)
220|596077| Paving the Way|02|2000|596077| -\$27,755.15 (decrease)
220|596077| Paving the Way|03|3000|596077| -\$70,408.22 (decrease)

Section 2. That the City Auditor be and hereby is authorized to transfer \$240,567.98 between grants within the General Government Grant Fund No. 220, the Street Construction Maintenance and Repair Fund No. 265 and the Federal Highway Improvement Fund No. 766, as follows:

TRANSFER FROM:

Fund/Grant #/Grant/OL-01/OL-03 Codes/OCA Code/Amount

220|595004|Freeway Management System|10|5501|595004|\$80,664.96
220|595077| Paving the Way|10|5501|595077| \$65,983.55
220|595008|Resurfacing Third Street|10|5501| 595008| \$93,919.47

Total Transfer from: \$240,567.98

TRANSFER TO:

Fund/Fund Name/OL-01/OL-03 Codes/OCA Code/Project #/Amount

265|Street Construction Maintenance and Repair Fund| 80| 0886|059958 | \$146,648.51
766| Federal Highway Improvement Fund |80 | 0886| 642728 |530161| \$93,919.47

Total Transfer to: \$ 240,567.98

Section 3. That the sum of \$147,648.51 be and hereby is appropriated from the unallocated monies in the Street Construction Maintenance and Repair Fund No. 265, and from any and all sources unallocated for any other purpose during the fiscal year ending December 31, 2008, to the Department of Public Service, Division of Transportation 59-09 as follows:

Fund/OL-01/OL-03 Codes/OCA Code/Amount

265|Street Construction Maintenance and Repair Fund| 01| 1101|599001 | \$120,078.83
265|Street Construction Maintenance and Repair Fund| 10| 5501|599001 | \$27,569.68

Section 4. That the City Auditor be and hereby is authorized to transfer funds of \$27,569.68 between the Street Construction Maintenance and Repair Fund No. 265 and the General Government Grant Fund No. 220, for the additional city match required as a result of an increase in personnel costs for 2007 grant activities for Paving the Way, as follows:

TRANSFER FROM:

Fund/OL-01/OL-03 Codes/OCA Code/Amount

265|Street Construction Maintenance and Repair Fund| 10| 5501|599001 | \$27,569.68

TRANSFER TO:

Fund/Grant #/Grant/OL-01/OL-03 Codes/OCA Code/Amount

220|596077| Paving the Way|80|0886|596077| \$27,569.68

Section 5. That the Director of Public Service authorizes expenditure from the General Government Grant Fund No. 220 to the PUCO and ODNR for reimbursement as follows:

Fund/Grant #/Grant/OL-01/OL-03 Codes/OCA Code/Amount

220|598078| Litter Clean-up - ODNR|05|5515|598078| \$261.49
220|595012| New World Drive RR Crossing|05|5515|595012| \$1,501.05

Total Amount \$ 1,762.54

Section 6. That the monies appropriated with the foregoing Section 5 shall be paid upon order of the Director of Public Service 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 7. That for 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 passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1910-2008

Drafting Date: 11/19/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Sewer Brick and Block for the Division of Sewerage and Drainage for use in various sewer repair and replacement projects. The term of the proposed option contract will be through February 28, 2011 with the option to extend this contract for one (1) additional year. The Purchasing Office opened formal bids on November 13, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003097). Twelve (12) Bids were solicited (F1:1). Two (2) Bids were received.

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

TitleTo authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Sewer Brick and Block with Hamilton Parker Holdings to authorize the appropriation and expenditure of one dollar to establish the contract from the Purchasing UTC Account; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids November 13, 2008 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the Division of Sewerage and Drainage to perform various sewer repair and replacement projects; and

WHEREAS, this Sewer Brick and Block is necessary to allow the Division of Sewerage and Drainage to safely maintain their operations, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Sewerage and Drainage Division, in that it is immediately necessary to enter into a contract(s) for an option to purchase Sewer Brick and Block , 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 Sewer Brick and Block for the term ending February 28, 2011 with the option to extend for one additional year in accordance with Solicitation No. SA003097 as follows:

Hamilton Parker Holdings: All Items: Amount: \$1.00

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

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

Legislation Number: 1912-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Columbus Fire Chief to accept a grant award of \$2,500.00 from the Wal-Mart Foundation to purchase medical equipment to support the Columbus Fire EMS operation. The legislation will also appropriate \$2,500.00 for the grant. It is anticipated that the funds will be used to purchase tourniquets for EMS supervisor vehicles and CPR kits to be used with the Heart Cart.

FISCAL IMPACT: This ordinance authorizes the Fire Chief to accept a grant award in the amount of \$2,500.00 from Wal-Mart for medical equipment. This ordinance appropriates the funds in the Special Revenue Private Grants Fund. There is no impact on the General Fund.

EMERGENCY LEGISLATION: This emergency ordinance will allow the timely purchase of medical equipment.

Title

To authorize the Columbus Fire Chief to accept a grant award from the Wal-Mart Foundation for the purchase of medical equipment for the Division of Fire, to appropriate \$2,500.00 from the unappropriated balance of the Special Revenue Private Grants Fund, and to declare an emergency. (\$2,500.00)

Body

WHEREAS, the Division of Fire received a grant award from the Wal-Mart Foundation for the purchase of medical equipment for emergency medical services, and

WHEREAS, it is in the best interest of the City of Columbus for the Fire Chief to accept this grant, and

WHEREAS, it is necessary to appropriate the funds for this grant to enable the purchase of medical equipment, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is immediately necessary to authorize and direct the grant acceptance and appropriation of funds to enable the timely purchase of medical equipment for the preservation of the public health, peace, property, safety, and welfare: Now, therefore

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

SECTION 1. That the Columbus Fire Chief be and he is hereby authorized and directed to accept a grant award in the amount of \$2,500.00 from the Wal-Mart Foundation for the purchase of medical equipment.

SECTION 2. That from the unappropriated monies in the Special Revenue Private Grants Fund, and from any and all sources estimated to come into said fund and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$2,500.00 is appropriated to the Division of Fire as follows:

Division 30-04, Fund 291, Object Level 1, 2207, OCA 348023, Grant # 348023, Amount \$2,500.00

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

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

Legislation Number: 1916-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Police needs to purchase computer switches and associated computer equipment for the new Strategic Response Bureau building located at 1120 Morse Road. The new facility will be available for occupancy in mid to late January, but to be operational these computer switches and computer equipment are needed.

Bid Information: Quotes have been obtained for the needed equipment from universal term contract suppliers established with the City of Columbus. The suppliers are Smart Solutions, Inc. in accordance with the terms and conditions of contract number, FL003922 which expires 03/31/2011; Pomeroy IT Solutions in accordance with the terms and conditions of contract number, FL002554 which expires 12/31/2008, and Echo 24 Inc. in accordance with the terms and conditions of contract number, FL002553 which expires 12/31/2008.

The quotes are as follows: Smart Solutions \$4,571.00, Pomeroy IT Solutions \$60,076.21 and Echo 24, Inc. \$11,875.73.

The total amount of this request is \$76,522.94.

Contract Compliance No.: Smart Solutions Inc. 34-1403269, Expires 05/18/2009 | Pomeroy IT Solutions 61-1352158, Expires 10/24/09 | Echo 24 Inc. 31-1753698, Expires 11/18/2010

Emergency Designation: Emergency legislation is requested in order to expedite the purchases so that all equipment may be ordered by year end and that the current pricing on the quotes will remain valid.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$76,522.94 from the Safety Voted Bond Fund for the purchase of computer switches and associated computer equipment for the Division of Police Strategic Response Bureau. The Division of Police budgeted \$77,000 in the Safety Voted Bond Fund for this purchase.

Title

To authorize and direct the Finance and Management Director to issue purchase orders for the purchase of computer switches and associated computer equipment in accordance with the terms and conditions of the universal term contracts from Smart Solutions, Inc., Pomeroy IT Solutions, and Echo 24 Inc. for the Division of Police, to authorize the expenditure of \$76,522.94 from the Safety Voted Bond Fund; and to declare an emergency. (\$76,522.94)

Body**WHEREAS,** there is a need to purchase computer switches and associated computer equipment for the new Strategic Response Bureau building; and

WHEREAS, contracts were awarded to Smart Solutions, Inc. , Pomeroy IT Solutions and Echo 24 Inc. for the needed items in accordance with the terms and conditions of universal term contract FL003922, FL002554 and FL002553; and

WHEREAS, the funding source for this purchase will come from Safety Voted Bond Fund; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to issue purchase orders for the purchase of computer switches and associated computer equipment for the new Strategic Response Bureau building in order to expedite the purchases so that all equipment may be ordered by year end and that the current pricing on the quotes will remain valid and for the immediate preservation of the public

peace, health, safety and welfare, now therefore

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to issue purchase orders with Smart Solutions, Inc, Pomeroy IT Solutions and Echo 24, Inc. for the purchase of computer switches, connections and associated parts for the new Strategic Response Bureau building for the Division of Police.

SECTION 2. That the expenditure of \$76,522.94, or so much thereof as may be needed, be and the same is hereby authorized as follows:

| DIV 30-03 | FUND 701 | OL1 06 | OL3 6620 | PROJECT 330021 | OCA 644476 |

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts associated with this ordinance.

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: 1918-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Jet Aviation Fuel for the Division of Police. This commodity price is based on the Oil Price Information Service (OPIS) as of 10/27/08, plus a markup for delivery and is good for the term of the contract. The term of the proposed option contract would be two (2) years through April 30, 2011 with the right to extend for two years. The Purchasing Office opened formal bids on November 13, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003093). Five (5) bids were solicited. One (1) bid was received.

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

Arrow Energy, Inc. / CC#382872167 (Expires 2-6-09)

Total Estimated Annual Expenditure of \$345,000.00

This 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. Division of Police will be required to obtain approval to expend from their appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into contract for the option to purchase Jet Aviation Fuel with Arrow Energy, Inc. to authorize the appropriation and expenditure of one (1) dollar to establish the contract from the Purchasing UTC Account; and to declare an emergency. (\$1.00).

WHEREAS, the Purchasing Office advertised and solicited formal bids on November 13, 2008 and selected the lowest, responsive, responsible and best bid; and

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

WHEREAS, because this fuel is used to operate the helicopters for the Division of Police, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of Division of Police in that it is immediately necessary to enter into a contract for an option to purchase Jet Aviation Fuel, 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 Jet Aviation Fuel in accordance with SA003093 thru April 30, 2010 with the right to extend for two years:

Arrow Energy Inc. / Item 1; Amount: \$1.00

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

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

Legislation Number: 1920-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. **BACKGROUND**

This ordinance authorizes The Director of Public Service to deposit with the Ohio Department of Transportation (ODOT) funds necessary for the demolition of the existing Town Street Bridge over the Scioto River, lying within the City of Columbus. The existing Town Street Bridge was closed on July 22, 2008 due to its deteriorated condition. The existing bridge was originally planned to be included with the Rich Street Bridge construction project, but in order to meet schedules of adjacent projects, the demolition project was separated and is being bid as a stand alone project. The original limestone balustrade was removed in October 2008 in order to save elements of the Town Street Bridge to satisfy the Memorandum of Agreement (MOA) with State Historic Preservation Officer (SHIPO), Federal Highway Administration (FHWA), Ohio Department of Transportation (ODOT), Franklin County and the City of Columbus.

A deposit of the construction cost, including inspection fees, needs to be made with ODOT in December 2008 in order to meet the current bid and award dates. The project is currently planned for sale on January 28, 2009, and it is anticipated that construction will begin in March 2009.

The City of Columbus developed the plans for this project, and ODOT will administer the contract.

2. EMERGENCY DESIGNATION

Emergency action is requested in order to meet ODOT's schedule and have this work completed to accommodate the schedule for building the Scioto Mile prou, and the construction of the new Rich Street Bridge. The project has an interim

completion of June 30, 2009 to be off the east bank to enable the Scioto Mile project to construct the prow, and is anticipated to be fully completed by September 2009.

3. FISCAL IMPACT:

The estimated cost of construction for this project is \$1,681,818.18, and inspection fees are estimated at \$168,181.82. The City is responsible for 100% of the cost, including construction inspection. Funding is available for this project from the Streets and Highways G.O. Bonds Fund due to encumbrance cancellations from completed projects.

Title To authorize the Director of Public Service to enter into contract with the Ohio Department of Transportation for the Town Street Demolition Project; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to authorize the intrafund transfer of monies between the Streets & Highways GO Bond Fund and the Federal-State Highway Engineering Fund; to authorize the appropriation and expenditure of \$1,850,000.00 from Federal-State Highway Engineering Fund; to amend the 2008 Capital Improvement Budget, and to declare an emergency. (\$1,850,000.00)

Body WHEREAS, Department of Public Service, Division of Transportation engineering personnel have determined the demolition of the Town Street Bridge over the Scioto River in downtown Columbus to be immediately necessary; and

WHEREAS, in order to proceed with this project, it is necessary for this City Council to authorize the Director of Public Service to execute a Local Participation Agreement (LPA) to empower the Director of The Ohio Department of Transportation (ODOT) to administer the procurement and administration of the Town Street Bridge Demolition Project, as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement.

The share of the cost of the LPA is estimated at One Million Eight Hundred Fifty Thousand 00/100 Dollars, (\$1,850,000.00); and

WHEREAS, it is necessary to amend the 2008 Capital Improvement Budget; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Transportation, in that it is the sense of this Council that the Director of the Ohio Department of Transportation must proceed with the aforesaid highway improvement, thereby preserving the public health, peace, property, and safety; now, therefore

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

Section 1. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount

530020-100000 / Street Equipment (Carryover) / \$843,128.00 (Carryover) / \$120.00 (Carryover) / \$843,248.00 (Carryover)

530053-100000 / Short North SID (Carryover) / \$0.00 (Carryover) / \$2,077.00 (Carryover) / \$2,077.00 Carryover

530210-100000 / Curb Replacement (Carryover) / \$371,707.00 (Carryover) / \$15,097.00 (Carryover) / \$386,804.00 (Carryover)

530232-100000 / SR161-Sawmill to SR315 (Carryover) / \$0.00 (Carryover) / \$310,683.00 (Carryover) / \$310,683.00 (Carryover)

530282-100000 / Resurfacing (Carryover) / \$15,614,496.00 (Carryover) / \$153,164.00 (Carryover) / \$15,767,660.00

540008-100000 / Sign Upgrade/Street Name Signs (Carryover) / \$0.00 (Carryover) / \$184.00 (Carryover) / \$184.00 (Carryover)

540010-100000 / Safety Congestion Improvements (Carryover) / \$0.00 (Carryover) / \$34,512.00 (Carryover) / \$34,512.00 (Carryover)

590105-100000 / Pedestrian Safety Improvements (Carryover) / \$2,677,999.00 (Carryover) / \$130,503.00 (Carryover) / \$2,808,502.00 (Carryover)
 590109-100000 / Mound/Souder / \$20,000.00 (Carryover) / \$5,151.00 (Carryover) / \$25,151.00 (Carryover)
 590130-100000 / Facilities / \$81,122.00 (Carryover) / \$3,161.00 (Carryover) / \$84,283.00 (Carryover)
 590422-100000 / 17th Avenue Widening (Carryover) / \$0.00 (Carryover) / \$69,821.00 (Carryover) / \$69,821.00 (Carryover)
 530208-100000 / Fed/State Match (Carryover) / \$5,817,022.00 (Carryover) / \$59,396.00 (Carryover) / \$5,876,418.00 (Carryover)
 530087-100000 / ADA Ramp Projects (Carryover) / \$0.00 (Carryover) / \$9,268.00 (Carryover) / \$9,268.00 (Carryover)

Section 2. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended to provide funding for this project as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount
 530020-100000 / Street Equipment (Carryover) / \$843,248.00 (Carryover) / (\$120.00) (Carryover) / \$843,128.00 (Carryover)
 530053-100000 / Short North SID (Carryover) / \$2,077.00 (Carryover) / (\$2,077.00) (Carryover) / \$0.00 (Carryover)
 530086-100000 / Misc. Intersection Improvements (Carryover) / \$3,267,806.00 (Carryover) / (\$42,653.00) (Carryover) / \$3,225,153.00 (Carryover)
 530103-100000 / Arterial Street Rehabilitation (Carryover) / \$1,654,877.00 (Carryover) / (\$29,150.00) (Carryover) / \$1,625,727.00 (Carryover)
 530210-100000 / Curb Replacement (Carryover) / \$386,804.00 (Carryover) / (\$15,097.00) (Carryover) / \$371,707.00 (Carryover)
 530232-100000 / SR161-Sawmill to SR315 (Carryover) / \$310,683.00 (Carryover) / (\$310,683.00) (Carryover) / \$0.00 (Carryover)
 530282-100000 / Resurfacing (Carryover) / \$15,767,660.00 (Carryover) / (\$366,306.00) (Carryover) / \$15,248,190.00 (Carryover)
 530790-100000 / Sidewalk Program (Carryover) / \$267,564.00 (Carryover) / (\$267,564.00) (Carryover) / \$0.00 (Carryover)
 540008-100000 / Sign Upgrade/Street Name Signs (Carryover) / \$184.00 (Carryover) / (\$184.00) (Carryover) / \$0.00 (Carryover)
 540010-100000 / Safety Congestion Improvements (Carryover) / \$34,512.00 (Carryover) / (\$34,512.00) (Carryover) / \$0.00 (Carryover)
 590105-100000 / Pedestrian Safety Improvements (Carryover) / \$2,808,502.00 (Carryover) / (\$192,462.00) (Carryover) / \$2,616,040.00 (Carryover)
 590109-100000 / Mound/Souder / \$25,151.00 (Carryover) / (\$5,151.00) (Carryover) / \$20,000.00 (Carryover)
 590130-100000 / Facilities / \$84,283.00 (Carryover) / (\$77,157.00) (Carryover) / \$7,126.00 (Carryover)
 590422-100000 / 17th Avenue Widening (Carryover) / \$69,821.00 (Carryover) / (\$69,821.00) (Carryover) / \$0.00 (Carryover)
 530208-100000 / Fed/State Match (Carryover) / \$5,876,418.00 (Carryover) / (\$418,603.00) (Carryover) / \$5,457,815.00 (Carryover)
 530087-100000 / ADA Ramp Projects (Carryover) / \$9,268.00 (Carryover) / (\$9,268.00) (Carryover) / \$0.00 (Carryover)
 530301-100000 / Bridge Rehabilitation (Carryover) / \$1,321,570.00 (Carryover) / \$1,840,800.00 (Carryover) / \$3,162,370 (Carryover)

Section 3. To move cash and appropriation between projects within Fund 704, the Streets & Highways GO Bond Fund as follows:

FROM:
Fund / Project # / Project / Object Level Three Codes / OCA Code
 704 / 530020 / Street Equipment / 6600 / 644385 / \$120.00
 704 / 530053 / Short North SID / 6600 / 644385 / \$2,076.72
 704 / 530086 / Misc. Intersection Improvements / 6600 / 644385 / \$42,652.15
 704 / 530103 / Arterial Street Rehabilitation / 6600 / 644385 / \$29,149.44

704 / 530210 / Curb Replacement / 6600 / 644385 / \$15,096.50
704 / 530232 / SR161-Sawmill to SR315 / 6600 / 644385 / \$310,682.87
704 / 530282 / Resurfacing / 6600 / 644385 / \$366,305.23
704 / 530790 / Sidewalk Program / 6600 / \$267,563.39
704 / 540008 / Sign Upgrade/Street Name Signs / 6600 / 183.15
704 / 540010 / Safety Congestion Improvements / 6600 / \$34,511.27
704 / 590105 / Pedestrian Safety Improvements / 6600 / 192,461.76
704 / 590109 / Mound/Souder / 6600 / \$5,150.48
704 / 590130 / Facilities / 6600 / \$77,156.16
704 / 590422 / 17th Avenue Widening / 6600 / \$69,821.00
704 / 530087 / ADA Ramp Projects / 6600 / \$9,267.67
704 / 530208 / Fed/State Match / 6600 / \$59,395.76
704 / 530301 / Bridge Rehabilitation / 6600 / 644385 / \$9,200.00
704 / 771001 / Dominion Homes-NW Corridor / 6600 / \$359,206.45

Total From: \$1,850,000.00

TO:

Fund / Project # / Project / Object Level Three Codes / OCA Code
704 / 530301 / Bridge Rehabilitation / 5501 / 644385 / \$1,850,000.00

Section 4. That the transfer of monies between Fund 704, the Streets & Highways GO Bond Fund and Fund 765, the Federal-State Highway Engineering Fund be authorized as follows:

Transfer from:

Fund / Project / Project Name / OCA / OL3/Amount
704 / 530301 / Bridge Rehabilitation / 5501 / 644385 / \$1,850,000.00

Transfer to:

Fund / Grant # / Grant Name / OCA Code / OL3 / Amount
765 / 565186 / Rich Street Bridge / 059113 / 0886 / \$1,850,000.00

Section 5. That from the unappropriated balance in Fund 765, the Federal-State Highway Engineering Fund, and from all monies anticipated to come into said Fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$1,845,588.08 be and hereby is appropriated to Department No. 59-09, Division of Transportation, Object Level One Code 06, Object Level Three Code 6600, as follows:

Fund / Grant# / Grant Name / OCA Code/OL3/Amount
765 Fed-State Highway Eng./ 565186 Rich Street Bridge / 059113 / 6631 / \$1,795,588.08

Section 6. That the estimated sum of One Million Eight Hundred Fifty Thousand and 00/100 Dollars, (\$1,850,000.00) or so much thereof as may be needed be and is hereby authorized to be expended from the Federal-State Highway Engineering Fund, Fund 765, Division of Transportation, Department No. 59-09, O.L One/Three Codes 06/6631, OCA Code 059113, Grant 565186 in the Rich Street Bridge Grant for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of the Ohio Department of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

Section 7. That the LPA hereby requests the Director of the Ohio Department of Transportation to proceed with the aforesaid highway improvement.

Section 8. That the LPA enter into a contract with the State, and that the Director of Public Service be and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

Section 9. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1921-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes a contract with Matrix Systems in the amount of \$18,468.00 to install a building access security system for the new Canine (K9) building and one Police substation that currently does not have security access installed.

Bid Information: All security systems for the Division of Police have been installed and maintained by Matrix Systems, Inc. In order that all security systems have the ability to interact with each other, the Division of Police is requesting waiving competitive bidding procedures to ensure full compatibility. The Division of Police obtained the following quotes from Matrix Systems for installing the security systems in the buildings: Canine (K9) building - \$8,884.00 and substation - \$9,584.00.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Contract Compliance No.: 31-0902711; expires 11/28/2009

Emergency Designation: Emergency legislation is requested in order to complete installation as soon as possible.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$18,468.00 from the Safety Capital Improvement Fund for the installation of Matrix security systems at the Canine (K9) unit and one Police substation. The Division of Police budgeted \$19,000 in the Safety Voted Bond fund for the installation of these security systems.

Title

To authorize and direct the Public Safety Director to contract with Matrix Systems Inc. for security access systems for the new Canine (K9) building and an existing substation for the Division of Police, to authorize the expenditure of \$18,468.00 from the Safety Capital Improvement Funds; to waive the competitive bidding provisions of Columbus City Codes, 1959; and to declare an emergency. (\$18,468.00)

Body**WHEREAS** the Division of Police needs to have a security access system installed for the new Canine (K9) building and one existing substation; and

WHEREAS, Matrix Systems Inc. has installed and is responsible for all the security access systems for the Division of Police; and

WHEREAS, the provisions of competitive bidding are requested to be waived, thus ensuring that all security systems have the ability to interact with each other and only one badge system is needed; and

WHEREAS, the funding source for this purchase will come from Police Facility Renovations project within the the Safety Capital Improvement Fund; and

WHEREAS, an emergency exists in the daily operation of the Division of Police Department of Public Safety, in that it is immediately necessary to enter into contract for security access systems for the new Canine (K9) building and one existing substation for immediate preservation of the public peace, health, safety and welfare, now therefore

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

SECTION 1. That the Public Safety Director be and is hereby authorized and directed to enter into contract with Matrix Systems Inc. for the purchase of security access systems for the new K9 building and one existing substation for the Division of Police, Department of Public Safety.

SECTION 2. That in accordance with Section 329.27 of Columbus City Codes, this Council finds it is in the best interest of the City of Columbus to waive the provisions of Section 329.06 of the Columbus City Codes to permit the aforementioned purchase.

SECTION 3. That the expenditure of \$18,468.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

| DIV 30-03 | FUND 701 | OL1 06 | OL3 6620 | PROJECT 330021 | OCA 644476 |

SECTION 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts associated with this ordinance.

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.

Legislation Number: 1925-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to establish a Universal Term Contract (UTC) to purchase Allis Chalmers Sludge Pump Parts for the Division of Water. The term of the proposed option contract would be in effect from the date of execution by the City to and including April 30, 2010, with the option to renew for one (1) additional year. The Purchasing Office opened formal bids on October 23, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003060. Twenty-nine (29) bids were solicited (MBR-1, F1). Three (3) bids were received.

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

Werner-Todd Pump Company, CC#310937219 Expires: November 25, 2010

Total Estimated Annual Expenditure: \$40,000.00

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

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing UTC Account. The Division of Water 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 a contract to purchase Allis Chalmers Sludge Pump Repair Parts with Werner-Todd Pump Company, to authorize the appropriation of one (1) dollar to establish the contract from the Purchasing/UTC Fund; and to declare an emergency. (\$1.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 23, 2008, and selected the lowest, responsive, responsible and best bidder; and

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

WHEREAS, in order to ensure Allis Chalmers Sludge Pump Repair Parts are supplied without interruption, as they are used to repair Allis Chalmers Sludge Pumps , this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water in that it is immediately necessary to enter into a contract for the option to purchase Allis Chalmers Sludge Pump Repair 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 & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Allis Chalmers Sludge Pump Repair Parts for the term ending April 30, 2010, with the option to renew for one (1) additional year in accordance with SA003060 as follows:

Werner-Todd Pump Company, Items 1 through 55: \$1.00

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

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

Legislation Number: 1927-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Council Variance Application: CV08-030

APPLICANT: Donald R. Kenney; c/o Jill Tangeman, Atty.; 52 East Gay Street; Columbus, Ohio 43215.

PROPOSED USE: Conform an existing driveway and parking lot serving a manufacturing use.

FIFTH BY NORTHWEST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site, zoned in the AR-1, Apartment Residential

District, is developed with an existing driveway and parking lot that serve manufacturing uses, zoned in the M, Manufacturing District. The driveway and parking lot, serving non-residential uses, are not permitted uses in the AR-1 district. The applicant is requesting a council variance to conform the existing use. Approval of this request will not introduce a new or incompatible use into the area.

Title

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.22, Maximum side yard required; and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at **1176 STEELWOOD ROAD (43212)**, to conform an existing driveway and parking lot serving M, manufacturing uses with reduced development standards in the AR-1, Apartment Residential District. (Council Variance #CV08-030)

Body

WHEREAS, by application No. CV08-030, the owner of property at **1176 STEELWOOD ROAD (43212)**, is requesting a Council variance to conform an existing driveway and parking lot serving M, manufacturing uses with reduced development standards in the AR-1, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, prohibits a driveway and a parking lot serving M, manufacturing uses, while the applicant proposes to maintain the existing driveway and parking lot on the site; and

WHEREAS, Section 3333.22, Maximum side yard required; requires the sum of the widths of each side yard shall equal or exceed twenty percent (20%) of the width of the lot, a total of 11 feet for the subject property, while the applicant proposes to maintain the existing maximum side yard of three (3) feet; and

WHEREAS, Section 3333.23, Minimum side yard permitted, requires a minimum side yard of five (5) feet, while the applicant proposes to maintain the existing side yards of zero (0) feet on the north side and three (3) feet on the south side of the site; and

WHEREAS, the Fifth by Northwest Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the proposed development will not introduce a new or incompatible use into the area; 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 **1176 STEELWOOD ROAD (43212)**, in using said property as desired; now, therefore:

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

SECTION 1. Variances from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use; 3333.22, Maximum side yard required; and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at **1176 STEELWOOD ROAD (43212)**, insofar as said sections prohibit a driveway and a parking lot serving M, manufacturing uses, a maximum side yard of three (3) feet, a minimum north side yard of zero (0) feet, and

a minimum south side yard of three (3) feet, said property being more particularly described as follows:

PARCEL DESCRIPTION FOR 1.160 ACRES

**North of Chambers Road
East of Northwest Boulevard**

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 1, Range 18, U.S.M.D., and being part of that 7.950 acre tract conveyed to Donald R. Kenney and Kenney Airport Hotel Corporation of record in Instrument Number 200506030107015 and described as follows:

Beginning at the southeast corner of said 7.950 acre tract, the same being the southwest corner of that 0.043 acre tract conveyed to The City of Columbus of record in Deed Book 3083, Page 545, in the north line of that 5.108 acre tract conveyed to John R. Greer of record in Instrument Number 200008100161008;

Thence **N 86° 16' 01" W**, with the south line of said 7.950 acre tract, **919.25 feet** to the southwest corner thereof, the same being the northwest corner of that 5.640 acre tract conveyed to John R. Greer of record in Official Record 6738J17, in the east line of Northwest Gardens as recorded in Plat Book 34, Page 97;

Thence **N 04° 07' 55" E**, with the west line of said 7.950 acre tract, **55.00 feet**;

Thence **S 86° 16' 01" E**, across said 7.950 acre tract, **918.78 feet** to an east line of said 7.950 acre tract, the same being the west line of said 0.043 acre tract;

Thence **S 03° 38' 29" W**, with an east line of said 7.950 acre tract, **55.00 feet** to the **Point of Beginning**. Containing **1.160 acres**, more or less. Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. and is not for transfer.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adj.). All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a driveway and parking lot serving M, manufacturing uses, or those uses permitted in the AR-1, Apartment Residential District.

SECTION 3. That this ordinance is further conditioned that the variances to Sections 3333.22 and 3333.23 only apply if the property is used for a driveway and parking lot serving M, manufacturing uses.

SECTION 4. That this ordinance is further conditioned that no buildings or structures shall be placed on the site.

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

Legislation Number: 1928-2008

Drafting Date: 11/20/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance requests authorization for the Finance and Management Director to modify a contract with Mid Ohio Air Conditioning Corporation in the amount of \$26,500.00 in order to complete a necessary air conditioning renovation at the Central Safety building. The renovation will replace the existing Drycooler unit on the ninth floor. The current unit is nearly inoperable. This unit is a necessary backup for air conditioning units that cool the Automated Fingerprinting Identification System (AFIS).

The contract with Mid Ohio Air Conditioning Corporation was formally bid by the Facilities Management Division. The

contract is in the fourth year of four renewals.

Emergency action is requested so that an appropriate backup for cooling the Automated Fingerprinting Identification System exists, thereby reducing the likelihood of losing an important computer system and its contents.

Fiscal Impact: This ordinance authorizes an expenditure of \$26,500 in the Safety Voted Bond fund for the renovation of the air conditioning system in the Central Safety Building. The Police Division budgeted \$20,000 in the Safety Voted Bond Fund for this renovation.

Mid Ohio Air Conditioning Corporation Contract Compliance #31-0732219 expiration date May 15, 2010.

Title

To authorize the Finance and Management Director to modify and increase a contract with Mid Ohio Air Conditioning Corporation for emergency HVAC repairs to a Drycooler at the Central Safety building; to authorize the expenditure of \$26,500.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$26,500.00)

Body

WHEREAS, the current drycooler on the ninth floor of the Central Safety building provides backup cooling and is nearly inoperable; and

WHEREAS, the Facilities Management Division is in the fourth renewal of an emergency HVAC services contract with Mid Ohio Air Conditioning Corporation; and

WHEREAS, is it necessary for the Finance and Management Director to modify and increase said contract with Mid Ohio Air Conditioning Corporation in order to replace the drycooler; 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 modify and increase a contract with Mid Ohio Air Conditioning Corporation for emergency replacement of a Drycooler in the Central Safety building, so that important computer equipment and its contents are not lost, 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 the Finance and Management Director is hereby authorized to modify and increase a contract with Mid Ohio Air Conditioning Corporation for emergency HVAC repairs.

SECTION 2. That the expenditure of \$26,500.00, 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: 30-03
Fund: 701
Project: 330021
OCA Code: 644476
Object Level 1: 06
Object Level 3: 6620
Amount: \$26,500.00

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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 or vetoes the same.

Legislation Number: 1929-2008

Drafting Date: 11/21/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Division of Police has been awarded funds through the Department of Justice 2008 Anti-Gang Initiative Renewal. The initiative is supporting a renewal of the new anti-gang prevention and enforcement projects. The funds will be used in a multi-faceted, collaborative effort to identify, investigate, and prosecute both the individual gang members and the infrastructure of their gangs. 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 and for buying evidence. The official city program contact authorized to act in connection with this \$48,103.75 grant award is Columbus Police Commander Jeffrey Blackwell.

Emergency Designation: Emergency legislation is necessary to make the awarded funds available for project activities at the earliest possible time. The grant award period started October 1, 2008.

FISCAL IMPACT: This ordinance authorizes an appropriation of \$48,103.75 in the General Government Grant fund for the 2008 Anti-Gang Initiative for the Police Division. There are no matching funds required for this grant award. All grant expenditures will be reimbursed by the grant awarded funding.

Title

To authorize the Mayor of the City of Columbus to accept a 2008 Anti-Gang Initiative Renewal 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 Jeffrey Blackwell as the official city representative to act in connection with the grant, to authorize an appropriation of \$48,103.75 from the unappropriated balance of the General Government Grant fund, and to declare an emergency. (\$48,103.75)

Body

WHEREAS, the Division of Police has been awarded funding through a 2008 Anti-Gang Initiative Renewal grant from the Department of Justice; and

WHEREAS, the Division of Police is in need of additional funding for sworn overtime and evidence expenditures for the Anti-Gang program activities; and

WHEREAS, Columbus Police Commander Jeffrey Blackwell has been identified as the official city representative to act in connection with the 2008 Anti-Gang Initiative Renewal grant and to provide information as required; and

WHEREAS, emergency legislation status is needed to make the grant funds available as soon as possible for ongoing activities in the grant period that started October 1, 2008; and

WHEREAS, an emergency exists in the daily operation of the City of Columbus Public Safety Department, Division of Police, in that it is immediately necessary to authorize the Mayor to accept a 2008 Anti-Gang Initiative Renewal 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 2008

Anti-Gang Initiative Renewal grant for sworn overtime and evidence purchases for the Anti-Gang program.

SECTION 2. That Columbus Police Commander Jeffrey Blackwell is designated as the official city program contact and authorized to act in connection with the 2008 Anti-Gang Initiative Renewal 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 \$48,103.75 is appropriated as follows:

DIV	FD	OBJ1	OBJ3	OCACD	GRANT	AMOUNT
30-03	220	01	1131	338044	338044	33,103.75
30-03	220	02	2216	338044	338044	15,000.00

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.

Legislation Number: 1930-2008

Drafting Date: 11/21/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the City Clerk to report to the Auditors of Franklin, Fairfield and Delaware Counties in Ohio all charges which are due to the City of Columbus, Department of Development and are certified for payment to said County Auditor in conformance with Sections 701.07 through 701.19 of the Columbus City Code for weed and solid waste removal. In the assessment period covered by this legislation (March 1st through October 31st, 2008), owners of 1510 properties within Columbus were notified to abate weed and solid waste nuisances. Those properties where violations were not abated were turned over to the Environmental Nuisance Weed and Solid Waste Program for compliance. Abatement was completed using the services of private and/or City contractors. This legislation provides for assessment of the costs associated with the weed and solid waste abatement process.

FISCAL IMPACT: No funding is required for this legislation. This legislation provides a mechanism for recovery of costs associated with the weed and solid waste abatement program.

Emergency action is required so that assessments can be placed on the January 2009 tax duplicate.

Title

To authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code; and to declare an emergency.

Body

Whereas, the owners of certain vacant lots and structures in the City of Columbus have allowed the growth of noxious weeds, grasses and/or the accumulation of solid waste on their properties; and

Whereas, said owners have been duly notified of the requirements of the law in such circumstances; and

Whereas, said owners have failed to provide mowing services and solid waste removal as set forth in Section 701.07 through Section 701.19 of the Columbus City Code; and

Whereas, those properties where violations were not abated were turned over to the Environmental Nuisance Weed and Solid Waste Program for compliance; and

Whereas, abatement was completed using the services of private and/or City contractors; and

Whereas, this legislation provides for assessment of the costs associated with the weed and solid waste abatement process; and

Whereas, emergency action is required so that assessments can be placed on the January 2009 tax duplicate; and

Whereas, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code in order to preserve the public health, peace, property, safety, and welfare; **NOW, THEREFORE,**

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

Section 1. That the assessment of the owners of certain lots and structures in the City of Columbus who have failed to provide the necessary mowing and solid waste removal services required by Sections 701.07 through 701.19 of the Columbus City Code, be and is hereby authorized in order to cover costs incurred by the City of Columbus, Department of Development, Neighborhood Services Division, in carrying out the provisions of said sections.

Section 2. That the City Clerk shall report to the Franklin, Fairfield, and Delaware County Auditor all charges which are due to the City of Columbus, Department of Development, Neighborhood Services Division, and are certified for payment to the County Auditor in conformance with Sections 701.07 through 701.19 of the Columbus City Code.

Section 3. That said funds, upon reimbursement from the Franklin, Fairfield, and Delaware County Auditor, shall be deposited in the General Fund, Fund No. 010 and the Community Block Grant Fund, Fund No. 248, to repay the costs incurred for weed mowing and solid waste abatement services.

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

Legislation Number: 1933-2008

Drafting Date: 11/21/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to enter into a contract for the Facilities Management Division with Winnsapes for snow removal services at the following complexes: I-71 Complex (757 Carolyn Ave and 750 Piedmont Road), the Health Department (240 Parsons Avenue), the Police Academy (1000 North Hague Avenue), the Strategic Response Bureau (1120 Morse Road), and the Fire Training Academy (3639 and 3675

Parsons Avenue). The contractor is responsible for removal of snow at 2" or more and salting the same. Removal of snow and salting must be completed by 6:00 a.m. at all locations. The contractor will remove snow and salt all black top and driveway parking areas. The term of this contract is January 1, 2009 through December 31, 2009. The contract was bid with four renewal options.

Formal bids were solicited and two companies submitted bids on November 10, 2008 as follows (0 MBE, 0 FBE, and 0 MBR):

Winnsapes	\$38,376.00
EMI, Inc.	\$70,724.00

The Facilities Management Division recommends that the bid be awarded to the most responsive and responsible bidder, Winnsapes.

Emergency action is requested to ensure snow removal services can be provided during the winter months, thereby providing safe parking lots for City employees and users of these facilities. The current snow removal contract expires December 31, 2008.

Fiscal Impact: The cost of this contract is \$38,376.00. This is available in the General Fund budget and was projected in the Third Quarterly Financial Review.

Winnsapes Contract Compliance #31-1313521 expiration July 24, 2009.

Title

To authorize the Finance and Management Director to enter in a contract for the Facilities Management Division with Winnsapes for snow removal services for various City facilities; to authorize the expenditure of \$38,376.00 from the General Fund; and to declare an emergency.

Body

WHEREAS, it is necessary to provide snow removal at the I-71 Complex (757 Carolyn Ave and 750 Piedmont Road), the Health Department (240 Parsons Avenue), the East Side Health Department (1180 East Main Street), the Police Academy (1000 North Hague Avenue), the Strategic Response Bureau (1120 Morse Road), and the Fire Training Academy (3639 and 3675 Parsons Avenue); and

WHEREAS, snow removal services will provide safe parking lots for City employees and users of these facilities; and

WHEREAS, Winnsapes is the most responsive, responsible, and best bidder for snow removal services; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Division, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to enter into contract with Winnsapes for snow removal services for various City facilities so that snow removal services can be provided during the winter months, providing safe parking lots for City employees and users of these facilities, thereby preserving the public health, peace, property, safety, and welfare; now therefore:

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

SECTION 1. That the Finance and Management Director is hereby authorized to enter into a contract for the Facilities Management Division with Winnsapes for snow removal at various locations.

SECTION 2. That the expenditure of \$38,376.00, 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:

Dept/Div: 45-07
Fund: 010

OCA Code: 450044
OL1: 03
OL3: 3377
Amount: \$38,376.00

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

Legislation Number: 1936-2008

Drafting Date: 11/24/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: This legislation amends the 2008 Capital Improvement Budget and authorizes the City Auditor to transfer funds between projects within the Safety Bond Fund. Four completed Capital Improvement Projects in Public Safety have leftover funds that need transferred to projects that are still in progress. The funds to be transferred are each less than one thousand dollars and are no longer needed in the current projects. In addition, this ordinance authorizes amendments to the Capital Improvement Budget which will account for recent encumbrance cancellations.

Fiscal Impact: There is no net financial impact with these transfers. This transaction merely aligns cash with projected expenditures and rids the accounting system of projects with leftover cash of less than one thousand dollars.

Emergency Designation: Emergency legislation is requested in order to complete this transaction before the end of the year.

TitleTo amend the Department of Public Safety's 2008 Capital Improvement Budget, to authorize the City Auditor to transfer leftover cash between projects in the Safety Voted Bond Fund to properly align funds with projected expenditures, and to declare an emergency. (\$913.50)

BodyWHEREAS, it is necessary to amend Public Safety's 2008 Capital Improvement Budget and to authorize the City Auditor to transfer funds within projects in the Safety Voted Bond Fund; and

WHEREAS, these funds are leftover cash of less than one thousand dollars from projects that have been completed; and

WHEREAS, these transfers are necessary to properly align cash within projects with projected expenditures; and

WHEREAS, recent encumbrance cancellations require amendments to the Capital Improvement Budget; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety in that it is immediately necessary to amend Public Safety's 2008 Capital Improvement Budget and authorize these transfers before the end of the year 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 2008 Capital Improvement Budget (ordinance No. 0690-2008) is hereby amended to account for recent encumbrance cancellations and other corrections to previous amendments as follows:

<u>PROJECT</u>	<u>PROJECT NO</u>	<u>CURRENT CIB</u>	<u>REVISED CIB</u>
Fire Radios (Carryover)	320004-100000	\$650,000	\$650,002
Police Fac. Ren. (Carryover)	330021-100000	\$1,447,597	\$1,447,904
Fire Apparatus Repl. (Carryover)	340101-100000	\$6,610,634	\$6,637,446
Fire Facility Ren. (Carryover)	340103-100000	\$635,676	\$636,154
Fire Training Complex (Carryover)	340118-100000	\$250,689	\$250,690

SECTION 2. That the 2008 Capital Improvement Budget is hereby further amended as follows:

<u>PROJECT</u>	<u>PROJECT NO</u>	<u>CURRENT CIB</u>	<u>REVISED CIB</u>
Fire Radios (Carryover)	320004-100000	\$650,002	\$650,000
Police Fac. Ren Le.(Carryover)	330023-100000	\$909	
\$1			
Fire Station #35 (Carryover)	340113-100000	\$20,069	\$20,068
Comm Fac Ren (Carryover)	457001-100000	\$14,028	\$14,026
Police Fac Reno(Carryover)	330021-100000	\$1,447,904	\$1,448,817

SECTION 3. That the City Auditor is hereby authorized and directed to transfer funds within the Safety Capital Improvement Fund as follows:

FROM:

Dept/Div: 30-02|Fund: 701|Project Number 320004|Project Name - Fire Portable Radios |OCA Code 320004|Amount \$2.00

Dept/Div: 30-03|Fund: 701|Project Number 330023|Project Name - Police Facility Renovation-Lease |OCA Code 644476|Amount \$908.02

Dept/Div: 30-02|Fund: 701|Project Number 457001|Project Name - Communication Facility Renovation |OCA Code 642629|Amount \$2.67

Dept/Div: 30-04|Fund: 701|Project Number 340113|Project Name - Fire Station #35 Waggoner Rd. |OCA Code 644559|Amount \$0.81

TO:

Dept/Div: 30-03|Fund: 701|Project Number 330021|Project Name - Police Facility Renovation|OCA Code 644476|Amount \$913.50

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

Legislation Number: 1937-2008

Drafting Date: 11/24/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

This legislation authorizes the Director of Finance and Management to enter into contract for the purchase of 18

Automated Side Loading (ASL) Trucks for the Division of Refuse Collection, Department of Public Service.

Automated side loading collection vehicles are the backbone of the Division of Refuse Collection's mechanized collection system. This order will replace aging, high maintenance vehicles that have exceeded their planned life cycle. Formal competitive bids were solicited and opened by the Purchasing Office on June 12, 2008, (solicitation SA002906). Bids were received from the following (vendor / unit cost):

Cab and Chassis Bids

ESEC Corporation dba Columbus Peterbilt/ \$120,006.00

Body Bids

McNeilus Truck and Manufacturing \$84,700.00

Bell Equipment Company (Wayne Curbtender) \$104,700.00

Bell Equipment Company (Heil DuraPack) \$129,300.00

Division of Refuse Collection operation personnel are recommending the purchase of the Peterbilt cab and chassis from ESEC Corporation, dba Columbus Peterbilt, and the Wayne Curbtender body from Bell Equipment Company, as the lowest, best, responsive, and responsible bids.

The Division of Refuse Collection rejected the body bid proposal from McNeilus due to the determination that their equipment did not meet or exceed the "zero-radius" equipment performance specifications that are needed to service the tight clearance configurations that exist in our alley's and older neighborhoods.

The complete refuse collection truck consists of the cab, chassis, and body. The Refuse Collection Division is recommending that the Department of Finance and Management enter into a contract with Columbus Peterbilt to purchase eighteen (18) Peterbilt cab and chassis, each costing \$120,006.00, with six (6) of the eighteen (18) having Webasto heating/cooling units, each unit costing \$3,090. As well, the Department of Finance and Management will enter into a contract with Bell Equipment Company to purchase eighteen (18) Wayne Curbtender bodies, costing \$104,700.00 each. The total cost of a complete truck without the heating/cooling unit is \$224,706.00 and the total cost of a complete truck with the heating/cooling unit is \$227,796.00.

2. CONTRACT COMPLIANCE

ESEC Corporation dba Columbus Peterbilt (majority), contract compliance 34-1285858, expires September 9, 2010

Bell Equipment Company (majority), contract compliance 38-1941706, expires November 5, 2010

3. FISCAL IMPACT

The Division of Refuse Collection budgeted \$5,175,000.00 in the 2008 Capital Improvements Budget for refuse collection vehicles and containers. This ordinance authorizes an expenditure of \$4,063,248.00 for all eighteen (18) automated side loading trucks.

All funds from the 2007 Bond Sale have been either expended or encumbered. This expense can be accommodated within the Refuse G.O. Bonds Fund, mechanized collection project, by appropriating and transferring \$4,063,248.00 within the Special Income Tax Fund. This funding method is a temporary measure and this amount will be restored to the Special Income Tax Fund subsequent to the next note/bond sale for refuse collection equipment.

4. EMERGENCY DESIGNATION

Emergency action is requested in order to expedite the receipt of these new trucks, which have a long delivery lead-time. TitleTo authorize the Director of Finance and Management to enter into contract with ESEC Corporation, and Bell Equipment Company, for the purchase of truck cabs, chassis and bodies, which collectively constitute eighteen (18) automated side loader refuse collection trucks for the Division of Refuse Collection; to appropriate and authorize the City Auditor to transfer \$4,063,248.00 from the Special Income Tax Fund to the Refuse G.O. Bonds Fund; to appropriate and authorize the expenditure of \$4,063,248.00 from the Refuse G.O. Bonds Fund; and to declare an emergency. (\$4,063,248.00)

BodyWHEREAS, the Purchasing Office solicited formal competitive bids to acquire automated side loading refuse

collection trucks on behalf of the Division of Refuse Collection; and

WHEREAS, bids received for solicitation #SA002906 were opened on June 12, 2008; and

WHEREAS, the Division of Refuse Collection is recommending awards to the lowest responsive, responsible and best bids; and

WHEREAS, the purchase of these vehicles constitutes part of this division's scheduled vehicle replacement program and is a budgeted expense within the division's 2008 Capital Improvement Budget; and

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

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project").

WHEREAS, the aggregate principal amount which the city will issue to finance this project is presently expected not to exceed \$4,063,248.00; and

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

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

Section 1. That the Director of Finance and Management be and hereby is authorized and directed to enter into contract for the purchase of eighteen (18) automated side loading refuse collection trucks for the Refuse Collection Division as follows:

Vendor / Item / Amount

ESEC Corporation dba Columbus Peterbilt / truck cabs and chassis / \$2,178,648.00.00

Bell Equipment Company / refuse collection truck bodies / \$1,884,600.00

Section 2. That from the unappropriated monies in the Special Income Tax Fund, Fund 430, and from the monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008, the sum of \$4,063,248.00 be and hereby is appropriated to the City Auditor, Department No. 22-01, Object Level One Code 10, Object Level Three Code 5502 and OCA Code 902023.

Section 3. That the City Auditor is hereby authorized to transfer said funds to the Refuse G.O. Bonds Fund, 703, at such time as it is deemed necessary by the City Auditor and to expend said funds or so much thereof as may be necessary.

Section 4. That \$4,063,248.00 is hereby appropriated within Fund 703, the Refuse G.O. Bonds Fund, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419 and Project 520001 to purchase automated side loading Refuse Collection Vehicles for the Refuse Collection Division.

Section 5. That the monies appropriated in the foregoing Section 5 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 6. That upon obtaining other funds for this capital improvement, the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 3 above and said funds are hereby deemed appropriated for such purpose.

Section 7. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 2 above.

Section 8. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$4,063,248.00. (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

Section 9. That the expenditure of \$4,063,248.00, or so much thereof as may be needed, be and hereby is authorized from the Refuse G.O. Bonds Fund, Fund 703, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6652, OCA Code 644419, Project 520001 to pay the cost thereof.

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

Legislation Number: 1939-2008

Drafting Date: 11/24/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:** This ordinance authorizes an appropriation to and transfer from the anticipated expenditure fund in order to pay the costs of a 27th pay day in 2008 for employees of the general fund, as well as the health special revenue fund and recreation and parks operating fund.

The anticipated expenditure fund was established in 1994 to plan for the next occurrence of a fiscal year in which there are 27 pay days rather than the standard 26. This fund received \$5.33 million in refunded monies from the Ohio Bureau of Workers Compensation in 1998, and regular deposits have been made each year since 1994. The 27th pay date will occur on December 30, 2008. The projected amount of this pay for employees funded by the general fund, the health special revenue fund and the recreation and parks operating fund is \$17.8 million.

FISCAL IMPACT: This appropriation and transfer will allow for the payment of the 27th pay period obligation in 2008 for employees of the general fund, the health special revenue fund and the recreation and parks operating fund and will reduce the cash in that fund by \$17,800,000. Additional deposits to the fund will continue in 2009 and beyond to ensure that there are sufficient funds to build the fund back up for the next occurrence of a 27th pay date, which is estimated to be in 2020.

Title

To appropriate \$17,800,000 within the Anticipated Expenditure Fund to provide authority for payment of a 27th pay day in 2008, to transfer \$17,800,000 from the Anticipated Expenditure Fund to the general fund, to appropriate \$17,800,000 in the general fund, to transfer \$570,000 from the general fund to the Health Special revenue Fund, to transfer \$740,000 from the general fund to the Recreation and Parks Operation and Extension Fund; and to declare an emergency. (\$17,800,000)

Body

WHEREAS, an appropriation within and transfer from the anticipated expenditure fund is necessary to provide for the payment of the 27th pay period obligation in 2008 for employees of the general fund, the health special revenue fund and the recreation and parks operating fund; and

WHEREAS, an emergency exists in the usual daily operation of City of Columbus, in that it is immediately necessary to appropriate and transfer funds for the aforementioned purpose for the preservation of the public health, peace, property, safety, and welfare; Now, Therefore,

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

Section 1. That from the unappropriated monies in the Anticipated Expenditure Fund, Fund 012, the sum of \$17,800,000 is appropriated to Department 45, OL1 10, OL3 5501, OCA 450012.

Section 2. That the amount of \$17,800,000 is hereby transferred from Anticipated Expenditure Fund, Fund 012, Dept 45, OCA 450012, OL3 5501 to the unappropriated balance of the general fund, fund 010.

Section 3. That from the unappropriated monies in the general fund, fund 010, appropriations are made as follows:

Attachment: Final 27th pp.xls

Section 4. That the amount of \$570,000 is hereby transferred from the general fund, Fund 010, Dept 50, OCA 900068, OL3 5501 to the unappropriated balance of the Health Special Revenue Fund, Fund 250.

Section 5. That from the unappropriated monies in the Health Special Revenue Fund, Fund 250, \$570,000 be and is hereby appropriated to OL1 01, OL3 1000, OCA 500207.

Section 6. That the amount of \$740,000 is hereby transferred from the general fund, Fund 010, Dept 51, OCA 900050, OL3 5501 to the unappropriated balance of the Recreation and Parks Operation and Extension Fund, Fund 285.

Section 7. That from the unappropriated monies in the Recreation and Parks Operation and Extension Fund, Fund 285, \$740,000 be and is hereby appropriated to OL1 01, OL3 1000, OCA 510024.

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

Legislation Number: 1942-2008

Drafting Date: 11/24/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to establish a Universal Term Contract (UTC) to purchase subsurface geologic investigations (borings), installation of monitoring wells, and the abandonment of monitoring wells within southern Central Ohio area for the Division of Water. The term of the proposed option contract would be three (3) years, through December 31, 2011, with the option to renew for one (1) additional year. The Purchasing Office opened formal bids on October 30, 2008.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003071. Twelve (12) bids were solicited (M1A: 1). Three (3) bids were received.

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

Lee Testing & Engineering, Inc., CC#412224011 (Expires 5/01/09)

Total Estimated Annual Expenditure: \$1.00

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

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

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Purchasing UTC Account. The Division of Water 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 a contract to purchase subsurface geologic investigations (borings), installation of monitoring wells, and the abandonment of monitoring wells with Lee Testing & Engineering, Inc., to authorize the appropriation of one (1) dollar to establish the contract from the Purchasing/UTC Account, and to declare an emergency. (\$1.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 30, 2008, and selected the lowest, responsive, responsible and best bidder; and

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

WHEREAS, in order to ensure subsurface geologic investigations and installation of monitoring wells are supplied without interruption, as they are used for the purpose of drilling to obtain geological information and/or monitoring well installations from various boring locations, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water in that it is immediately necessary to enter into a contract for the option to purchase subsurface geologic investigations (borings), installation of monitoring wells, and the abandonment of monitoring wells, 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 for an option to purchase geologic investigations and installation of monitoring wells for the term ending December 31, 2011, with the option to renew for one (1) additional year in accordance with Bid SA003071:

Lee Testing & Engineering, Inc., Items 1 through 31: \$1.00

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

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

Legislation Number: 1943-2008

Drafting Date: 11/24/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND:

This Ordinance allows the Finance and Management Director to establish a purchase order per the terms and conditions of a Universal Term Contract (UTC) with WW Williams in the amount of \$1,464.00 for the Fleet Management Division. This amount is for the installation of diesel oxidation catalysts (DOCs) on select diesel vehicles. DOCs are estimated to reduce particulate matter by 25 percent, carbon monoxide by 50 percent, and hydrocarbons by 50 percent. This project is part of a grant awarded by the US Environmental Protection Agency to fund the Mid-Ohio Public Diesel Fleet Initiative, a collaborative partnership between the Mid-Ohio Regional Planning Commission, the Ohio Environmental Council (OEC), the City of Columbus, and the Central Ohio Transit Authority (COTA). The grant is funding Fleet Management's portion of the "Mid-Ohio Public Diesel Fleet Initiative: Leading the Way to Cleaner Air" project.

WW Williams, Contract Compliance Number 31-1024851, expiration 09/08/2010.

FISCAL IMPACT: The necessary funding of \$1,464.00 is available from a previously established Auditor's Certificate (AC028653) via the authority of ordinance 0888-2008, passed 06/16/2008.

EMERGENCY ACTION is requested in order to allow the necessary installation of diesel oxidation catalysts (DOCs) on select diesel vehicles, thereby ensuring quick compliance with the awarded grant.

Title

To authorize the Finance and Management Director to establish a purchase order from an existing Auditor's Certificate in the amount of \$1,464.00 for the Fleet Management Division with WW Williams in order to install diesel oxidation catalysts (DOCs) on select diesel vehicles for a Midwest Clean Diesel Initiative grant; and to declare an emergency. (\$1,464.00)

Body

WHEREAS, the Finance and Management Department has a need to establish a purchase order in the amount of \$1,464.00 with WW Williams from an existing Auditor's Certificate (AC028653) per the terms of a Universal Term Contract; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Fleet Management Division, in that it is immediately necessary to establish said purchase order in order to quickly comply with the 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 Finance and Management Director is hereby authorized to establish a purchase order from AC028653 with WW Williams per the terms and conditions of a Universal Term Contract in order to install diesel oxidation catalysts (DOCs) on select diesel vehicles for a Midwest Clean Diesel Initiative grant under the project heading "Mid-Ohio Public Diesel Fleet Initiative: Leading the Way to Cleaner Air."

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.

Drafting Date: 11/24/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The purpose of this ordinance is to authorize an agreement between the Director of the Columbus Department of Development and the Ohio Department of Development to accept a \$5,000,000.00 Job Ready Sites (JRS) grant for improvements at the TechCenter South site (formerly know as the Techneglas site) and to authorize any necessary agreements with the site owner, TechCenter South Development Co., LLC (an affiliate of Greystone & Co., Inc.) as the City's principle agent to facilitate site improvements under the said grant for redevelopment of the TechCenter South site.

Pursuant to Ordinance 1154-2007, passed by Columbus City Council on July 16, 2007, the Columbus Director of Development received authorization to enter into a partnership agreement with TG707, Inc. to apply for a \$5,000,000.00 Ohio JRS grant for improvements at the former Techneglas site on Columbus' Southside at 707 Jenkins Avenue, for the redevelopment project known as TechCenter South. This ordinance was later amended, under Ordinance 0691-08, passed by Columbus City Council on April 21, 2008, to reflect the City of Columbus as the grant applicant in partnership with the TechCenter South Development Co., LLC; replacing TG707 Inc. as the appropriate legal entity with whom the City would enter into a development agreement.

The former Techneglas plant closed in 2004 and served as one of Columbus' major industrial employers for many years. The site has remained largely vacant since with approximately 48 acres and over 1 million square feet of re-developable space.

With the JRS grant, the City, in partnership with the TechCenter South Development Company will renovate the existing space and undertake site improvements to accommodate an anticipated employment potential of over 1,500 jobs.

FISCAL IMPACT: Funding is through the General Government Grant Fund. The City of Columbus will receive a Job Ready Sites grant of \$5,000,000.00 to apply toward improvements to the TechCenter South site.

Title

To authorize the Director of the Department of Development to enter into an agreement with the Ohio Department of Development to accept a \$5,000,000.00 Job Ready Sites grant for improvements at the TechCenter South site; to authorize the appropriation of \$5,000,000.00 from the General Government Grant Fund; to authorize any necessary agreements with the site owner, TechCenter South Development Co., LLC, to facilitate site improvements under the said grant in partnership with the City of Columbus; and to authorize the expenditure of up to \$5,000,000.00 from the General Government Grant Fund. (\$5,000,000.00)

Body

WHEREAS, Ohio voters approved a \$2 billion public works and economic development bond package on November 8, 2005; and

WHEREAS, the Ohio Job Ready Sites Program was created as a result of the aforementioned bond package, allowing for applications from Ohio communities for, but not limited to, infrastructure improvements, building demolition, construction and brownfield remediation; and

WHEREAS, the maximum amount that can be applied for under the Job Ready Sites Program is \$5,000,000.00 and the City applied for a \$5,000,000.00 Job Ready Sites grant to re-develop and improve the TechCenter site to accommodate an employment potential of over 1,500 jobs; and

WHEREAS, Ordinance 1154-07 granted authority to the Director of the Columbus Department of Development to enter into a partnership agreement with TG707, Inc to apply for the Job Ready Sites grant; and

WHEREAS, TechCenter South Development Co., LLC (an affiliate of Greystone & Co., Inc.) is now the appropriate legal

entity to enter into a development partnership agreement with the City, as amended under Ordinance 0691-2008; and

WHEREAS, the City of Columbus, in partnership with TechCenter South Development Co., LLC, desire to restore the former Techneglas site to productive use; and

WHEREAS, the project grant application is approved by the Ohio Department of Development and Ohio Controlling Board for award of a Job Ready Sites grant for \$5,000,000.00 to re-develop and improve the TechCenter South site;

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 an agreement with the Ohio Department of Development to accept a \$5,000,000.00 Job Ready Sites grant for improvements at the TechCenter South site at 707 Jenkins Avenue on Columbus' Southside.

Section 2. That the sum of \$5,000,000.00 be and is hereby appropriated from the unappropriated balance of the General Government Grant Fund, Fund 220, and from all monies estimated to come into said fund from any and all sources appropriated and unappropriated for any other purpose during the fiscal year ending December 31, 2008, to the Department of Development, Economic Development Division, Division Number 44-02, Object Level One 03, Object Level Three 3526, with the OCA and grant codes to be issued by the City Auditor upon award of said grant.

Section 3. That the Director of the Department of Development is hereby authorized to enter into any necessary agreements with the site owner, TechCenter South Development Company, LLC, to act as the City's principle agent to facilitate site improvements under the \$5,000,000.00 Job Ready Sites grant for the TechCenter South site.

Section 4. That for the purpose stated in Section 3, the expenditure of up to \$5,000,000.00 is hereby authorized from the General Government Grant Fund, Fund 220, Department of Development, Economic Development Division, Division No. 44-02, Object Level One 03, Object Level Three 3526, with the OCA and grant codes to be issued by the City Auditor upon award of said grant.

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

Legislation Number: 1945-2008

Drafting Date: 11/25/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to modify two (2) Empowerment Zone (EZ) grant-funded contracts with the Columbus Compact Corporation by reducing the contract amounts. Contract #DL007854, EZ Economic Opportunity, has an unexpended balance of \$528,813.24 and will be decreased by \$12,000, resulting in a new unexpended balance of \$516,813.24. Contract #DL007816, EZ Neighborhood Life, has an unexpended balance of \$62,216.07 and will be reduced by \$60,216.07 to a new unexpended balance of \$2,000.00. A portion of these unexpended balances will be cancelled from the A/Cs.

In companion legislation, the \$72,216.07 made available by these reductions will be used to increase allocations to EZ Administration contract #DL012779.

The Columbus Compact Corporation is the governing body and implementation agent for the Columbus Empowerment Zone that was awarded a ten-year designation by the Federal Department of Housing and Urban Development for revitalization of a 14 square mile section of Central City Columbus.

This legislation is presented as an emergency to allow the Columbus Compact Corporation to continue on-going EZ grant-funded programs without interruption.

FISCAL IMPACT: No funding is required for this legislation. Funds made available by these contract modifications will be reallocated to EZ Administration in companion legislation 1946-2008.

Title

To authorize the Director of Development to modify two (2) Empowerment Zone grant-funded contracts with the Columbus Compact Corporation by decreasing the contract amounts; and to declare an emergency.

Body

WHEREAS, the Director of the Department of Development desires to modify two (2) Empowerment Zone grant-funded contracts with the Columbus Compact Corporation by decreasing the contract amounts. The contracts are Economic Opportunity Initiative - contract #DL007854 for the EZ Finance and the Land Acquisition programs; and also Neighborhood Life Initiative - contract #DL007816 Neighborhood Advocate, Neighborhood Marketing and EZ Rehabilitation and Renovation; and

WHEREAS, the funds made available by these reductions will be reallocated to EZ Administration in companion legislation; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend these two contracts to allow the Columbus Compact Corporation to continue on-going EZ grant-funded programs without interruption, all for the preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE**,

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

Section 1. That the Director of the Department of Development is hereby authorized to amend two (2) Empowerment Zone grant-funded contracts with the Columbus Compact Corporation by reducing the contract amounts as follows:

<u>Contract #</u>	<u>Description</u>	<u>Modification Amt</u>
DL007854	Economic Opportunity	-\$12,000.00
DL007816	EZ Neighborhood Life Initiative	<u>-\$60,216.07</u>
Total:		-\$72,216.07

Section 2. That these modifications are awarded pursuant to Section 329.16 of the Columbus City Codes, 1959 as amended.

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

Legislation Number: 1946-2008

Drafting Date: 11/25/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to modify Empowerment Zone (EZ) Administration contract DL012779 with the Columbus Compact Corporation by increasing the contract by \$165,221.80. The revised contract total will be \$626,286.80. This increase enables the Compact to continue daily management of the Columbus Empowerment Zone. Funds for this modification are available by closing out several EZ contracts, and from the partial cancellation of other EZ contract balances with the Columbus Compact (see companion ordinance 1945-2008).

The Columbus Compact Corporation is the governing body and implementation agent for the Columbus Empowerment Zone that received a ten-year designation by the Federal Department of Housing and Urban Development for revitalization of a 14 square mile section of Central City Columbus.

This legislation is presented as an emergency to allow the Columbus Compact Corporation to continue on-going EZ grant-funded programs without interruption.

FISCAL IMPACT: Funds for this contract modification are allocated from the General Government Grant Fund. The funds are made available from canceling the unexpended balances of contracts DL010232, DL011077, DL010139, and DL012788. In companion legislation 1945-2008, an additional \$72,216.07 is made available from the partial cancellation of contract balances from EZ grant funded contracts DL007816 and DL007854. The total increase is \$165,221.80.

Title

To authorize the Director of Development to cancel the unexpended balances from several EZ grant-funded contracts; to authorize the Director of Development to modify a contract with the Columbus Compact Corporation; to authorize the expenditure of \$165,221.80 from the General Government grant fund; and to declare an emergency (\$165,221.80).

Body

WHEREAS, the Director of the Department of Development desires close out several EZ grant-funded contracts with the Columbus Compact; and

WHEREAS, this legislation authorizes the Director of the Department of Development to modify contract DL012779 with the Columbus Compact Corporation by increasing the contract by \$165,221.80; and

WHEREAS, this increase enables the Compact to continue daily management of the Columbus Empowerment Zone (EZ); and

WHEREAS, funds for this modification are available by closing out contracts DL010232, DL011077, DL010139, and DL012788 with the Columbus Compact; and

WHEREAS, the Columbus Compact Corporation is the governing body and implementation agent for the Columbus Empowerment Zone that received a ten-year designation by the Federal Department of Housing and Urban Development for revitalization of a 14 square mile section of Central City Columbus; and

WHEREAS, this legislation is presented as an emergency to allow the Columbus Compact Corporation to continue on-going EZ grant-funded programs without interruption; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to make these cancellations and modifications of Empowerment Zone contracts, 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 to cancel the following Empowerment Zone contracts with the Columbus Compact Corporation:

<u>Contract #</u>	<u>Program</u>	<u>Amount</u>
DL010232	Economic Opportunity	-52,534.50
DL011077	CVCL	-22,226.65
DL010139	CVCL	-17,575.58
DL012788	CVCL	<u>-669.00</u>
Total		<u>-\$93,005.73</u>

Section 2. That the Director of the Department of Development is hereby authorized to modify EZ administrative contract DL012779 by increasing the contract by \$165,221.80.

Section 3. That the expenditure of \$165,221.80 or so much as may be necessary is hereby authorized from the Department of Development, Dept 44-01, Fund 220, Grant 449006, OCA code 444288, Object Level One 03, Object Level Three 3337.

Section 4. That this modification is awarded pursuant to Section 329.16 of the Columbus City Codes, 1959 as amended.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves or vetoes the same.

Legislation Number: 1947-2008

Drafting Date: 11/25/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: The City Department of Development is proposing the establishment of a tax increment financing (TIF) incentive district on the Blausler-Summerlyn site in the City pursuant to Section 5709.40(C) of the Ohio Revised Code. The attached Ordinance establishes that incentive district and provides for a 100% exemption from real property taxation on all development within the incentive district for a period of not more than 30 years. It is important to note that the Columbus City School District will receive, in the same manner as usual, all amounts that it would have received in real property taxes had the tax exemption not been granted. Annual service payments in lieu of taxes will be made with respect to private development within the incentive district. The applicable portion of those service payments will be distributed directly to the Columbus City School District, with the remaining non-school portion of those service payments paid to the City for deposit into the TIF fund established in the Ordinance to be used to fund public improvements benefiting or serving the incentive district.

Fiscal Impact: No funding is required for this legislation. The City is foregoing real property tax revenue that it would have received with respect to development within the incentive district. Instead, the non-school portion of that revenue will be diverted to the specified TIF fund to be used for public infrastructure improvements benefiting or serving the incentive district.

Title

To authorize the creation of a tax increment financing incentive district encompassing certain parcels of real property

(Blauser-Summerlyn); to declare improvements to those parcels to be a public purpose and exempt from real property taxation; to provide for the owners of those parcels to make service payments in lieu of taxes; to provide for the distribution of the applicable portion of those service payments to the Columbus City School District; to establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those service payments; to specify the public infrastructure improvements to be made within the district that directly benefit or serve those parcels; to approve and authorize the execution of a tax increment financing agreement; and to declare an emergency.

Body

WHEREAS, Sections 5709.40(C), 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the "TIF Statutes") authorize the legislative authority of a municipal corporation, by ordinance, to create an incentive district and declare the improvement to each parcel of real property located within the incentive district to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the city, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit or serve, or that once made will directly benefit or serve, the parcels in the incentive district; and

WHEREAS, this Council has determined to create an incentive district known as the Blauser-Summerlyn Incentive District (the "Incentive District"), the boundary of which shall be coextensive with the boundary of, and shall include, the parcels of real property specifically identified and depicted in Exhibit A attached hereto (with each of those parcels referred to herein individually as a "Parcel" and collectively as the "Parcels"); and

WHEREAS, by Ordinance No. 1662-2008 passed on October 27, 2008, this Council approved an Economic Development Plan for the Incentive District (the "Development Plan"), which Development Plan is on file in the City Department of Development; and

WHEREAS, the City Engineer has certified to this Council that (i) the Incentive District is less than 300 acres in size, (ii) the Incentive District is enclosed by a contiguous boundary, and (iii) the public infrastructure serving the Incentive District is inadequate to meet the development needs of that district as evidenced by the Development Plan; and

WHEREAS, the City anticipates that the Parcels will undergo certain private improvements as described in Exhibit B attached hereto (collectively, the "Project"); and

WHEREAS, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation one hundred percent (100%) of the Improvement to each Parcel as permitted and provided in Section 5709.40(C) of the Ohio Revised Code for up to thirty (30) years (the "TIF Exemption") and to simultaneously direct and require the current and future owner(s) of each Parcel (each such owner individually, an "Owner," and collectively, the "Owners") to make annual Service Payments (as defined in Section 2 of this Ordinance) in lieu of real property tax payments, in the same amount as they would have made real property tax payments except for the exemption provided by this Ordinance; provided that the TIF Exemption and the obligation to make Service Payments is subject and subordinate to any tax exemptions applicable to the Improvement approved by the City pursuant to Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code; and

WHEREAS, the City has determined that a portion of the Service Payments shall be paid directly to the Columbus City School District (the "School District") in an amount equal to the real property taxes that School District would have been paid if the Improvement to each Parcel located within that School District had not been exempt from taxation pursuant to this Ordinance; and

WHEREAS, pursuant to Section 5709.43(A) of the Ohio Revised Code, this Council has determined to establish a municipal public improvement tax increment equivalent fund for the Incentive District, in which there shall be deposited the remaining Service Payments distributed to the City as provided herein; and

WHEREAS, this Council has determined to provide for the construction of the public infrastructure improvements

described in Exhibit C attached hereto (the "Public Infrastructure Improvements"), as further provided in the Tax Increment Financing Agreement authorized herein, which Public Infrastructure Improvements, once made, will directly benefit or serve the Incentive District; and

WHEREAS, this Council has determined to provide for the execution and delivery of a tax increment financing agreement to provide for the development of the Parcels; and

WHEREAS, notice of this proposed Ordinance has been delivered to the Board of Education of the School District in accordance with and within the time periods prescribed in Sections 5709.40 and 5709.83 of the Ohio Revised Code; and

WHEREAS, an emergency exists in that this Ordinance is required to be immediately effective in order to facilitate the development of the Parcels, such immediate action being necessary 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. Creation of Incentive District. Pursuant to the TIF Statutes, this Council hereby creates the "Blouser-Summerlyn Incentive District," the boundaries of which shall be coextensive with the boundary of, and shall include, the Parcels as specifically identified and depicted in Exhibit A.

Section 2. Authorization of Tax Exemption. Pursuant to and in accordance with the provisions of Section 5709.40(C) of the Ohio Revised Code, this Council hereby finds and determines that one hundred percent (100%) of the increase in assessed value of each Parcel subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement," as defined in Section 5709.40(A) of the Ohio Revised Code) is hereby declared to be a public purpose and shall be exempt from taxation for a period coextensive with the life of the Incentive District, which commences with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a Project structure first appears on the tax list and duplicate of real and public utility property and ends on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes. Notwithstanding any other provision of the TIF Agreement (as defined in Section 8 hereof) or this Ordinance, the TIF Exemption granted pursuant to this Section 2 and the payment obligations established pursuant to Section 3 of this Ordinance are subject and subordinate to any tax exemptions applicable to the Improvement approved by the City pursuant to Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code.

Section 3. Service Payments and Property Tax Rollback Payments. Subject to any tax exemptions applicable to the Improvement approved by the City pursuant to Sections 3735.65 through 3735.70 or 5709.61 through 5709.69 of the Ohio Revised Code, and pursuant to Section 5709.42 of the Ohio Revised Code, this Council hereby directs and requires the Owner of each Parcel it owns to make annual Service Payments (as defined herein) in lieu of taxes with respect to the Improvement allocable thereto to the Franklin County Treasurer (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established under Sections 323.121(B)(1) and 5703.47 of the Ohio Revised Code (collectively, the "Service Payments"), shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 2 of this Ordinance. The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "Property Tax Rollback Payments"), shall be allocated and distributed in accordance with Section 6 of this Ordinance.

This Council further hereby authorizes and directs appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments from the Owners, including the preparation and filing of any necessary exemption applications.

Section 4. Tax Increment Equivalent Fund. This Council hereby establishes, pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the Blausler-Summerlyn Municipal Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"), into which the County Treasurer shall deposit the Service Payments collected from the Parcels not required to be distributed to the School District pursuant to Section 6 of this Ordinance. The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to Sections 5709.42 and 5709.43 of the Ohio Revised Code shall be used solely for the purposes authorized in the TIF Statutes and this Ordinance. The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any surplus funds remaining therein transferred to the City's General Fund, all in accordance with Section 5709.43 of the Ohio Revised Code.

Section 5. Appropriation of Funds. The Service Payments and Property Tax Rollback Payments deposited in the TIF Fund shall be deemed appropriated for the purposes set forth in the TIF Agreement (as defined in Section 8 hereof) and authorized to be expended therefrom in accordance with that TIF Agreement. Subject to vouchers approved by the Director of the City's Department of Development (the "Director"), the City Auditor is hereby authorized to make payments to the Developer (as defined in the TIF Agreement) or its designee from the TIF Fund in accordance with the TIF Agreement.

Section 6. Distribution of Funds. Pursuant to the TIF Statutes, the County Treasurer is requested to distribute the Service Payments and the Property Tax Rollback Payments as follows:

- (i) to the School District, an amount equal to the amount that School District would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to the Parcels located within that School District if the Improvement had not been exempt from taxation pursuant to this Ordinance; and
- (ii) to the City, all remaining amounts for further deposit into the TIF Fund for payment of costs of the Public Infrastructure Improvements by reimbursing the Developer for those costs.

All distributions required under this Section 6 are requested to be made at the same time and in the same manner as real property tax distributions.

Section 7. Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in Exhibit C attached hereto, and any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements, as public infrastructure improvements made, to be made or in the process of being made by the City that directly benefit or serve, or that once made will directly benefit or serve, the Incentive District.

Section 8. Tax Increment Financing Agreement. The City shall enter into a Tax Increment Financing Agreement (the "Agreement") in the customary form not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the Director. The Director, for and in the name of the City, is hereby authorized to execute the Agreement.

Section 9. Non-Discriminatory Hiring Policy. In accordance with Section 5709.832 of the Ohio Revised Code,

this Council hereby determines that no employer located within the Inventive District shall deny any individual employment based solely on the basis of race, religion, sex, disability, color, national origin or ancestry.

Section 10. Further Authorizations. This Council hereby authorizes and directs the Director, the City Clerk or other appropriate officers of the City to make such arrangements as are necessary and proper for collection from the Owners of the Service Payments. This Council further authorizes and directs the Director, the City Clerk or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance and the TIF Agreement.

Section 11. Filings with Ohio Department of Development. Pursuant to Section 5709.40(I) of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within fifteen (15) days after its effective date. Further, on or before March 31 of each year the exemption set forth in Section 2 of this Ordinance remains in effect, the Clerk of Council or other authorized officer of the City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Section 5709.40(I) of the Ohio Revised Code.

Section 12. Tax Incentive Review Council. The City of Columbus, Ohio, Tax Incentive Review Council shall review annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other matters as may properly come before that Council, all in accordance with Section 5709.85 of the Ohio Revised Code.

Section 13. Effective Date. 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 the passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1949-2008

Drafting Date: 11/25/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: On August 8, 2007, contract EE004398 was approved, authorizing the Franklin County Municipal Court Clerk to enter into a three year contract with General Temperature Control, Inc. for the provision of maintenance, support and emergency services.

This ordinance authorizes the Franklin County Municipal Court Clerk to modify the contract with General Temperature Control, Inc. for additional emergency services and to declare an emergency.

Contract Modification

1. Amount of additional funds to be expended under this modification is \$18,300.00.
2. Due to the installation of new equipment, emergency services are needed to relocate the heating ventilation and air conditioner (HVAC) system into the server room to meet the cooling demands of the Clerk's computer system.
3. The work under this contract modification is for additional emergency services required to preserve continuity of the work under the current contractor.
4. The cost was negotiated.

Contract Compliance Number: 31-1201236

Expiration Date: 4/29/2010

Emergency: Emergency action is requested to meet the cooling demands of the server room and to allow the financial transaction to be posted in the city's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

Fiscal Impact: Funds totaling \$18,300.00 are available within the Franklin County Municipal Court Clerk's 2008 computer fund budget.

Title

To authorize the Franklin County Municipal Court Clerk to modify the contract with General Temperature Control, Inc. for additional emergency services; to authorize an expenditure of \$18,300.00 from the Municipal Court Computer Fund; and to declare an emergency. (\$18,300.00)

Body

Whereas, on August 8, 2007, contract EE004398 was approved, authorizing the Franklin County Municipal Court Clerk to enter into a three year contract with General Temperature Control, Inc. for the provision of maintenance, support and emergency services; and

Whereas, funds are available in the Clerk's 2008 computer fund budget to pay for the needed emergency services; and

Whereas, the emergency services are needed to relocate the HVAC into the server room to meet the cooling demands of the Clerk's computer system; and

Whereas, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk, in that it is immediately necessary to modify the contract with General Temperature Control, Inc. to pay for the required services needed to relocate the HVAC, for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

Section 1. That the Franklin County Municipal Court Clerk be and is hereby authorized to modify the contract with General Temperature Control, Inc. for additional emergency services in an amount not to exceed \$18,300.00.

Section 2. That the expenditure of \$18,300.00 or so much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court Clerk, organization 2601, computer fund, fund 227, subfund 002, oca 260208, object level one - 03, object level three - 3336.

Section 3. That this modification is in accordance with the provisions of Section 329.16 of the Columbus City Codes, 1959.

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

Legislation Number: 1950-2008

Drafting Date: 11/25/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background

The Franklin County Municipal Court Clerk was authorized by the Mayor's emergency letter, dated August 8, 2007, to enter into the contract EA006734 with Maximus, Inc., for twenty-nine consecutive months (29) of software support and optional support services for the Clerk's case management system. This contract was awarded pursuant to the sole source provisions of Section 329.07.

CourtView Justice Solutions, Inc. acquired the Justice Solutions business of Maximus, Inc. Maximus, Inc. has agreed to assign all rights and responsibilities under contract EA006734 to CourtView Justice Solutions, Inc. who has agreed to assume all rights and responsibilities and honor all terms, conditions and pricing contained in the original contract.

This ordinance authorizes the Franklin County Municipal Court Clerk to change the company name and federal identification number (FID) for contract EA006734 and related purchase orders established with Maximus, Inc. to CourtView Justice Solutions, Inc; authorizes the assignment of all past, present and future business done by the Franklin County Municipal Clerk (City of Columbus) under the authority of EA006734, from Maximus, Inc. (FID 54-1000588) to CourtView Justice Solutions, Inc. (FID 46-0521050); authorizes a supplemental appropriation of \$48,860.00 from the unappropriated balance of the Clerk's computer fund; authorizes the Clerk to enter into the last twelve months of a twenty-nine consecutive month contract with CourtView Justice Solutions for software support and optional support services; authorizes an expenditure of \$278,860.00 from the Clerk's computer fund; and declares an emergency.

Fiscal Impact: Funds totaling \$230,000.00 are available within the Municipal Court Clerk 2008 computer fund budget; supplemental funds totaling \$48,860.00 are available within the balance of the Clerk's computer fund.

Contract Modifications:

2007 - Original contract EA006734; Mayors Emergency letter; \$137,105.45.

2007 - First modification; EL007448; \$262,960.00

2008 - Second modification; EA006734; IJIS Broker Software modification; no funds needed

2008 - Third modification; \$278,860.00

Emergency: Emergency legislation is requested to maintain ongoing and uninterrupted software and maintenance support for the Municipal Court Clerk case management system.

Contract Compliance #: CourtView Justice Solutions, Inc.: 46-0521050

Expiration Date: 11/14/2010

Title

To authorize and direct the Franklin County Municipal Court Clerk to modify all past, present and future purchase orders for support services with Maximus, Inc.; to reassign all rights and responsibilities to CourtView Justice Solutions, Inc; to authorize a supplemental appropriation of \$48,860.00 from the Clerk's computer fund; to authorize and direct the Clerk to enter into a contract with CourtView Justice Solutions, Inc.; to authorize the expenditure of \$278,860.00 from the Clerk's computer fund; and to declare an emergency (\$278,860.00).

Body

Whereas, that on August 9, 2007 the Franklin County Municipal Court Clerk was authorized by the Mayor's emergency letter to enter into contract EA006734 with Maximus, Inc., for twenty-nine consecutive months (29) of software support and optional support services for the Clerk's case management system; and

Whereas, the CourtView Justice Solutions, Inc. acquired the Justice Solutions business of Maximus, Inc.; and

Whereas, that Maximus, Inc. has agreed to assign all rights and responsibilities under contract EA006734 to CourtView Justice Solutions, Inc. who has agreed to assume all rights and responsibilities and honor all terms, conditions and pricing contained in the original contract; and

Whereas, this ordinance will enable the Clerk to appropriate said funds within the unappropriated balance of the Municipal Court Clerk computer fund; and

Whereas, sufficient funds are available within the Municipal Court Clerk computer fund balance; and

Whereas, it is necessary to secure the last twelve (12) months of twenty nine (29) months of software support and optional support services for the period of January 1, 2009 through December 31, 2009 for the Franklin County Municipal Court Clerk's case management system ; and

Whereas, an emergency exists in the usual daily operation of the Municipal Court Clerk's office, in that it is immediately necessary to provide for ongoing and uninterrupted software support for the Franklin County Municipal Court Clerk case management system, thereby preserving the public health, peace, property, safety, and welfare; now therefore

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

Section 1. That the Franklin County Municipal Court Clerk be and is hereby authorized and directed to modify contract EA006734 and all past, present and future contracts and purchase orders pursuant to EA006734 to reflect the change of the company name and federal identification number (FID) from Maximus, Inc. , FID 54-1000588 to CourtView Justice Solutions, Inc., FID 46-0521050.

Sections 2. That from the unappropriated monies in the Franklin County Municipal Court Clerk computer fund and from all monies estimated to be deposited into said fund, the sum of \$48,860.00 be and is hereby appropriated within the Municipal Court Clerk computer fund 227, subfund 02, organization 2601, oca code 260208, object level 1- 03, object level 3 - 3369.

Section 3. That the Franklin County Municipal Court Clerk be and is hereby directed and authorized to enter into the last twelve (12) months of a twenty nine (29) month contract with CourtView Justice Solutions, Inc. to be paid on a quarterly basis for the CourtView 2000 software support and optional support services.

Section 4. That for paying the cost thereof the sum of \$278,860.00 or so much thereof as may be needed is hereby authorized to be expended from the Municipal Court Clerk computer fund, fund 227, department 2601, subfund number 02, oca code 260208, object level 1- 03, object level 3 - 3369- \$278,860.00.

Section 5. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

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

Legislation Number: 1956-2008

Drafting Date: 11/26/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with ProCon Professional Construction Services, Inc., for the renovation of various Fire Division apparatus bay plumbing drains. The work will consist of plumbing work, saw cutting of concrete, removal of concrete and installation of new concrete. The work will be performed at seven fire stations: Fire Station #5, 211 McNaughten Road; Fire Station #6, 5750 Maple Canyon Avenue; Fire Station #7, 1425 Indianola Avenue; Fire Station #12, 3200 Sullivant Avenue; Fire Station #15, 1800 East Livingston Avenue; Fire Station #16, 1130 East Weber Road; and Fire Station #20, 2646 East Fifth Avenue. The current bay drains at these locations are in poor condition and do not properly drain water and other liquids, potentially causing unsafe floors. The contractor will have 120 calendar days upon award of the contract to complete this project.

The following eight companies submitted bids by the November 25, 2008 deadline (0 MBE, 0 FBE):

ProCon Professional Construction Services	\$136,710.00
2K General Co., Inc.	\$139,900.00
Command Heating	\$165,000.00
Capital Plumbing	\$174,300.00
Righter Company	\$188,700.00
Roto Rooter	\$193,800.00
Waterworks	\$219,474.65
Fox Mechanical	\$249,500.00

The Office of Construction Management recommends that the bid be awarded to the most responsive and responsible bidder, ProCon Professional Construction Services, Inc.

EMERGENCY ACTION is requested to ensure that the renovation of the apparatus bay drains are repaired quickly, thereby eliminating potentially unsafe floors in apparatus bays.

ProCon Professional Construction Services Contract Compliance Number 31-1701026, expiration date 08/06/2010.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$136,710.00 in the Safety Voted Bond Fund to renovate apparatus bay drains at various Fire Stations. The Fire Division budgeted \$175,000 for this expense in the Safety Voted Bond Fund.

Title

To authorize the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with ProCon Professional Construction Services for the renovation of apparatus bay drains at seven fire stations; to authorize the expenditure of \$136,710.00 from the Safety Voted Bond Fund, and to declare an emergency. (\$136,710.00)

Body

WHEREAS, various apparatus bay drains at seven fire stations are in a state of disrepair and require renovation, and

WHEREAS, formal bids were solicited for the renovation of said drains, and

WHEREAS, the Office of Construction Management recommends ProCon Professional Construction Services as the most responsive and responsible bidder, and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into contract with ProCon Professional Construction Services for the renovation of various fire station apparatus bay drains, so that necessary repairs can eliminate potentially unsafe floors as quickly as possible, thereby facilitating and 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 is hereby authorized to enter into contract on behalf of the

Office of Construction Management with ProCon Professional Construction Services for the renovation of apparatus bays at seven fire stations.

SECTION 2. That the expenditure of \$136,710.00, or so much thereof as 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: \$136,710.00

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1957-2008

Drafting Date: 11/26/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes and directs the City Auditor to transfer \$200,000.00 from the Special Income Tax Fund to the Housing Preservation Fund and authorizes the Director of the Department of Development to increase the existing universal term contracts with various contractors that provide emergency home repair services to low and moderate-income households in Columbus. These contracts are awarded as universal term contracts through the Purchasing Citywide bid process. The legislation authorizes the expenditure of \$200,000 from the Housing Preservation Fund that was established to preserve the local supply of decent, safe, sanitary and affordable housing for low-income families. These services are needed to protect the health and safety of the citizens of Columbus. Emergency repair services will include heating, plumbing, electrical and other emergency home repairs.

The Housing Preservation Fund represents the City's commitment to the preservation of housing units affordable to very-low, low and moderate-income individuals. Funds are used to meet the housing needs identified in the Consolidated Plan to correct substandard and deteriorating conditions of homes owned by low and moderate-income households. The fund provides eligible homeowners with assistance for home repairs critical to preserving the housing stock and enabling homeowners to remain in their homes.

Emergency action is necessary to avoid an interruption in the delivery of vital program services.

FISCAL IMPACT: The Development Department received \$3,500,000.00 in the 2008 Capital Improvement Budget for Housing Preservation projects. Bonds have yet to be sold; therefore, a transfer of cash from the Special Income Tax Fund is necessary. This ordinance authorizes the transfer of \$200,000.00 from the Special Income Tax Fund to the Housing Preservation Fund and authorizes its expenditure.

Title

To amend the 2008 C.I.B.; to authorize and direct the City Auditor to transfer \$200,000.00 from the Special Income Tax Fund to the Housing Preservation Fund; to authorize the Director of the Department of Development to increase the

existing universal term contracts with various contractors to continue the provision of emergency home repair services to low and moderate-income households in Columbus; to authorize the expenditure of \$200,000 from the Housing Preservation Fund; and to declare an emergency. (\$200,000)

Body

WHEREAS, the Department of Development, Housing Division desires to administer a Housing Preservation Fund; and

WHEREAS, these monies will be used to provide emergency repair services necessary to preserve the supply of decent, safe, sanitary and affordable housing; and

WHEREAS, in order to carry out this responsibility, it is necessary to contract heating, plumbing, electrical and other emergency home repair services; and

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

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

WHEREAS, the aggregate principal amount which the City will issue to finance this phase of the project is presently expected not to exceed \$200,000.00; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

WHEREAS, emergency action is necessary to avoid an interruption in the delivery of vital program services; and

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

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

Section 1. That the 2008 Capital Improvements Budget established within ordinance 0690-2008 be and hereby is amended as follows:

<u>Fund / Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount</u>
782 / 782001-100000 / Housing Preservation / \$3,500,000.00 / \$200,000.00 / \$3,300,000.00
782 / 782002-100000 / Hsng Pres - Home Safe & Sound / \$0 / \$200,000.00 / \$200,000.00

Section 2. That the sum of \$200,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

Section 3. That the City Auditor is hereby authorized to transfer said funds to the Housing Preservation Fund, Fund 782, at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 4. That the amount of \$200,000.00 is hereby transferred and appropriated to the Development Department, Housing Division 44-10, Housing Preservation Fund, Fund 782, Project 782002, Object Level One 06, Object Level Three 6617, OCA Code 782002.

Section 5. That the Director of the Department of Development is hereby authorized to increase the existing universal

term contracts with the vendors listed below, in accordance with Columbus City Code, to continue to provide emergency home repair services to correct substandard and deteriorating conditions of homes owned by low and moderate- income households.

ABC Gas	UL005666	UL005796	UL005838		
Absolute Air/Heating	UL005673	UL005798			
Absolute Air/Plumbing	UL005672	UL005797	UL005840	UL005846	
Holt Mechanical	UL005668	UL005800			
James, Kenneth	UL005671	UL005799	UL005839		
Ohio Mechanical	UL005669	UL005801			
Ready Wire	UL005662	UL005802			
Union Electrical	UL005670	UL005803			

Section 6. That for the purpose as stated in Section 5, the expenditure of \$200,000 from the Housing Preservation Fund or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-10, Fund 782, Project No. 782002, Object Level One 06, Object Level Three 6617, OCA Code 782002.

Section 7. That upon obtaining other funds for the Housing Preservation Project, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3, above, and said funds are hereby deemed appropriated for such purpose.

Section 8. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 9. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$200,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

Section 10. That expenditures of special income tax funds from this authorization will be in accordance with U. S. Department of Housing and Urban Development Regulations 24 CFR 570.200-206, CDBG Eligibility, to ensure consistency of housing programs and income eligibility for all programs as administered by the Housing Division.

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

Legislation Number: 1958-2008

Drafting Date: 11/28/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Recreation and Parks Department solicited bids for the HVAC Improvements Project at various centers. Four (4)

bids were received and opened by the Recreation and Parks Department on November 25th, 2008. The bids are as follows:

<u>Vendor</u>	<u>Status</u>	<u>Amount</u>
General Temperature Control	Majority	\$555,000.00
Farber Mechanical	Majority	\$598,000.00
H&A Mechanical	Majority	\$626,100.00
Fox Mechanical	Majority	\$642,200.00

It is the recommendation of the Recreation and Parks Department to award the bid to General Temperature Control who submitted the lowest and best responsive and responsible bid. Work will include, but is not limited to, chiller replacement at the Marion Franklin Recreation Center; heating unit replacement at the Gillie Senior Center; repairs to the HVAC system at the Cultural Arts Center and air flow improvements at the Columbus Aquatics Center.

A project contingency of \$50,000.00 is included in this legislation.

The Contract Compliance Number for General Temperature Control is #31-1201236 and the contract compliance is effective through 04/29/10.

Emergency action is requested because some of the heating units are down and others are in disrepair. It is imperative to order the equipment and have it delivered as soon as possible.

Title

To authorize and direct the Director of Recreation and Parks to enter into contract with General Temperature Control for HVAC Improvements to various facilities, to authorize the expenditure of \$605,000.00 from the Voted 1999/2004 Recreation and Parks Bond Fund and to declare an emergency. (\$605,000.00)

Body

WHEREAS, bids were received by the Recreation and Parks Department on November 25th, 2008 and the contract for the HVAC Improvements Project will be awarded to General Temperature Control on the basis of the lowest and best responsive and responsible bidder; and

WHEREAS, these improvements are necessary in order to remedy the HVAC problems at various Recreation and Parks Facilities; and

WHEREAS, it is imperative that the equipment be ordered and delivered as soon as possible to make the necessary repairs; now, therefore

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with General Temperature and Control, in accordance with the plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$605,000.00, or so much thereof as may be necessary, be and is hereby authorized, to pay the cost thereof, as follows:

Voted 1999/2004 Recreation and Parks Bond Fund:

<u>Fund No.</u>	<u>Dept.</u>	<u>Project No.</u>	<u>OCA Code</u>	<u>Object Level 3</u>	<u>Amount</u>
702	51-01	510035	644526	6620	\$605,000.00

SECTION 3. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$50,000.00 has been included in Section 2, above. This amount will be expended only after approval by the Director of

the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney.

SECTION 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this legislation.

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

Legislation Number: 1959-2008

Drafting Date: 11/28/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The following is an ordinance to authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs in connection with the Metronet Indianola Fiber Optic project.

Fiscal Impact: The Department of Public Utilities, Division of Power and Water, has determined funding for this project will be from the Electricity Operating Fund.

Emergency Justification: Emergency action is requested to that ensure needed services are not delayed, thereby reducing potential risks of outages and other interruptions of services necessary to the City's public welfare.

Title

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$35,000.00 from the Electricity Operating Fund for costs in connection with Metronet Indianola Fiber Optic Project, and to declare an emergency. (\$35,000.00).

Body

WHEREAS, the City of Columbus is engaged in the Metronet Indianola Fiber Optic Project; 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 authorize the City Attorney to acquire fee simple title and lesser interests 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 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 Metronet Indianola Fiber Optic Project.

Section 2. That the expenditure of \$35,000.00, or so much thereof as may be necessary from the Electricity Operating Fund, Fund# 550 OCA, OCA Code 600700, Level Object Three 6601, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

Section 3. That the Auditor is authorized to make any changes, as necessary, to the funding source for all contracts and contract modifications associated with this ordinance.

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

Legislation Number: 1960-2008

Drafting Date: 11/28/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into an agreement with Gambit Investments LLC (Gambit). The funds provided by the agreement will be used to undertake the acquisition and rehabilitation components of the Home Again Initiative. Gambit currently facilitates the production of affordable housing and the enhancement of home ownership opportunities in Columbus. This legislation authorizes the expenditure of \$60,000.00 to Gambit for the acquisition and rehabilitation of vacant houses to increase the supply of decent, safe, sanitary and affordable housing as well as to enhance neighborhood revitalization activities. Specifically, the proposal is to provide the funds to Gambit to selectively target redevelopment of vacant properties for redevelopment and to ensure maximum neighborhood revitalization potential of the Model Zone area of the City.

The Housing Preservation Fund represents the City's commitment to the preservation of housing units affordable to low and moderate-income individuals.

Emergency action is necessary to allow the rehabilitation of vacant properties to begin immediately.

Gambit Investments LLC, contract compliance number 010772312, expires 12/04/10.

FISCAL IMPACT: Funding is from the Housing Preservation Fund - 2007 Capital Improvements Budget.

Title

To authorize the Director of the Department of Development to enter into an agreement with Gambit Investments LLC to implement a component of the City's Home Again Initiative; to authorize the expenditure of \$60,000 from the Housing Preservation Fund; and to declare an emergency. (\$60,000.00)

Body

WHEREAS, the Department of Development desires to enter into an agreement with the Gambit Investments LLC (Gambit) and to expend \$60,000.00 in bond proceeds; and

WHEREAS, these monies will be used to assist in implementing the Home Again Initiative to preserve the supply of decent, safe, sanitary and affordable housing; and

WHEREAS, the developer Gambit anticipates completing no more than one project with a total of two units with these funds; and

WHEREAS, emergency action is necessary to allow the rehabilitation of vacant properties to begin immediately; and

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

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

- Section 1.** That the Director of the Department of Development is hereby authorized to enter into an agreement with Gambit Investments LLC to implement a component of the City's Home Again Initiative to convert vacant houses to productive use in the Model Zone area of the City.
- Section 2.** That expenditure of capital improvements budget funds from this authorization will be for acquisition and subsequent rehabilitation of vacant houses for sale to eligible households.
- Section 3.** That for the purpose as stated in Section 1, the expenditure of \$60,000.00 or so much thereof as may be necessary, is hereby authorized from the Housing Preservation Fund, Department of Development, Division 44-10, Fund 782, Project No. 782001, Object Level One 06, Object Level Three 6701, OCA Code 782001.
- Section 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.
- Section 5.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1961-2008

Drafting Date: 11/28/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into an agreement with the Buckeye IV Home Builders LTD (Buckeye IV). The funds provided by the agreement will be used to undertake the acquisition and rehabilitation components of the Home Again Initiative. Buckeye IV currently facilitates the production of affordable housing and the enhancement of home ownership opportunities in Columbus. This legislation authorizes the expenditure of \$60,000.00 to Buckeye IV for the acquisition and rehabilitation of vacant houses to increase the supply of decent, safe, sanitary and affordable housing as well as to enhance neighborhood revitalization activities. Specifically, the proposal is to provide the funds to Buckeye IV to selectively target acquisitions of vacant properties for redevelopment and

to ensure maximum neighborhood revitalization potential of the Linden area of the City.

The Housing Preservation Fund represents the City's commitment to the preservation of housing units affordable to low and moderate-income individuals.

Emergency action is necessary to allow Buckeye IV to immediately proceed with rehabilitation efforts.

Buckeye IV Home Builders LTD, contract compliance number 204-53-0068, expires 12/4/10.

FISCAL IMPACT: Funding is from the Housing Preservation Fund - 2007 Capital Improvements Budget.

Title

To authorize the Director of the Department of Development to enter into an agreement with Buckeye IV Home Builders LTD to implement a component of the City's Home Again Initiative; to authorize the expenditure of \$60,000 from the Housing Preservation Fund; and to declare an emergency. (\$60,000.00)

Body

WHEREAS, the Department of Development desires to enter into an agreement with the Buckeye IV Home Builders LTD and to expend \$60,000.00 in bond proceeds; and

WHEREAS, these monies will be used to assist in implementing the Home Again Initiative to preserve the supply of decent, safe, sanitary and affordable housing; and

WHEREAS, the developer, Buckeye IV Home Builders LTD anticipates completing no more than one project consisting of two units; and

WHEREAS, emergency action is necessary to allow Buckeye IV to immediately proceed with rehabilitation efforts; and

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

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into an agreement with Buckeye IV Home Builders LTD to implement a component of the city's Home Again Initiative to convert vacant houses to productive use in the Linden area of the City.

Section 2. That expenditure of capital improvements budget funds from this authorization will be for acquisition and subsequent rehabilitation of vacant houses for sale to eligible households.

Section 3. That for the purpose as stated in Section 1, the expenditure of \$60,000.00 or so much thereof as may be necessary, is hereby authorized from the Housing Preservation Fund, Department of Development, Division 44-10, Fund 782, Project No. 782001, Object Level One 06, Object Level Three 6701, OCA Code 782001.

Section 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is

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

Legislation Number: 1962-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to modify the current Community Shelter Board (CSB) Grant Agreement (#EL007920) by extending the Agreement period from December 1, 2007 through November 30, 2008 to December 1, 2007 to March 31, 2009, an extension of 4 months. The grant funding is being used to finance the new Homeless Management Information System (HMIS) as required by HUD.

The ordinance represents funding for a more comprehensive tracking management and evaluation service for the Community Shelter Board, partner agencies and area funders. The legislation provides for the four (4) month extension of the grant period to enable CSB to complete implementation of its new HMIS system.

Emergency action is requested to avoid an interruption in program services.

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

Title

To authorize the Director of the Department of Development to modify a grant agreement with the Community Shelter Board by extending the grant period an additional four months; and to declare an emergency.

Body

WHEREAS, the Director of the Department of Development desires to modify the current Grant Agreement with the Community Shelter Board for the continued provision of services; and

WHEREAS, the grant funding is being used to finance the new Homeless Management Information System (HMIS) as required by HUD; and

WHEREAS, the ordinance represents funding for a more comprehensive tracking management and evaluation service for

the Community Shelter Board, partner agencies and area funders; and

WHEREAS, the legislation provides for the four (4) month extension of the grant period to enable CSB to complete implementation of its new HMIS system; and

WHEREAS, emergency action is requested to avoid an interruption in program services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend said grant agreement with the Community Shelter Board, 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 be hereby authorized to modify Grant Agreement #EL007920 with the Community Shelter Board by extending the Agreement period 4 months from December 1, 2007 through November 30, 2008 to December 1, 2007 through March 31, 2009.

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: 1963-2008

Drafting Date: 12/01/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This legislation authorizes the Director of the Department of Development to amend the Truancy Intervention Program contract EL008736 with the YMCA of Central Ohio by modifying both the beginning date to September 1, 2008 and termination date to August 31, 2009. This modification will conform to the budgetary timeframe requested by the Truancy Intervention Program. The Columbus City Schools agree to accept the request of the YMCA of Central Ohio to modify their agreement with the City of Columbus to continue the Truancy Intervention Center.

The City of Columbus received funds from Columbus City Schools to serve as a fiduciary between them and the YMCA of Central Ohio, a community-based organization. This organization will continue to seek a reduction in truancy through educational procedures, case management and other interventions. In addition to monetary support, the Columbus City Schools will continue to be responsible for coordination and communication of program expectations to its' school system and to the at-large community. The City of Columbus will continue to facilitate police officers to transport truant students to the designated Truancy Centers, and to serve as the fiduciary for the contract.

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

FISCAL IMPACT:

No funding is required for this contract amendment.

Title

To authorize the Director of the Department of Development to amend a Truancy Intervention Program contract with the YMCA of Central Ohio by amending the timeframe; and to declare an emergency.

Body

WHEREAS, the Director of the Department of Development desires to amend the contract with the YMCA of Central Ohio by amending the beginning date to September 1, 2008 and the ending date to August 31, 2009; and

WHEREAS, this modification will conform to the budgetary timeframe requested by the Truancy Intervention Program; and

WHEREAS, the Columbus City Schools will coordinate, monitor, provide monetary support and communicate program expectations to its' school system and the community at-large; and

WHEREAS, the YMCA of Central Ohio will seek to reduce truancy through educational procedures, case management and other interventions; and

WHEREAS, under this agreement the Division of Neighborhood Services will continue to serve as Fiduciary between the YMCA of Central Ohio Truancy Intervention Program and Columbus City Schools; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend said contract in order to avoid any interruptions in program services, all for the preservation of the public health, peace, property and safety, **NOW, THEREFORE**,

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

Section 1. That the Development Director is hereby authorized to amend Contract EL008736 with the YMCA of Central Ohio by modifying the contract timeframe to September 1, 2008 thru August 31, 2009.

Section 2. That this contract is amended in accordance with Chapter 329.16 of the Columbus City Codes, 1959.

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 the passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1964-2008

Drafting Date: 12/01/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

The Public Safety Department in cooperation with the City Attorney's Office has applied for a grant from the Franklin County Board of Commissioners. The funds shall be used to retain a Stalking Investigator who will work with the City Attorney's Domestic Violence unit to assist in the investigation of stalking cases, assist victims, and fill the liaison role with municipal police departments sharing information and maintaining data collection on stalking suspects. The Public Safety Department is the implementing agency and the City Attorney's Office will administer the grant.

The grant has been awarded by the Franklin County Board of Commissioners, and this legislation will authorize the Mayor to accept the grant on behalf of the Public Safety Department and will further authorize the transfer and appropriation of matching funds required by the grant award.

Emergency action is requested to allow the grant activities to commence on January 1, 2009.

Fiscal Impact:

The required matching funds of \$14,515.00 are included in the City Attorney's General Fund Budget.

Project period: 01/01/09 - 12/31/09

Federal Share: \$43,543.00

Matching funds: \$14,515.00

Total Grant: \$58,058.00

Title

To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, and the appropriation of grant funds in the amount of Forty-three Thousand Five Hundred Forty-three Dollars (\$43,543.00) for the funding of the Stalking Investigation program; to authorize the transfer and appropriation of matching funds required by the acceptance of the grant in the amount of Fourteen Thousand Five Hundred Fifteen Dollars (\$14,515.00); and to declare an emergency. (\$58,058.00)

Body

WHEREAS, the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, has awarded the City of Columbus, Department of Public Safety, a grant in the amount of Forty-three Thousand Five Hundred Forty-three Dollars (\$43,543.00) for the Stalking Investigator Grant #2008-WF-VA6-V520 for the year 2009; and

WHEREAS, the acceptance of this grant requires the City supply matching funds in the amount of Fourteen Thousand Five Hundred Fifteen Dollars (\$14,515.00); and

WHEREAS, an emergency exists in the daily operation of the City in that it is necessary to immediately accept and appropriate the grant funds and transfer and appropriate the matching funds, in order that the services supported may commence on January 1, 2009 and for the preservation of the public health, peace, property, safety and welfare, and, now therefore,

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

SECTION 1. That the Mayor be and hereby is authorized to accept the Stalking Investigator Grant #2008-WF-VA6-V520 in the amount of Forty-three Thousand Five Hundred Forty-three Dollars (\$43,543.00) from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs.

SECTION 2. That the amount of Fourteen Thousand Five Hundred Fifteen Dollars (\$14,515.00) is hereby transferred as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 1101, \$4,018.00 and from organizational cost account 240101, object level three 3336, \$10,497.00.

TO: department 2401, general fund, fund number 010, organizational cost account 240564, object level one 10, object level three 5501.

FROM: department 2401, general fund, fund number 010, object level one 10, object level three 5501, organizational cost account 240564.

TO: department 2401, Stalking Investigator Grant fund, grant number 246004, fund number 220, object level three 0886, organizational cost account 246004.

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 purpose during the project award period the sum of Fifty-eight Thousand Fifty-eight Dollars (\$58,058.00) is appropriated as follows: department 2401, Stalking Investigator Grant, grant number 246004, fund number 220, organizational cost account 246004, object level three 1100 the amount of \$4,018.00 and object level three 3336 the amount of \$54,040.00.

SECTION 4. That funds appropriated in the foregoing Section 3 shall be paid upon order of the City Attorney 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 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: 1965-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance is contingent on the passage of Ordinance 1964-2008, authorizing the acceptance of the Stalking Investigator Grant #2008-WF-VA6-V520 from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, and the appropriation of grant funds.

This ordinance authorizes the City Attorney to enter into a contract with J Investigations for the services of a Stalking Unit Investigator who will assist in the investigation of stalking cases, assist victims and fill the liaison role with police departments within Franklin County sharing information and maintaining data collection on stalking suspects. This ordinance further authorizes the expenditure of funds for services rendered under the contract and to waive competitive procurement provisions.

Fiscal Impact:

Funding for this contract will come from the Stalking Investigator Grant funds.

Emergency Designation:

This ordinance is being submitted as an emergency so that there will be no interruption in services. The grant year begins January 1, 2009.

Contract Compliance Numbers:

J Investigations 26-3757766-001 ACT expires 12/03/2010

Title

To authorize the City Attorney to enter into a contract with J Investigations for the services of a Stalking Investigator for the City Attorney's Office, to authorize the expenditure of an amount not to exceed Fifty-four Thousand Forty Dollars for services rendered pursuant thereto, to waive the competitive procurement provisions of Chapter 329 of the Columbus City Codes; and to declare an emergency. (\$54,040.00)

Body

WHEREAS, Ordinance No. 1964-08 authorized the Mayor to accept and the City Attorney to expend grant money from

the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, for the Stalking Investigator Grant #2008-WF-VA6-V520; and

WHEREAS, the City Attorney would like to enter into a contract with J Investigations for the services of a Stalking Unit Investigator pursuant to said grant award; and

WHEREAS, an emergency exists in the usual daily operation of the City Attorney's Office in that it is immediately necessary to authorize such agreement and payment in order that the services supported commence on January 1, 2009 and for the preservation of the public health, peace, property, safety and welfare, and, now therefore,

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

SECTION 1. That the City Attorney is hereby authorized to enter into a contract with J Investigations to provide assistance in the investigation of stalking cases, and other related services as set forth in the contract, for the maximum contract amount of Fifty-four Thousand Forty Dollars (\$54,040.00).

SECTION 2. That for the purposes stated in Section 1, the expenditure of Fifty-four Thousand Forty Dollars (\$54,040.00) is hereby authorized as follows: department 2401, Stalking Investigator Grant, grant number 246004, fund number 220, organizational cost account 246004, object level three 3336.

SECTION 3. That the provisions of Columbus City Codes Chapter 329 relative to the procurement of professional services are hereby waived.

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

Legislation Number: 1968-2008

Drafting Date: 12/01/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

The funding for the Northland Alliance Inc. is for administrative costs associated with operations of the organization and for grass cutting along the Route 161 Corridor. One of the efforts of Northland Alliance is the revitalization of the Route 161 Corridor. Since its inception in early 2001, Northland Alliance, Inc. has been cooperatively working with the city of Columbus on revitalization efforts. It has been recognized that the city of Columbus should further support the group and its efforts by entering into a contract that will allow the group to continue its revitalization efforts. This legislation authorizes the expenditure of \$50,000 from the General Fund monies for a contract with Northland Alliance, Inc.

FISCAL IMPACT:

Current appropriations within the Department of Development will not sufficiently support the Northland Alliance. The legislation will allow for the transfer of funds from the citywide account in order to cover these expenses.

Title

To authorize and direct the transfer of \$50,000 within the General Fund, from the Department of Finance and Management's citywide account to the Director of the Department of Development, to authorize and direct the Director of the Department of Development to enter into a contract with Northland Alliance, Inc. to support the group's revitalization efforts within the Route 161 Corridor; to authorize the expenditure of \$50,000 from the General Fund. (\$50,000)

WHEREAS, Northland Alliance Inc. assisted with the revitalization efforts in the Morse Road area by helping to form a Special Improvement District in 2006; and

WHEREAS, the Northland Alliance will now assist the Route 161 Corridor with revitalization efforts in 2008 and 2009; and

WHEREAS, the mission statement of Northland Alliance, Inc. states that the group is charged with the coordination and management of a community-wide agenda, carried out in cooperation with dozens of other organizations to reinvent and revitalize the Northland Community, which includes the Route 161 Corridor; and

WHEREAS, the current operating budget of Northland Alliance, Inc. is not sufficient to support the work of the group. The group has initiated fund raising efforts; however, those funds are currently not at a level to support the operation of the group; and

WHEREAS, this expenditure of funds will be used to contract with Northland Alliance, Inc. to support the group's revitalization efforts and to provide grass cutting services all within the Route 161 Corridor; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the expenditure of \$50,000 for a contract with Northland Alliance, Inc. thereby preserving the public health, peace, property, safety and welfare; **Now, Therefore,**

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

Section 1. That the Director of the Department of Development is hereby authorized and directed to enter into a contract with Northland Alliance, Inc. to support the group's revitalization and grass cutting efforts all within the Route 161 Corridor.

Section 2 . That the transfer of \$50,000, from the Department of Finance, Division 45-01, General Fund, Fund 010, OCA Code 904508, Object Level 10, Object Level Three 5501 to Department of Development, Division 44-02, General Fund, Fund 010, OCA Code 440314, Object Level One 03, Object Level Three 3337 for the aforesaid purpose is hereby authorized.

Section 3. That the expenditure of \$50,000, or so much thereof as may be necessary, from the Department of Development, Division 44-02, General Fund, Fund 010, OCA Code 440314, Object Level One 03, Object Level Three 3337 for the aforesaid purpose is hereby authorized.

Section 4. That this contract is awarded in accordance with Chapter 329.15 of the Columbus City Codes, 1959.

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

Legislation Number: 1970-2008

Drafting Date: 12/01/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: The Alcohol and Drug Abuse Outpatient Treatment Program has an established billing procedure for treatment services. This ensures that residents of Columbus and Franklin County continue to have access to AoD outpatient treatment and enhances revenue for continued services. The AoD Program bills fees to Medicaid and the Franklin County ADAMH Board through the State MACSIS billing system. The Program also uses a sliding fee scale based on Federal Poverty Guidelines, so no clients are denied services due to the inability to pay. This ordinance authorizes supplemental appropriation of \$160,000 for additional revenues.

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

FISCAL IMPACT: The Alcohol and Drug Abuse Program grant service contract is primarily funded through the Franklin County ADAMH Board. The Alcohol and Drug Abuse Program generates additional revenues from client fees, Medicaid, grant incentive funds and Adult Probation.

Title

To authorize a supplemental appropriation from the unappropriated balance of the Health Department Grants Fund for additional revenues received by the Alcohol and Drug Abuse Outpatient Treatment Program, in an amount of \$160,000; and to declare an emergency. (\$160,000)

Body**WHEREAS,** it is necessary to provide \$160,000 in additional fee revenues for the continued support of the Alcohol and Drug Abuse Outpatient Treatment Program; and,

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

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in client services; Now, therefore,

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

SECTION 1. That the sum of \$160,000 is hereby authorized and directed to be appropriated from the unappropriated balance in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending December 31, 2008, to the Health Department, Department No. 50-01, as follows:

OCA: 508031; Grant No.: 508031; OL1: 01; Amount: \$160,000

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

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

Legislation Number: 1973-2008

Drafting Date: 12/01/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

This ordinance authorizes and directs the Director of the Department of Finance and Management to establish a purchase order with Software House International Inc. on behalf of the Columbus City Attorney's Office for Microsoft Office Professional Plus 2007 software. This software is being acquired through a bid state term contract that is available for the city's use.

The Columbus City Attorney's Office currently uses Microsoft Office Professional 2002. The City Attorney has made the decision to begin to upgrade to Microsoft Office Pro 2007.

The cost is \$304.76 for each software license. This purchase order will provide 131 licenses.

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

Contract Compliance:

Software House International Inc. (SHI) CC#22-3009648-001- Expiration 11/19/09

Fiscal Impact:

Funding for this purchase is available within the Columbus City Attorney's 2008 budget.

Emergency action is requested to allow the financial transaction to be posted in the city's accounting system as soon as possible and to bring the City Attorney's Office software up-to-date.

Title

To authorize and direct the Director of the Department of Finance and Management to establish a purchase order with Software House International Inc. on behalf of the City Attorney's Office for Microsoft Office 2007 software; to authorize the City Auditor to transfer \$20,000.00 between object levels within the City Attorney's Office general fund budget; to authorize the expenditure of \$39,923.56 or so much thereof as may be needed; and to declare an emergency. (\$39,923.56)

Body

WHEREAS, the City Attorney's Office has a need to transition its office software to Microsoft Office Professional Plus 2007;

WHEREAS, a bid state term contract #0A07004 with an expiration date of June 30, 2009 is available for the city's use with Software House International Inc. for the purchase of Microsoft Office Professional Plus 2007 software; and

WHEREAS, funding is available for this purchase within the City Attorney's Office general fund budget; and

WHEREAS, the City Attorney's Office has a need to transfer \$20,000.00 between object levels to accommodate this purchase. Funds for this transfer have been identified and are available; and

WHEREAS, an emergency exists in the daily operation of the City Attorney's Office in that it is immediately necessary for the Director of the Department of Finance and Management to establish a purchase order with Software House International Inc. for the purchase of Microsoft Office Professional Plus 2007 software, 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 and directed to transfer Twenty Thousand Dollars (\$20,000.00) between object levels within the City Attorney's Office 2008 general fund budget as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240101, object level one 03.

TO: department 2401, general fund, fund number 010, organizational cost account 240101, object level three 2224.

SECTION 2. That the Director of the Department of Finance and Management be and hereby is authorized to establish a purchase order with Software House International Inc. on behalf of the City Attorney's Office for the purchase of Microsoft Office Professional Plus 2007 software through the bid state term contract #0A07004.

SECTION 3. That the expenditure of Thirty-nine Thousand Nine Hundred Twenty-three Dollars (\$39,923.56) or so much as may be needed, be and hereby is authorized within the City Attorney's Office, department number 2401, fund number 010, oca 240101, object level three 2224, to pay the cost thereof.

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

Legislation Number: 1975-2008

Drafting Date: 12/01/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance authorizes the Administrative and Presiding Judge of the Franklin County Municipal Court to enter into the second twelve months of a thirty-six month contract with THOMSON WEST (West Group Payment Ctr.) for the provision of on-line legal research resources. At the present time, the Court has determined that THOMSON WEST is the best resource available at the least-cost and requests that the provisions of competitive bidding requirements of Chapter 329, Columbus City Codes be waived in order enter into contract with THOMSON WEST.

THOMSON WEST (West Group Payment Ctr.) contract compliance number is 411426973/001 expiration 5/29/2010

FISCAL IMPACT: The funds are available from the 2008 budget.

This legislation is considered an emergency measure to ensure the continuation of uninterrupted on-line legal research services for the court.

TitleTo authorize the Administrative and Presiding Judge of the Franklin County Municipal Court to enter into the second twelve months of a thirty-six month contract with THOMSON WEST (West Group Payment Ctr.) for the provision of on-line legal research resources, to authorize the expenditure of up to \$25,000 (Twenty-Five Thousand Dollars) from the Municipal Court computer fund, to waive competitive bidding requirements of Chapter 329, Columbus City Codes, and to declare an emergency. (\$25,000)

Body**WHEREAS**, the Administrative and Presiding Judge of the Franklin County Municipal Court would like to enter into the second twelve months of a thirty-six month contract with THOMSON WEST for the receipt of on-line legal research services; and

WHEREAS, the Administrative and Presiding Judge of the Franklin County Municipal Court Office has selected a subscription package which provides the required services for a monthly rate of \$2,038.40 beginning December 1, 2008 through November 30, 2009.

WHEREAS, the solicitation of proposals for like-kind services satisfied the intent of the competitive procurement requirements of Chapter 329, Columbus City Codes; and

WHEREAS, the Administrative and Presiding Judge of the Franklin County Municipal Court recommends the waiver of the competitive bidding requirements of Chapter 329, Columbus City Codes; and

WHEREAS, an emergency exists in that authorizing the contract will ensure uninterrupted on-line legal research services are available in the Court at an economical rate; now, therefore,

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

SECTION 1. That the Administrative and Presiding Judge of the Franklin County Municipal Court be and is hereby authorized to enter into contract with THOMSON WEST for on-line legal research resources for the period ending November 30, 2009.

SECTION 2. That the expenditure of \$25,000 or as much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court Judges, department number 2501, computer fund, fund number 227, subfund 001 as follows: \$25,000 from oca 250340, object level 1 - 03, object level 3 - 3332.

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

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

Legislation Number: 1980-2008

Drafting Date: 12/01/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance authorizes the Administrating and Presiding Judge of the Franklin County Municipal Court to enter into contract with Alcohol Monitoring Systems, Inc. (AMS) for monitoring services associated with the use of secure continuous remote alcohol monitor (SCRAM) devices. The SCRAM unit is a non-invasive, tamper-resistant, transdermal monitoring device that measures blood alcohol concentration automatically, 24 hours a day, regardless of the individual's location. AMS holds many patents on the continuous alcohol monitoring device.

The Franklin County Municipal Court Judges purchased 40 SCRAM devices with monies from its indigent driver alcohol treatment fund for the purpose of monitoring offenders with alcohol dependency issues that are sentenced to use a SCRAM unit as a condition of probation. The continued use of the SCRAM devices necessitates monitoring services, which is provided by AMS. As a consequence, the Court asks that the competitive bidding provisions of the Columbus City Code be waived so that the Court can enter into contract with AMS for continuation of alcohol monitoring services.

Alcohol Monitoring System's contract compliance is 300137963.

FISCAL IMPACT: Funds are available within the indigent driver alcohol treatment fund and the electronic alcohol monitoring fund for this purpose.

Emergency legislation is requested to authorize the appropriation of funds, the contract and the expenditure to permit monitoring services to continue without interruption.

TitleTo authorize and direct the Administrating and Presiding Judge of the Franklin County Municipal Court to enter into

contract with Alcohol Monitoring Systems, Inc. for continuation of the monitoring services associated with the continuous alcohol monitoring devices; to authorize the appropriation of \$35,200 within the indigent driver alcohol treatment fund; to authorize the appropriation of \$30,800 within the electronic alcohol monitoring fund; to authorize the expenditure of up to \$66,000 for monitoring services; to waive the competitive bidding provisions of the Columbus City Code; and to declare an emergency. (\$66,000.00)

Body

WHEREAS, ordinance # 1568-2007 was passed by Columbus City Council on November 5, 2007 authorizing the contract and expenditure for acquisition of continuous alcohol monitoring devices and related monitoring services for the Franklin County Municipal Court, Department of Probation Services; and

WHEREAS, the Franklin County Municipal Court is in need of additional monitoring services from Alcohol Monitoring Systems, Inc.; and

WHEREAS, this ordinance is requested as an emergency to permit the uninterrupted procurement of needed services; and

WHEREAS, an emergency exists in the usual daily operation of the city, in that it is immediately necessary to waive competitive bidding, authorize the appropriation, contract and expenditure for continuous alcohol monitoring services with Alcohol Monitoring Systems, Inc. thereby preserving the public health, peace, property, safety and welfare; Now, Therefore,

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

SECTION 1. That from the unappropriated monies in the special revenue fund known as the indigent driver alcohol treatment fund, fund number 225, subfund number 001, and from all monies estimated to come into said fund from any and all sources and appropriated for any other purpose during the fiscal year ending December 31, 2008 the sum of \$35,200.00 is appropriated to the Franklin County Municipal Court Judges, department 25 as follows: oca 250266 (indigent driver alcohol treatment fund), object level 1 - 03, object level 3 - 3431, \$23,100.00; oca 250213 (non-OVI offender), object level 1 - 03, object level 3 - 3431, \$12,100.00.

SECTION 2. That from the unappropriated monies in the special revenue fund known as the electronic alcohol monitoring subfund of the municipal court computer fund, fund number 227, subfund 004, and from all monies estimated to come into said fund from any and all sources and appropriated for any other purpose during the fiscal year ending December 31, 2008 the sum of \$30,800.00 is appropriated to the Franklin County Municipal Court Judges, department 25 as follows: oca 252704 (electronic alcohol monitoring self-pay), object level 1 - 03, object level 3 - 3431, \$30,800.00.

SECTION 3. That the monies appropriated in the foregoing Sections 1 and 2 shall be paid upon order of the Franklin County Municipal Court Judges; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. That the Administrating and Presiding Judge of the Franklin County Municipal Court be and is hereby authorized to enter into contract with Alcohol Monitoring Systems, Inc. for monitoring services associated with the Court's continuous alcohol monitoring equipment through the period ending November 1, 2009.

SECTION 5. That the expenditure of \$35,200 or as much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court Judges, department number 2501, indigent driver alcohol treatment fund, fund number 225, subfund 001 as follows: \$23,100 from oca 250266, object level 1 - 03, object level 3 - 3431; \$12,100 from oca 250213, object level 1 - 03, object level 3 - 3431.

SECTION 6. That the expenditure of \$30,800 or as much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court Judges, department number 2501, electronic alcohol monitoring subfund of the municipal court computer fund, fund number 227, subfund 004, as follows: \$30,800 from oca 252704, object level 1 - 03, object level 3 - 3431.

SECTION 7. That for the reasons stated, the Columbus City Council finds it is in the best interest of the Franklin County Municipal Court Judges to waive all provisions of the Columbus City Codes related to competitive bidding.

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

Legislation Number: 1987-2008

Drafting Date: 12/02/2008

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation1. BACKGROUND

The purpose of this legislation is to lay a foundation for the development of policy, rules and regulations pertaining to sidewalks and bikeways. This foundation includes the consideration of an evolving understanding of complete streets, the importance of alternate means of transportation, the promotion of better community health, and improving safety for pedestrians and bicyclists. This legislation further establishes a requirement for bikeways associated with the development of land and codifies the requirement to provide sidewalks along private streets. Furthermore, this legislation creates a mechanism for a monetary donation to be made by a developer when circumstances preclude the reasonable and practical construction of sidewalks and bikeways.

This legislation is expected to result in more sidewalks and bicycle facilities to be completed in the city of Columbus.

On December 6, 1993, Columbus City Council adopted the *Columbus Comprehensive Plan* (Ordinance 2515-93.) The plan as adopted provides specific recommendations for adequate pedestrian facilities for all existing, expanded, and new developments regardless of the type of use, intensity, or zoning classification. The plan also recommends that the Public Service Department develop a bikeways plan for the city of Columbus.

On July 20, 1998, Columbus City Council adopted Ordinance 1985-98, which establishes a parkland dedication requirement for developments. The ordinance as adopted states in pertinent terms that the City will *"determine whether a land or monetary donation shall be required."*

On June 7, 1999, Columbus City Council adopted Ordinance 1276-99, which amended Chapter 2105, "Service Director, Powers & Duties", and Chapter 3123, "Regulations for Land Subdivision", in order to provide for sidewalks and other pedestrian facilities to enhance safety, efficiency and accessibility.

On July 17, 1999, following City Council adoption of Ordinance 1276-99, the Director of Public Service published in the City Bulletin notice of promulgation of rules and regulations. Said rules included a provision for the Director of Public Service to waive sidewalk construction on a case-by-case basis *"if such facilities will not materially advance pedestrian access."*

Subsequent to the promulgation of rules in 1999, the Public Service Department received 186 sidewalk waiver requests between 2000 and 2007, of which 87 were approved. Of those waivers approved, the substantial majority were granted for industrial commercial uses. No residential developments were waived. Other waivers were granted for reasons of difficult site topography or where the city of Columbus did not have jurisdiction over the right-of-way adjacent to the site.

In 2007, the Columbus City Attorney notified the Public Service Department that the 1999 sidewalk rules and regulations were not promulgated according to the requirements of Section 121.05 of the Columbus Codified Ordinances. Since the notification, the Public Service Department has placed a moratorium on granting sidewalk waivers, and has worked to create new rules and regulations, which will be properly promulgated subsequent to City Council adopting related code changes, as proposed in this legislation.

On July 23, 2007, Columbus City Council passed Ordinance 1165-2007 authorizing an asset inventory contract as part of the Operation SAFEWALKS program created by Mayor Michael B. Coleman in February, 2007. The asset inventory effort provides sidewalk asset information throughout the city of Columbus, which is being used to prioritize sidewalk and sidewalk-inclusive projects.

On July 23, 2007, Columbus City Council passed Ordinance 1178-2007 authorizing the Mid-Ohio Regional Planning Commission to assist the Public Service Department in developing the Operation SAFEWALKS program. Operation SAFEWALKS program when fully developed will provide priorities and strategies for sidewalk construction along major roadways in the city of Columbus, first targeting underserved neighborhoods within older sections of the community.

On November 29, 2007, Columbus City Council member Maryellen O'Shaughnessy held a public meeting where the Public Service Department presented an overview of past, present and future complete streets-oriented efforts.

On June 9, 2008, City Council passed Ordinance 0849-2008 to adopt the *Bicentennial Bikeways Plan*, ordaining "*That all City of Columbus departments and divisions are hereby authorized and directed to use the Columbus Bicentennial Bikeways Plan in initiating or reviewing projects within the planning area or adjacent areas and require that such projects generally conform to the plan*".

The *Bicentennial Bikeways Plan* recommends adopting a complete streets policy that will "*support the development of a complete system of bikeways, pedestrian facilities and shared-use paths, bicycle parking and safe crossings connecting residences, businesses, transit stops and public places. The City will promote bicycling and walking for health, environmental sustainability, exercise, transportation, and recreation.*" The plan further recommends that "*bicycle and pedestrian facilities shall be provided in new construction, reconstruction and maintenance projects in the City, including traffic impact mitigations by private developers*".

On July 28, 2008, Columbus City Council adopted Resolution 0151X-2008 in support of furthering complete streets in the city of Columbus.

On December 4, 2008, Columbus City Council member Maryellen O'Shaughnessy held a public hearing on the proposed code changes.

On December 11, 2008, the Transportation and Pedestrian Commission reviewed and recommended adoption of this legislation as proposed.

2. FISCAL IMPACT

There is no cost to the city of Columbus at this time.

Title To enact Chapter 900, and to amend various sections of of the Columbus City Code, 1959, for consideration of greater sidewalk and bikeway connectivity and safety.

BodyWHEREAS, the city of Columbus recognizes through the *Columbus Comprehensive Plan*, adopted by Ordinance 2515-93, the benefits of sidewalks and other pedestrian facilities for safety, efficiency and accessibility; and

WHEREAS, the *Columbus Comprehensive Plan* contains provisions calling for development of a bikeways plan for the city of Columbus; and

WHEREAS, the *Columbus Comprehensive Plan* contains provisions calling for pedestrian facilities in all new and existing developments; and

WHEREAS, the city of Columbus requires, through its adoption of Ordinance 1276-99, the construction of sidewalks

associated with land development; and

WHEREAS, it has been found that physical site constraints can make city of Columbus sidewalk construction requirements infeasible, undesirable, or the costs for such construction be excessively disproportionate to the need or probable use; and

WHEREAS, future planned city capital improvement projects may result in the removal of sidewalks newly constructed by developers, which is economically wasteful; and

WHEREAS, initial findings from the Operation SAFEWALKS program identify over 121 miles of sidewalks missing on major city streets; and

WHEREAS, City Council adopted Ordinance 0849-2008, the *Bicentennial Bikeways Plan*, ordaining *"That all City of Columbus departments and divisions are hereby authorized and directed to use the Columbus Bicentennial Bikeways Plan in initiating or reviewing projects within the planning area or adjacent areas and require that such projects generally conform to the plan"*; and

WHEREAS, the *Bicentennial Bikeways Plan* is intended to serve as a guide for development, and the planning of future public infrastructure improvements and programs; and

WHEREAS, the *Bicentennial Bikeways Plan* recommends the construction of 538 miles of bikeways over the next 20 years; and

WHEREAS, the *Bicentennial Bikeways Plan* recommends the modification of city codes to further complete streets in the city of Columbus by integrating bikeways within roadway and right-of-way definitions, addressing lawful use of the roadway and inclusion of bikeways in land development activities, and

WHEREAS, City Council adopted Resolution 0151X-2008, resolving *"That this Council supports the implementation of Complete Streets policies in Columbus, and urges the Public Service Department and the Transportation Division to include these policies in all street construction, reconstruction and repair project"*; and

WHEREAS, Columbus City Council adopted Ordinance 0950-2008, the bicycle safety helmet law, which established greater safety requirements for children using bicycles in the city of Columbus, and which during deliberations of the legislation several inconsistencies were identified within Columbus City Code, and with Ohio Revised Code, which were agreed by City Council to defer to a future date; and

WHEREAS, the Ohio General Assembly has enacted HB 389 effective September 21, 2006, which consist of a revision of certain portions of Ohio's bicycle regulations; and

WHEREAS, the enactment of HB 389 has created a disparity between existing City bicycle regulations and general laws of the State of Ohio, which inconsistencies, in some instances, has caused the city ordinances to potentially be in conflict with the general laws of the State of Ohio; and

WHEREAS, this ordinance will result in more sidewalks and bicycle facilities in the city of Columbus where it has been determined they are needed the most; and

WHEREAS, In 2009, the city, regional agencies and private party partners will collaborate to produce education programs to further improve safety for pedestrian and bicyclists; and

WHEREAS, In the future, anticipated future changes to state law outlined in House Bill 390 will require further modification to city code to be compliant; and

WHEREAS, In addition, future best practices will be incorporated as they are developed; and

WHEREAS, that ordinance provided that all fees collected in lieu of sidewalk and bikeway construction be deposited in the Sidewalk Improvement Fund and Bikeway Improvement Fund, respectively; and

WHEREAS, this ordinance is necessary in order to create those Funds and to establish the purposes for which monies in

those Funds may be expended; now therefore,

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

Section 1. That Chapter 900 of the Columbus City Code, 1959 is hereby enacted; and that Title 21, 31, 33, ~~and 41 and 45~~ are hereby amended as shown in the ATTACHMENT file identified as ORD1987-2008enactment and amendment.

Section 2. That the City Auditor is hereby authorized to establish a subfund within the Special Purpose Fund No. 223, titled Sidewalk Improvement Subfund.

Section 3. That the City Auditor is hereby authorized to establish a subfund within the Special Purpose Fund No. 223, titled Bikeway Improvement Subfund.

Section 4. That all revenues arising from the collection of fees in lieu of constructing sidewalks as set forth in Section 3123.17 of the Columbus City Codes, 1959, as amended herein, shall be deposited into Special Purpose Fund No. 223.

Section 5. That all revenues arising from the collection of fees in lieu of constructing bikeways as set forth in Section 3123.17 of the Columbus City Codes, 1959, as amended herein, shall be deposited into Special Purpose Fund No. 223.

Section 6. That such monies shall be limited in their use to the design and construction of sidewalks and bikeways.

Section 7. Chapter 3123.17 of the Columbus City Code as modified by this ordinance shall only apply to applications for rezoning and site plan approval filed after March 2, 2009.

Section 87. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1988-2008

Drafting Date: 12/02/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This legislation will authorize the City Attorney to accept the Cyber Crime Investigator and Domestic Violence Victim Advocate Grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs.

This grant partially funds a Cyber Crime Investigator and a Domestic Violence Victim Advocate to serve the Franklin County community within the City Attorney's Prosecution section. The Cyber Crime Investigator investigates telecommunication harassment allegations and frequently assists in stalking cases helping to identify the suspect. The DV Victim Advocate works with victims of domestic violence and stalking in their initial court appearances frequently within days of the incident as well as assisting them with obtaining emergency protection orders.

Emergency action is requested to allow for the uninterrupted continuation of this grant program.

Fiscal Impact:

Project period: 01/01/09 - 12/31/09

Federal Share: \$76,689.00

There are no required matching funds for this grant award.

The balance of the costs for the two positions, not covered by the grant, is funded within the City Attorney's general fund budget.

Title

To authorize the acceptance of a grant from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs; to appropriate said funds in the amount of \$76,689.00 for the funding of the Cyber Crime Investigator and Domestic Violence Victim Advocate programs; and to declare an emergency. (\$76,689.00)

Body

WHEREAS, the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, has awarded the City of Columbus, City Attorney's Office, a grant in the amount of Seventy-six Thousand Six Hundred Eighty-nine Dollars (\$76,689.00) for the Cyber Crime Investigator and Domestic Violence Victim Advocate program, Grant #08-JAG-2010; and

WHEREAS, an emergency exists in the daily operation of the City Attorney's Office in that it is necessary to immediately accept and appropriate the grant funds in order that the services supported may commence at the beginning of the grant period and for the preservation of the public health, peace, property, safety and welfare, and now therefore,

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

SECTION 1. That the City Attorney be and hereby is authorized to accept a grant in the amount of Seventy-six Thousand Six Hundred Eighty-nine Dollars (\$76,689.00) from the Franklin County Board of Commissioners, Office of Homeland Security and Justice Programs, for the Cyber Crime Investigator and Domestic Violence Victim Advocate program.

SECTION 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Seventy-six Thousand Six Hundred Eighty-nine Dollars (\$76,689.00) is appropriated as follows: department 2401, Cyber Crime Investigator and DV Victim Advocate Grant, grant number 246011, fund number 220, organizational cost account 246011, object level three 1101.

SECTION 3. That funds appropriated in the foregoing Section 2 shall be paid upon order of the City Attorney 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 the expenditure of Seventy-six Thousand Six Hundred Eighty-nine Dollars (\$76,689.00), or so much thereof as may be necessary, from the City Attorney's Office, 24-01, grant number 246011, fund number 220, organizational cost account 246011, object level three 1101 for the aforesaid purpose is hereby authorized.

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

Legislation Number: 1997-2008

Drafting Date: 12/03/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This ordinance authorizes a supplemental appropriation of \$223,157 from unallocated balance of the City Print & Mail Services Fund and a transfer of \$28,589 within the City Print & Mail Services Fund. This additional appropriation and transfer will allow the City Mail Room to purchase sufficient postage to continue operating until passage of the 2009 budget. This supplemental appropriation is necessary due to insufficient funds being transferred when mailroom functions were transferred from the Department of Technology to the Finance and Management Department in March, 2008. Due to savings in fuel prices, the necessary transfer of cash will be accomplished through the reduction of fuel encumbrances and subsequent reductions in the Refuse Division's December estimated General Fund fuel billing. Cash for the first quarter funding in Technology are accounted for in the year-end financial projection of the Information Services Fund.

Fiscal Impact: The increase in Mail Room appropriation is in accordance with the Third Quarter Financial Review.

Emergency action is requested to ensure an uninterrupted supply of postage.

Title

To authorize a supplemental appropriation of \$223,157.00 from the unappropriated balance of the City Print & Mail Services Fund; to authorize the transfer of \$28,589.00 within the City Print & Mail Services Fund; to authorize the City Auditor to decrease appropriations by \$315,380.00 within the Public Service Department, Refuse Division General Fund and to reduce the related encumbrance; to authorize a supplemental appropriation of \$315,380.00 within the Municipal Court-Clerk General Fund; and to declare an emergency. (\$315,380.00)

Body

WHEREAS, the Finance and Management Department, Mail Room, has a need for supplemental appropriation of \$223,157.00 from the unappropriated balance of the City Print & Mail Services Fund and a transfer of \$28,589.00 within the City Print & Mail Services Fund for postage; and

WHEREAS, the City has experienced dramatic savings in fuel, thereby allowing for a reduction in fuel appropriation in the General Fund to support an increase in postage appropriation in the General Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Mail Room, in that it is immediately necessary to increase appropriation so that postage can be replenished, 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 City Print & Mail Services Fund No. 517, 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, 2008, the sum of \$223,157.00 is appropriated as follows:

Division: 45-01
Fund: 517
OCA Code: 451233
Object Level 1: 03
Object Level 3: 3322
Amount: \$223,157.00

SECTION 2. That the City Auditor is hereby authorized and directed to transfer funds within the City Print & Mail Services Fund as follows:

FROM:

Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 1102|Amount \$17,962.00
Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 1101|Amount \$3,979.00
Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 1104|Amount \$650.00
Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 1121|Amount \$2,417.00
Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 1150|Amount \$1,999.00
Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 1160|Amount \$82.00
Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 2244|Amount \$1,500.00

TO:

Dept/Div: 45-01|Fund: 517|OCA Code 451233|OL3 3322|Amount \$28,589.00

SECTION 3. That the City Auditor is hereby authorized and directed to reduce appropriations in the Department of Public Service, Refuse Collection Division, department 59-02, General Fund, fund 010, is hereby decreased by \$315,380.00 as follows:

Current: OCA: 591602| Object Level One: 03| Object Level Three: 3380| Amount: \$6,480,675.00
New: OCA: 591602| Object Level One: 03| Object Level Three: 3380| Amount: \$6,165,295.00

SECTION 4. That the encumbrance currently authorized for the Public Service Department, Refuse Collection Division for Fleet Services (EA007165-009) be decreased by \$315,380.00.

SECTION 5. That from the unappropriated monies in the General Fund Fund No. 010, 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, 2008, the sum of \$315,380.00 is appropriated as follows:

Division: 26-01
Fund: 010
OCA Code: 451233
Object Level 1: 03
Object Level 3: 3387
Amount: \$315,380.00

SECTION 6. 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: 1999-2008

Drafting Date: 12/04/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: By its Ordinance No. 2117-2005 passed December 12, 2005, the Columbus City Council established the Preserve Incentive District pursuant to Section 5709.40(C) of the Ohio Revised Code, declared the improvements to each parcel located within that incentive district to be a public purpose and exempt from taxation, provided for the owner of each parcel to make annual service payments in lieu of taxes, and provided for the non-school portion of those service payments to be paid to the City for deposit into the Preserve TIF Fund established in that Ordinance No. 2117-2005. The attached ordinance provides for the appropriation of monies on deposit in that TIF fund to be used to fund public infrastructure improvements in accordance with that Ordinance No. 2117-2005 and the related Reimbursement Agreement, which agreement was approved by Ordinance No. 1187-2007 passed July 23, 2007.

Fiscal Impact: No additional funding is required for this legislation.

Title

To appropriate monies on deposit in the Preserve Incentive Tax Equivalent Fund to be used to fund public infrastructure improvements benefiting or serving the Preserve Incentive District and further described in a Reimbursement Agreement by and among the City, The New Albany Company LLC and Lifestyle Communities, Ltd.; and to declare an emergency.

Body

WHEREAS, by its Ordinance No. 2117-2005 passed December 12, 2005 (the "TIF Ordinance"), this Council established the Preserve Incentive District (the "Incentive District") pursuant to Section 5709.40(C) of the Ohio Revised Code,

declared 100% of the increase in assessed value of each parcel located within that Incentive District (which increase in assessed value is referred to as the "Improvement," as further defined in Section 5709.40(A) of the Ohio Revised Code) to be a public purpose and exempt from real property taxation, provided for the owner of each parcel to make annual service payments in lieu of real property tax payments, including any penalties and interest (collectively, the "Service Payments"), and provided for the non-school portion of those Service Payments to be paid to the City for deposit into the Preserve Incentive Tax Equivalent Fund established in that TIF Ordinance (the "TIF Fund") to fund certain public infrastructure improvements described in the TIF Ordinance which, once made, will benefit or serve the Incentive District (with those improvements, as further described in the Reimbursement Agreement referred to below, hereinafter referred to as the "Public Infrastructure Improvements"); and

WHEREAS, it is necessary to appropriate monies deposited in the TIF Fund to be used to pay costs of the Public Infrastructure Improvements in accordance with the TIF Ordinance and the related Reimbursement Agreement by and among the City, The New Albany Company LLC and Lifestyle Communities, Ltd. (the "Reimbursement Agreement"), which agreement was approved by Ordinance No. 1187-2007 passed July 23, 2007; and

WHEREAS, an emergency exists in that this Ordinance is required to be immediately effective in order to facilitate the development of the Incentive District and the construction of the Public Infrastructure Improvements, such immediate action being necessary 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. Appropriation of Funds. The Service Payments, and any other payments with respect to the Improvement that are received by the Franklin County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time, deposited in the TIF Fund shall be deemed appropriated for the purposes set forth in the Reimbursement Agreement and authorized to be expended therefrom in accordance with that Reimbursement Agreement. Subject to vouchers approved by the Director of the City's Department of Development (the "Director"), the City Auditor is hereby authorized to make payments to the Developer or its designee from the TIF Fund in accordance with that Reimbursement Agreement.

Section 2. Further Authorizations. This Council further authorizes the Director, the City Clerk or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

Section 3. Effective Date. 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 the passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 2001-2008

Drafting Date: 12/04/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the certification of funds to establish Universal Term Contracts in January 2009 to purchase Video Surveillance Consulting Services and Powdered Activated Carbon from formal bids opening in late December. Approval of the actual awards for contracts from these bids would be obtained through legislation submitted to City Council in January 2009.

Video Surveillance Consulting Services RFP (UTC) is currently advertised as SA003131, bids are scheduled to open on 12/22/2008 and evaluations should be completed in January 2009. The Public Safety Director, Finance and Management Director and the Mayor's Office would like proceed with legislation to establish the option contract prior to approval of the 2009 budget.

Powdered Activated Carbon is used for filtering impurities from the City drinking water. Volatile pricing, a nationwide shortage of product, and a 50% increase in usage by the City effect this year's PAC bids. Industry conditions and vendor input suggest that the City is more likely to obtain the quantity required at the optimum pricing if the contract is entered into in mid January. It is possible that the City will need to award contracts to multiple vendors to obtain the quantity required to meet the filtering requirements of the City. The Public Utilities Director and the Finance and Management Director would like proceed with legislation to establish the option contract prior to approval of the 2009 budget.

This ordinance would approve \$5.00 to be certified pending legislative approval by City Council of the actual contract awards.

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 Account. City agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Columbus City Auditor to establish an Auditor's Certificate to be applied only after future City Council legislative approval to enter into contracts to purchase Video Surveillance Consulting Services and Powdered Activated Carbon, to authorize the appropriation of five (5) dollars to establish the contract from the Purchasing/UTC Account, and to declare an emergency. (\$5.00).

Body

WHEREAS, the Purchasing Office is currently soliciting bids and will present future legislation to enter into contracts; and

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

WHEREAS, in order to ensure Video Surveillance Consulting Services and Powdered Activated Carbon are obtained in a manner designed to obtain the best service at the lowest cost to the citizens of Columbus, this is being submitted for consideration as an emergency measure; 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 Columbus City Auditor be and is hereby authorized and directed to establish an Auditor's Certificate for five (5) dollars to apply to future legislation to establish contract for the purchase of Video Surveillance Consulting Services and Powdered Activated Carbon.

SECTION 2. That the expenditure of \$5.00 is hereby authorized from Purchasing Contract Account, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. That for the 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.

Drafting Date: 12/04/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: This ordinance authorizes a supplemental appropriation of \$19,623.70 from the unappropriated balance of the Franklin County Municipal Court Clerk computer fund; authorizes and directs the Director of Finance and Management on behalf of the Franklin County Municipal Court Clerk to establish a purchase order for the acquisition of Cisco hardware, necessary for distributing data between the user and the computer system; authorizes an expenditure of \$19,623.70 from the Clerk's computer fund. The purchase order will be made from a universal term contract (UTC), FL002554 with Pomeroy IT Solutions; expiration date December 30, 2009.

Fiscal Impact:

Funds for the supplemental appropriation totaling \$19,623.70 are available within the Franklin County Municipal Court Clerk computer fund.

Contract:

UL005875 - July 17, 2008; Ordinance 0979-2008, approved 7/7/2008; \$194,991.31

Emergency: Emergency declaration is requested to maintain ongoing and uninterrupted services.

Contract Compliance: 61-1352158

Expiration Date: 10/24/2009

Title

To authorize a supplemental appropriation of \$19,623.70 from the unappropriated balance of the Municipal Court Clerk computer fund; to authorize and direct the Director of Finance and Management on behalf of the Municipal Court Clerk to establish a purchase order for the acquisition of Cisco hardware from a universal term contract with Pomeroy IT Solutions; to authorize an expenditure of \$19,623.70 from the Municipal Court Clerk computer fund; and to declare an emergency. (\$19,623.70)

Body

Whereas, this ordinance will allow the Franklin County Municipal Court Clerk to appropriate said funds within the unappropriated balance of the Municipal Court Clerk computer fund; and

Whereas, that the funds are available within the Municipal Court Clerk computer fund; and

Whereas, this ordinance authorizes and directs the Director of Finance and Management to establish a purchase order on behalf of the Franklin County Municipal Court Clerk for the acquisition of Cisco hardware from a Universal Term Contract (UTC) with Pomeroy IT Solutions; and

Whereas, the acquisition of Cisco hardware is necessary for distributing data between the user and the computer system; and

Whereas, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk in that it is necessary for the Finance and Management Director to establish a purchase order with Pomeroy IT Solutions for the acquisition of hardware thereby preserving the public health, peace, property, safety, and welfare; now therefore,

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

Sections 1. That from the unappropriated monies in the Municipal Court Clerk computer fund and from all monies estimated to be deposited into said fund, the sum of \$19,623.70 be and is hereby appropriated within the Clerk's computer fund 227, subfund 02, organization 2601, oca code 260208, object level one- 06, object level three - 6649 - \$19,623.70.

Section 2. That the Director of Finance and Management on behalf of the Franklin County Municipal Court Clerk be and is hereby authorized to establish a purchase order for the acquisition of Cisco hardware from a universal term contract with Pomeroy IT Solutions.

Section 3. That the expenditure of \$19,623.70 or so much thereof as may be necessary is hereby authorized to be expended from the Municipal Court Clerk's computer fund 227, subfund 02, organization 2601, oca code 260208, object level one- 06, object level three - 6649 - \$19,623.70.

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

**City of Columbus
City Bulletin Report**

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

Legislation Number: 2024-2005

Drafting Date: 11/15/2005

Version: 1

Current Status: Defeated

Matter Type: Ordinance

Explanation

BACKGROUND:

Currently, the Department of Development is charged with issuing demolition permits based upon various time frames and scenarios depending on location. While there is a waiting period of 45 days in areas represented by area commission or architectural review commissions, no such waiting period exists for proposed demolitions outside of these areas. This waiting period has also proved problematic for area commission to be able to meet at regularly scheduled meetings within the time frame specified. Additionally there is no current requirement that such pending application be posted or published electronically for public notification.

These code changes would extend the time period from 45 to 75 calendar days in order to better accommodate public meeting schedules, would require electronic posting of such pending applications, and would extend the coverage area for the waiting period to throughout the city. However, these code changes would not alter current process and procedure for structural emergencies as defined in the Columbus Building Code. The Columbus Building Commission reviewed these code change at a public meeting on July 19, 2005 and at there public meeting on August 16, 2005, voted to approve these code changes and recommend adoption by Columbus City Council.

FISCAL IMPACT:

No funding is required for this legislation.

Title

To amend section 4113.79 of the Columbus Building Code, Title 41, in order to provide for a seventy-five (75) day review period and electronic posting of applications prior to the issuance of demolition permits.

Body

WHEREAS, to better inform the public about demolition permits that have been applied for in their neighborhood these code changes would require the Department of Development to electronically post on its web site pending demolition permits for all locations throughout the city; and

WHEREAS, this posting would extend public outreach regarding demolition permits to all neighborhoods and areas of the city; and

WHEREAS, it is also desirable to extend the waiting period for all demolition permits from the present 45 calendar days for an additional 30 calendar days in order to accommodate public comment and meetings as well as any additional research that may be needed; and

WHEREAS, this time extension would allow additional time for area commissions to be able to review pending demolition permits at their regularly scheduled meetings prior to the expiration of the time period for review; and

WHEREAS, a public hearing on this proposed ordinance was held before the Columbus Building Commission on July 19, 2005, where the commission review the code language; and

WHEREAS, a second public hearing on this proposed ordinance was held before the Columbus Building Commission on August 16, 2005, where at the Columbus Building Commission voted to recommend this Ordinance be forwarded Columbus City Council for adoption; **now, therefore,**

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

Section 1. That Section 4113.79 of the Columbus city Codes, 1959, is hereby amended to read as follows:

4113.79 Demolition permit.

(A) A demolition permit shall be issued only to a demolition contractor duly registered with the department pursuant to a proper application accompanied by a notarized statement of the owner of the subject property that said department-registered demolition contractor is agent for such demolition. The work covered by such permit shall commence within fourteen (14) calendar days after the issuance of the permit in a residential area and three (3) calendar months, in a nonresidential area. The demolition permit in a residential area shall be valid for a period of three (3) calendar months renewable for no more than two (2) additional three (3) calendar month periods; a demolition permit in a nonresidential area shall be valid for a period of six (6) calendar months renewable for no more than a six (6) calendar month period. Renewals may be granted by the director, or designee, upon written request and for good cause shown including, but not limited to, a strike, an act of God or other unavoidable circumstance.

~~Exception:~~ **Exception:** For the purposes of the environmental blight abatement program a demolition permit shall be issued to the director, or designee, for removal of an uninhabitable, blighting, single-story, accessory structure such as a garage or shed or similar building pursuant to a proper application.

~~Exception:~~ **Exception:** A demolition permit shall be issued to an occupying homeowner pursuant to a proper application, provided that all work thereunder shall be: (1) done with the homeowner's hands; (2) in conformity with this code; and (3) limited to an uninhabitable, single-story, accessory structure such as a garage or shed only for a single-family residence occupied by no one except the occupying homeowner and family.

(B) A certificate of appropriateness is required prior to the issuance of a demolition permit for any listed property served by the historic resources commission, or any property located in an area served by an architectural review commission as set out in Chapters 3116 through 3119, ~~and 3319 through 3331~~, C.C.

(C) In a residential area, a demolition permit shall not be issued unless a written release is obtained from each utility having one (1) or more service connections within the building, including but not limited to gas, electric, water and sewer, stating that such respective service connection and appurtenant equipment: (1) has been removed or sealed and plugged in a safe manner; or (2) will be removed or sealed and plugged in a safe manner at the appropriate time in the event certain utilities are required for demolition procedures.

In a nonresidential area, such written release shall be required from each utility not required by the department-registered demolition contractor; a certificate shall be required from any other utility stating that it will follow through and shut off service at the appropriate time.

(D) If any discrepancies are found in the application the director, or designee, may order an inspection prior to the issuance of a permit.

(E) The historic resources commission or an architectural review commission, as set out in Chapters 3116 ~~through 3119 and 3319 through 3331~~, C.C., shall have ~~forty five (45)~~ seventy-five (75) calendar days after the application required by C.C. 3116.06 is received by the commission in which to provide the owner with written denial or a certificate of appropriateness for a demolition permit for property within its jurisdiction. Additional time for appeal may be required. Such permit shall be issued only upon- the receipt of a certificate of appropriateness.

An area commission as set out in Chapter 3111, C.C., shall have ~~forty-five (45)~~ seventy-five (75) calendar days in which to make a recommendation regarding an application for a demolition permit for property within its jurisdiction. Such permit will not be issued prior to the appropriate body's response or expiration of said review period whichever occurs first.

(F) In a residential area, the demolition permit or a copy thereof shall be posted on the site in plain view no less than forty-eight (48) hours prior to commencement of demolition.

(G) Advance notification shall be made by the department-registered demolition contractor as agent for, and on behalf of the owner of the building to be demolished no less than forty-eight (48) hours prior to scheduled commencement of the demolition to the following:

- (1) Each adjoining property owner; and
- (2) The Director ~~department~~.

(H) Demolition work in residential areas shall proceed only on weekdays, Monday through Friday, and only between the hours of 7:30 a.m. to 6:00 p.m. The director, or designee, is authorized to extend such days and/or hours only upon demonstration of unreasonable hardship or impracticability. In a nonresidential area, the hours of work will be approved by the director, or designee, and will be governed by location other than residential, traffic and surrounding environment. For the purpose of this section, apartment hotels, hotels and motels shall be included in the term "residential area."

(I) The director, or designee, may order an inspection at any time during the demolition to assure that all required procedures are being followed and that the site is not being used for salvage operations without a proper salvage yard permit, in violation of Chapter 3392 C.C.

(J) Notwithstanding any requirement already stated herein, all applications for a demolition permit shall be electronically posted by the Department upon receipt for a period of no less than seventy-five (75) calendar days prior the issuance of the demolition permit by the Department, except in emergencies as defined by the Columbus Building Code.

Exception: A demolition permit can be issued immediately upon issuance of a certificate of appropriateness by the historic resources commission or an architectural review commission.

Exception: A demolition permit can be issued immediately upon receiving the appropriate area commission's response or expiration of said review period, whichever occurs first.

(K) The entire demolition authorized under the provisions of this section shall comply in all aspects of the demolition standards as set out in C.C. 4123.23.

(L) The ~~department-registered demolition contractor~~ holder of the demolition permit shall ~~each~~ obtain from the Department for a final inspection and approval upon completion of the demolition.

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

Public Notices

The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus
City Bulletin Report**

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

Legislation Number: PN0012-2008

Drafting Date: 01/03/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2008 REGULAR MEETINGS OF COLUMBUS RECREATION AND PARKS COMMISSION

Contact Name: Chris Snyder

Contact Telephone Number: 645-7468

Contact Email Address: crsnyder@columbus.gov

Body

EXHIBIT A

NOTICE OF REGULAR MEETINGS

COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 9, 2008 -1111 East Broad Street, 43205

Wednesday, February 13, 2008 -1111 East Broad Street, 43205

Wednesday, March 12, 2008 -- 1111 East Broad Street, 43205

Wednesday, April 9, 2008 -- 1111 East Broad Street, 43205

Wednesday, May 14, 2008 - 1111 East Broad Street, 43205

Wednesday, June 11, 2008 - Whetstone Shelterhouse (Park of Roses) 4015 Olentangy Blvd., 43214

Wednesday, July 9, 2008 - Brentnell Recreation Center, 1280 Brentnell Avenue, 43219

August Recess - No meeting

Wednesday, September 10, 2008 -Raymond Golf Course, 3860 Trabue Rd., 43228

Wednesday, October 8, 2008 - Whetstone Recreation Center, 3923 N. High Street, 43214

Wednesday, November 12, 2008 - 1111 East Broad Street, 43205

Wednesday, December 10, 2008 - 1111 East Broad Street, 43205

Legislation Number: PN0022-2008

Drafting Date: 01/23/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title**Notice/Advertisement Title:** Victorian Village Commission 2008 Meeting Schedule**Contact Name:** Brenda Moore**Contact Telephone Number:** 614-645-8620**Contact Email Address:** bgmoore@columbus.gov**Body**

The 2008 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 <<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 Deadline	Hearing Dates
December 27, 2008	January 10, 2008
January 31, 2008	February 14, 2008
February 28, 2008	March 13, 2008
March 27, 2008	April 10, 2008
April 24, 2008	May 8, 2008
May 29, 2008	June 12, 2008
June 26, 2008	July 10, 2008
July 31, 2008	August 14, 2008
August 28, 2008	September 11, 2008
September 25, 2008	October 9, 2008
October 30, 2008	November 13, 2008
November 27, 2008	December 11, 2008
December 24, 2008*	January 8, 2009

The 2008 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 <<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.

Business Meeting Dates

January 3, 2008
 February 7, 2008
 March 6, 2008
 April 3, 2008
 May 1, 2008
 June 5, 2008
 July 3, 2008
 August 7, 2008
 September 4, 2008
 October 2, 2008
 November 6, 2008
 December 4, 2008

Legislation Number: PN0024-2008

Drafting Date: 01/23/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: German Village Commission 2008 Meeting Schedule

Contact Name: Brenda Moore

Contact Telephone Number: 614-645-8620

Contact Email Address: bgmoore@columbus.gov

Body

The 2008 regular monthly meetings of the German Village Commission will be held on the dates listed below at 4:00 p.m. at the German Village Meeting Haus, 588 S. Third Street, Columbus, Ohio 43215. Copies of the agenda may be obtained by calling 645-8620 or by e-mail. 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 18, 2008	January 8, 2008*
January 22, 2008	February 5, 2008
February 19, 2008	March 4, 2008
March 18, 2008	April 1, 2008
April 22, 2008	May 6, 2008
May 20, 2008	June 3, 2008
June 17, 2008	July 1, 2008
July 22, 2008	August 3, 2008
August 19, 2008	September 9, 2008
September 23, 2008	October 7, 2008
October 21, 2008	November 4, 2008
November 18, 2008	December 2, 2008
December 23, 2008	January 6, 2009

The 2008 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 <<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.

Business Meeting Dates

- January 29, 2008
- February 26, 2008
- March 25, 2008
- April 29, 2008
- May 27, 2008
- June 24, 2008
- July 29, 2008
- August 26, 2008
- September 30, 2008
- October 28, 2008
- November 25, 2008
- December 30, 2008

Legislation Number: PN0025-2008

Drafting Date: 01/23/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Historic Resources Commission 2008 Meeting Schedule

Contact Name: Brenda Moore

Contact Telephone Number: 614-645-8620

Contact Email Address: bgmoore@columbus.gov

Body

The 2008 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

January 3, 2008	January 17, 2008
February 7, 2008	February 21, 2008
March 6, 2008	March 20, 2008
April 3, 2008	April 17, 2008
May 1, 2008	May 15, 2008
June 5, 2008	June 19, 2008
July 3, 2008	July 17, 2008
August 7, 2008	August 21, 2008
September 4, 2008	September 18, 2008
October 2, 2008	October 16, 2008
November 6, 2008	November 20, 2008
December 4, 2008	December 18, 2008
December 31, 2008*	January 15, 2009

The 2008 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 <<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.

Business Meeting Dates

January 10, 2008
February 14, 2008
March 13, 2008
April 10, 2008
May 8, 2008
June 12, 2008
July 10, 2008
August 14, 2008
September 11, 2008

October 9, 2008
November 13, 2008
December 11, 2008

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/>

Legislation Number: PN0092-2008

Drafting Date: 04/16/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Health, Housing and Human Services Committee & Workforce Development Committee Meeting

Contact Name: James Ragland

Contact Telephone Number: (614) 645-8580

Contact Email Address: jcragland@columbus.gov

Body

Councilmember Tavares' Health, Housing and Human Services Committee / Workforce Development Committee meeting schedule is listed below. Meeting time and location is 5:30 p.m. in the Columbus City Council Chambers. A picture ID is needed to enter City Hall.

Meeting Chair: Councilmember Charleta B. Tavares

Agendas will be posted on the Columbus City Council Website (www.columbuscitycouncil.org) as soon as they are available.

2008

January 23, 2008

February 6, 2008

February 20, 2008

March 5, 2008

March 19, 2008

April 2, 2008

April 16, 2008

April 30, 2008

May 21, 2008

June 4, 2008
June 18, 2008
July 2, 2008
July 16, 2008
September 3, 2008
September 17, 2008
October 1, 2008
October 15, 2008
November 5, 2008
November 19, 2008
December 3, 2008

Meeting dates and times subject to change

Legislation Number: PN0144-2008

Drafting Date: 06/24/2008

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS

Notice/Advertisement Title: Civil Service Commission Notice

Contact Name: Annette Bigham

Contact Telephone Number: 614-645-7531

Contact Email Address: eabigham@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>> 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.

Legislation Number: PN0161-2008

Drafting Date: 07/01/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: REVISED 2008 REGULAR MEETINGS OF COLUMBUS RECREATION AND PARKS COMMISSION - CHANGE OF VENUE

Contact Name: Chris Snyder

Contact Telephone Number: 645-7468

Contact Email Address: crsnyder@columbus.gov

Body

EXHIBIT A

NOTICE OF REGULAR MEETINGS

COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 9, 2008 -1111 East Broad Street, 43205

Wednesday, February 13, 2008 -1111 East Broad Street, 43205

Wednesday, March 12, 2008 -- 1111 East Broad Street, 43205

Wednesday, April 9, 2008 -- 1111 East Broad Street, 43205

Wednesday, May 14, 2008 - 1111 East Broad Street, 43205

Wednesday, June 11, 2008 - Whetstone Shelterhouse (Park of Roses) 4015 Olentangy Blvd., 43214

Wednesday, July 9, 2008 - Brentnell Recreation Center, 1280 Brentnell Avenue, 43219

August Recess - No meeting

Wednesday, September 10, 2008 -~~Raymond Golf Course, 3860 Trabue Rd., 43228~~ 1533 Alum Industrial Drive, 43209

Wednesday, October 8, 2008 - Whetstone Recreation Center, 3923 N. High Street, 43214

Wednesday, November 12, 2008 - 1111 East Broad Street, 43205

Wednesday, December 10, 2008 - 1111 East Broad Street, 43205

Legislation Number: PN0262-2008

Drafting Date: 11/07/2008

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Schedule for Mayor's proposed 2009 budget.

Contact Name: Kym Nelson

Contact Telephone Number:645-0851

Contact Email Address: kjnelson@columbus.gov

BUDGET 2009 SCHEDULE

November 14, 2008

Mayor 2008 Proposed Budget Roll Out

November 14, 2008

Ordinances filed in City Clerk's office

November 17, 2008

Mayor's Proposed Budget Ordinances appear on Council Agenda
(and tabled indefinitely pending public hearings)

November 18, 2008

Budget Briefing - Presentation by Mayors Administration
5:30 pm, Council Chambers

November 20, 2008

Recs and Park Budget Hearing
5:30 pm- Council Chambers

November 22, 2008

Mayor's proposed Budget Ordinances appear in City Bulletin for the First Time
(Public Notice Section)

November 29, 2008

Mayor's proposed Budget Ordinances
Appear in City Bulletin for 2nd Time

December 2, 2008

Safety Budget Hearing
5:30pm, Council Chambers

December 8, 2008

Department of Development Budget Hearing
3:30, Council Chambers

December 9, 2008

Judiciary and Court Administration Budget Hearing
3:30 pm, Council Chambers

December 9, 2008

Budget Hearing (Public Comment)
5:30 pm, Council Chambers

December 10, 2008

HHHS Budget Briefing
5:30 pm, Council Chambers

December 11, 2008

Public Service and Transportation
2:00 pm, Council Chambers

December 11, 2008

Planning Division and Historic Preservation Office
5:30pm, Council Chambers

December 16, 2008
Budget Briefing (Public Comment)
5:30 pm, Council Chambers

December 18, 2008
HHHS Budget Hearing
5:30 pm, Council Chambers

January 6, 2009
Budget Briefing (Public Comment)
5:30 pm, Council Chambers

January 9, 2009
City Council Budget Retreat
8:30 a.m. - 4:30 p.m., 96 S. Grant Ave.,
Main Library, Carnegie Room

January 19, 2009
No Council Meeting - MLK Day

January 22, 2009
(Date may change)
Budget Roll-Out, All Council Members
10:00 am, Council Chambers

January 26, 2009
Council Meeting - Budget Ordinances on the agenda for 2nd reading, to be Amended
and Tabled to 02/09/09

January 31, 2009
First publication of ordinances as amended in Public Notice section of City Bulletin

February 7, 2009
2nd publication of ordinances as amended in Public Notice Section of City Bulletin

February 9, 2009
Council Meeting -Anticipated passage date of the budget ordinances as amended

February 14, 2009
Ordinances published in the City Bulletin (Ordinance section) as amended (must be published within 20 days of passage
per City Charter)

**All dates subject to change*

Legislation Number: PN0290-2008

Drafting Date: 12/09/2008

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus South Side Area Commission

Contact Name: Darren Jordan

Contact Telephone Number: 614-445-2177

Contact Email Address: dj1911@live.com

Body

Regular meetings of the Columbus South Side Area Commission are held at 7:00 pm on the fourth(4th) Tuesday of each month.The meeting location is the Barack Recreation Center at 580 E.Woodrow Ave. All members of the public are welcome and strongly encouraged to attend.

Legislation Number: PN0293-2008

Drafting Date: 12/10/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 5th By Northwest Area Commission By-Laws Addendum, Election Rules and Districts

Contact Name: Steve Soble

Contact Telephone Number: (614) 645-8621

Contact Email Address: slsoble@columbus.gov

Body

Please see attached 5th By Northwest Area Commission By-Laws Addendum, Election Rules and Districts

Legislation Number: PN0294-2008

Drafting Date: 12/10/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 5th By Northwest Area Commission By-Laws Amendment, Article IV Meetings

Contact Name: Steve Soble

Contact Telephone Number: (614) 645-8621

Contact Email Address: slsoble@columbus.gov

Body

Article IV. MEETINGS

Section 1. The Commission shall hold a regular monthly meeting on the ~~second~~ **first** Tuesday of each month in a public place and shall be open to the public.

a. A regular meeting may be cancelled or rescheduled by two-thirds vote of the Commission at the regularly scheduled prior meeting of the Commission.

Section 2. The regular meeting in November shall be the meeting at which new Commissioners are elected, and annual reports from the committees are received.

a. The Chairperson shall appoint an officer nomination, representing a cross section of the Commission, to develop and gather a slate of officers for the coming year.

b. Any current Commissioner may be a voting member of the officer nomination committee. Membership on

this committee shall not exclude a Commissioner from consideration for an office.

c. The proposed slate of officers must be included with the meeting following the November meeting notice.

d. First item of business for the meeting in December will be election of Commission Officers with additional nominations accepted from any member of the Commission.

e. The election of officers shall be conducted by written ballot, which shall be tallied immediately by the Recording Secretary who will announce the results to the Commission. A voice vote may be held if there are no contested offices.

Section 3. At least a five-day notice of all meetings shall be given, such notice to include the agenda. All meetings of the Commission shall be open to the public. All Commission meetings shall comply with the Ohio open meeting law and the open meeting requirements pursuant to C.C. 121.01.

Section 4. The Commission shall consider no business unless introduced by a Commissioner or a committee of the Commission. No person shall speak during a Commission meeting except when recognized by the presiding officer. This can be subject to approval of the Commission by a majority vote.

a. Allowance shall be made for public comment on any issue to be voted on by the Commission or a committee of the Commission. Each speaker shall be limited to three (3) minutes. This limit may be extended by vote of the members present upon a motion of any Commissioner to do so. Time shall be allowed following each presentation for Commissioners to discuss and ask questions of the speaker. At their discretion, the presiding officer may limit the number of speakers to three (3) on each side of an issue. Such limitation shall be announced at the beginning of public comments on that issue.

b. The Commission will vote on issues by roll call and verbal vote. In the situation of a tie, the issue does not pass.

Section 5. The Chairperson may call special meetings; or the Vice Chairperson upon receiving a petition signed by one-third of the Commissioners in office.

a. Any such petition shall specify the date, time and place of the special meeting and shall include all business to be conducted at the meeting.

b. No business shall be conducted at a special meeting, unless explicitly included in the notice of such meeting.

Section 6. A Public Hearing may be directed to be held by either: a majority vote of the Commission, or a committee (with the approval of the Chairperson).

a. With the permission of a majority vote of the Commission, a public hearing may be held in conjunction with a Commission meeting.

b. A record shall be made and filed of each public hearing by the Secretary, or other provided recording officer from the directing committee.

c. If a committee has called a public hearing, it shall provide the presiding a recording officer.

d. At least a fifteen (15) day public notice shall be given for all public hearings.

Section 7. The Commission shall not consider zoning cases received by the Zoning Committee Chair less than 14 calendar days before a regular monthly Commission meeting. Cases received less than 14 calendar days before a regular monthly meeting will be considered at the following month's meeting.

a. Commissioners shall be notified of upcoming Zoning cases and of the scheduled committee meeting no less

than 12 calendar days before a regular monthly Commission meeting.

b. The Commission shall notify all property owners within 125 feet of each zoning case. All such owners shall be listed on the attachment provided by the applicant.

c. The Committee bringing the zoning recommendation forward must state that all appropriate procedures have been followed before a vote of the Commission is allowed. These procedures include proper notification of Commissioners, adherence to deadlines for case evaluation, and all other such procedures contained within these By-Laws and defined by the City of Columbus.

Legislation Number: PN0296-2008

Drafting Date: 12/11/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Recreation and Parks Committee Hearing to Discuss Griggs Boathouse at Duranceau Park.

Contact Name: Carl Williams

Contact Telephone Number: 645-2932

Contact Email Address: cgwilliams@columbus.gov

Body

On Tuesday, January 13 at 5:30 PM, Councilmember Priscilla R. Tyson, chair of the Recreation and Parks Committee, will hold a public hearing regarding Griggs Boathouse at Duranceau Park. This hearing will be an opportunity for the Recreation and Parks Department to present the final recommendations for the boathouse and to address any additional questions raised by members of Council and the community. The Ohio State University will also speak about the project.

Those who wish to speak are welcome to fill out a speaker slip at City Hall on the day of the meeting. Council will accept six (6) speaker slips in favor of the project and six (6) speaker slips against, accepting only the first six speaker slips from each side. As per the rules of Council, each speaker will be limited to three (3) minutes to address Council.

Date: Tuesday, January 13

Time: 5:30 PM

Location:

City Hall

Columbus City Council Chambers

90 West Broad Street

Columbus, OH 43215

Free parking is available after 5 PM in the City Hall surface lot at Gay and Front Streets.

Legislation Number: PN0297-2008

Drafting Date: 12/12/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus South Side Area Commission

Contact Name: Darren Jordan

Contact Telephone Number: 614-445-2177

Contact Email Address: dj1911@live.com

Body

COLUMBUS SOUTH SIDE AREA COMMISSION EXECUTIVE MEETING

A special "Executive Board Meeting" of the Columbus South Side Area Commission will be held at 6:00 pm on Tuesday, December 23rd, 2008. This meeting will be held prior to the monthly Commission meeting, which begins at 7:00 p.m. The meeting location is the Barack Recreation Center at 580 E. Woodrow Ave. All members of the public are welcome and strongly encouraged to attend.

Legislation Number: PN0298-2008

Drafting Date: 12/17/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Public Utilities Notice: Department of Public Utilities - Industrial Wastewater Discharge Permits

Contact Name: Jeffrey L. Bertacchi

Contact Telephone Number: (614) 645-5876

Contact Email Address: jlb@columbus.gov

Body

The Administrator of the Division of Sewerage and Drainage announces intent to issue an Industrial Wastewater Discharge Permit to the following company on or about Tuesday, January 20, 2009: State Cleaning Solutions, 2747 Harrison Road, Columbus, Ohio 43204

The Draft Permit will be available for review, Monday through Friday, between the hours of 7:30 A.M. and 4:30 P.M., December 22, 2008 through January 13, 2009 at the City of Columbus Industrial Wastewater Pretreatment Office, 1250 Fairwood Avenue, Suite 186, Columbus, Ohio 43206. Written comments will be accepted during this period at the above address or by FAX at (614) 645-0227. This Notice is made according to Columbus City Code Chapter 1145.44(B).

Legislation Number: PN0299-2008

Drafting Date: 12/17/2008

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:

Annette Bigham

Contact Telephone Number:

614-645-7531

Contact Email Address:

eabigham@columbus.gov

Body

During its regular meeting held on Monday, December 15, 2008, the Civil Service Commission passed a motion to revise the specification for the classification Equal Opportunity Officer, retitle it to read Equal Opportunity Representative, and amend Rule XI accordingly (Job Code 0800).

During its regular meeting held on Monday, December 15, 2008, the Civil Service Commission passed a motion to revise Rule XII to read as follows:

RULE XII

TRANSFERS, RESIGNATIONS, LAYOFFS AND VOLUNTARY DEMOTIONS

A. Transfers

1. **Interdepartmental.** The Executive Secretary may, upon the request of the appointing authorities involved, authorize the transfer of an employee in the classified service from a position in one department, commission, or agency to another position in the same class in another department, commission or agency. An interdepartmental transfer of an employee involving a change in classification may be accomplished only in the manner provided elsewhere in these Rules.

2. **Intradepartmental.** Nothing herein shall be construed as prohibiting an appointing authority from authorizing an intradepartmental transfer within the same class to which the employee was appointed. The Commission shall be notified of such intradepartmental transfer only if it is to another division within the department, commission or agency.

3. **To Another Political Subdivision.** In the event that a City department, division, or sub-unit thereof, is, pursuant to ordinance of City Council, subject to a transfer from the City of Columbus to another political subdivision created pursuant to provisions of the Ohio Revised Code, the Executive Secretary may, upon notification from the appointing authority involved, authorize the transfer of affected employees in the classified service from a position in the City to the same position in the other political subdivision. Prior to the effective date of the transfer, the appointing authority shall notify the Commission of the names of all affected employees.

The separation from City service which results due to the transfer shall constitute a separation in good standing for purposes of Rule VIII(C)(1).

- a. An employee being transferred pursuant to this section may request the opportunity for re-employment in the same classification and department. Such request must be made on a form provided by the appointing authority and filed with the Commission no later than ten days prior to the date of the transfer.

The names of those employees requesting re-employment shall be placed upon the eligible or recall list for the applicable classification, as appropriate, in order of seniority.

In the event a vacancy occurs in the affected department, the most senior employee on the appropriate list, if any, shall be notified of the vacancy and shall be appointed to the position. If the employee declines the appointment, the individual's name shall be removed from the list and the vacancy offered to the next senior employee.

In no event shall reinstatement opportunities accorded by this section extend more than eighteen (18) months after the transfer date.

4. **From Another Political Subdivision.** In the event that a department, division, or sub-unit of another political subdivision created pursuant to provisions of the Ohio Revised Code is, pursuant to ordinance or other legal authority, subject to a transfer to the City of Columbus, the Executive Secretary may, upon notification from the City appointing authority involved, authorize the transfer of the affected employees to the same or comparable positions in the classified service of the City. The transfer to City service shall constitute an original or noncompetitive appointment, as appropriate to the classification, and said employees shall not become permanent until they have satisfied the applicable probationary period set forth in Rule XI.

B. Resignations

1. Unless the appointing authority consents to a shorter notice, an employee in the classified service who wishes to leave the service in good standing shall file with the appointing authority a written resignation giving at least two weeks notice. Such resignation and acceptance thereof by the appointing authority shall be forwarded immediately to the Commission.

2. Without written approval of the appointing authority, no resignation may be withdrawn by an employee after its effective date or after it has been accepted.

C. Layoff Procedure

1. Notice to the Commission. Whenever it becomes necessary because of a material change in duties, a reorganization, or a shortage of work or funds, to reduce the number of full-time employees in any department of the City, the appointing authority shall file a notice with the Commission at least thirty days prior to the expected day of the layoff specifying the class(es) in which the layoff is to occur and the number of employees to be laid off in each class. [For part-time employees, see Rule X(F)(2)(a).]

2. Certification of Layoff. The Commission shall certify to the appointing authority the names of those full-time employees to be laid off as determined by these Rules and procedures approved by the Executive Secretary. Layoffs shall be by class and based on seniority, but in accordance with status and appointment type by using the following categories:

- a. Permanent non-probationary employees
- b. Permanent probationary employees
- c. Provisional non-probationary employees
- d. Provisional probationary employees
- e. Temporary employees

Employees in the category at the bottom of the list are to be laid off first and no employees from a higher category can be laid off until all employees in the lower categories have been laid off.

3. Bumping. A laid-off employee may have bumping rights within the same class to another division within the same department, to a lower class within the same class series or to a class in the same job family in which he previously served and for which he is qualified. No laid-off employee may bump another employee in accordance with subsections a, b and c unless he has more seniority and is in the same or a higher category as listed in C(2) above. A bumped employee has the same bumping rights as a laid-off employee.

- a. Same class. A laid-off full-time employee in a division shall have bumping rights within the same class against the least senior full-time employee in the department.
- b. Class series. If an employee has no opportunity to bump within the same class, then such employee shall have bumping rights within his division (if none, then within the department) against the least senior full-time employee holding a position in the next lower class within the series. If no bumping opportunity is afforded, the same right shall extend to the next and each lower class until the class series is exhausted.
- c. Job family. If an employee has no bumping opportunity within the class series, then such employee shall have bumping rights within his division (if none, then within the department) against the least senior full-time employee holding a position in a lower class in the same job family if the laid off employee previously served in the class and if he is presently qualified; however, no such bump may occur in the presence of an appropriate competitive eligible list unless in accordance

with these Rules the laid-off employee will have permanent status in the previous class. A "lower class" for purposes of this subsection means any class which has a maximum rate of pay lower than the minimum rate of pay for the class of the laid-off employee.

- d. Part-time. In the event the laid-off employee has no bumping rights to a full-time position under this Rule, then such employee shall have bumping rights within the same class against the least senior part-time employee within the division, or if none, within the department.

4. The names of any laid-off permanent employee in a competitive classification shall be placed at the top of the appropriate competitive eligible list, as provided in Rule VIII(C)(2), in order of seniority, and shall be certified for appointment in any department in accordance with these Rules when an appointing authority has a vacancy to fill; if the eligible at the top of the list was laid off from that department such person shall be appointed.

5. The names of any laid-off provisional employees or employees in noncompetitive classifications shall be placed on the appropriate recall list for the Department which initiated the layoff, in order of seniority, for a period of one year, or as provided in the applicable collective bargaining agreement. In the event that a vacancy in a department is to be filled in a class for which a recall list exists, then the appointment shall be made of the individual highest on the list who was laid off from that department. Otherwise, appointment may be made as provided elsewhere by these Rules. No recall list shall remain in effect after a competitive eligible list for the class has been established.

6. Limited positions. Notwithstanding the other provisions of this Rule, if a limited position is to be eliminated and the employee in the position was appointed subject to the availability of work or funding, then that employee shall be terminated in accordance with Rule X(F)(1). A limited employee who is bumped shall have the same bumping rights as other employees.

D. Voluntary Demotions

- 1. Any employee who:
 - a. desires a voluntary demotion; or
 - b. desires to be demoted prior to action taken pursuant to Rule XIII(C); or
 - c. desires to be demoted prior to action taken pursuant to Rule XIII(D); or
 - d. desires to be demoted prior to action taken pursuant to Rule XII(C); or
 - e. desires to be demoted prior to being certified against as provided in Rule IX(B),
 - f. desires to be demoted as a result of an audit as provided in Rule IV(E)(6),

may, with the approval of the Civil Service Commission and the consent of the appointing authority for whom the employee will be working, be demoted to a position in a different class in the classified service.

2. If such demotion is approved, upon completion of the applicable probationary period as provided in Rule XI, the employee will receive permanent status, without further examination, in the class to which the employee is demoted if one of the following provisions applies:

- a. the employee holds permanent status in the employee's current classification and meets the minimum requirements, including the physical qualifications, for the position to which the employee is being demoted; or,
- b. the employee has previously held permanent status in the class to which the employee is being demoted; or

c. the employee holds permanent status in the employee's current classification and the retention of that status in the class to which the employee is being demoted is approved by action of the Commission.

Legislation Number: PN0300-2008

Drafting Date: 12/17/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Communications 122008

Contact Name: Toya Johnson

Contact Telephone Number: 645-7293

Contact Email Address: tjjohnson@columbus.gov

Body

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, DECEMBER 17, 2008:

New Type: D2

To: Daniel L Pizzurro
DBA Bottoms Café
1st Fl & Bsmt & Patio
177 S Cypress Av
Columbus OH 43223
Permit # 69524490046

New Type: D1

To: Daniel L Pizzurro
DBA Hilltop Café
2142 Sullivant Av 1st Fl Bsmt & Patio
Columbus OH 43223
Permit # 69524490060

New Type: D3A

To: Xclusive Lounge Inc
2167 E Livingston Ave
Columbus OH 43209
Permit # 9804176

Transfer Type: D2, D2X, D3, D3A, D6

To: DSX2 Inc
DBA Oldfields On High
1st Fl Front
2590-96 N High St
Columbus OH 43202
From: 2590 Norht High Inc
DBA Oldfields On High
2590-96 N High St

Columbus OH 43202
Permit # 1894230

Transfer Type: C1, C2
To: AAA Petroleum LLC
DBA Norton Sunoco
552 Norton Rd
Columbus OH 43228
From: Certified Oil Corp
DBA Certified 477
552 Norton Rd
Columbus OH 43228
Permit # 0000387

Transfer Type: D2, D2X, D3
To: Rosu Restaurant Concepts LLC
DBA Ringside Café
19 N Pearl St & Patio
Columbus OH 43215
From: Standing 8 Inc
DBA Ringside Café
19 N Pearl St & Patio
Columbus OH 43215
Permit # 7548855

Transfer Type: D1, D2, D3, D6
To: Xclusive Lounge Inc
2167 E Livingston Ave
Columbus OH 43209
From: Sheetan & Card Group LLC
DBA Elements Grille
733 N High St 1st Fl & Bsmt
Columbus OH 43215
Permit # 9804176

Transfer Type: C1, C2, D6
To: Hodge Drive Thru Inc
DBA Woodys Drive Thru
6733 Karl Rd
Columbus OH 43229
From: 6733 Mart Inc
DBA Woodys Drive Thru
6733 Karl Rd
Columbus OH 43229
Permit # 3884255

Transfer Type: D1, D2, D3, D3A
To: Canadys Enterprises II LLC
1521 Frebis Av
Columbus OH 43206
From: Luvlys & Haviland LLC
DBA Haviland Club
1521 Frebis Av
Columbus OH 43206

Permit # 1220645

Stock Type: D2, D2X, D3

To: Standing 8 Inc

DBA Ringside Café

19 N Pearl St & Patio

Columbus OH 43215

Permit # 8492165

Advertise: 12/20/2008

Return: 12/30/2008

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED INSTANTLY AT:
<http://finance.columbus.gov/AboutUs/Purchasing/VSFB.asp>

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 \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin 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 - December 22, 2008 11:00 am

SA003131 - VIDEO SURVEILLANCE CONSULTANT RFP

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Scope: The intent of this Request for Proposal (RFP) is to search for a qualified consultant to provide video surveillance system solution(s) to the City of Columbus, Ohio through March 31, 2012. The requirements of a video surveillance consultant defined herein provide the City with analysis, design, and project management to meet customer defined requirements and manage to completion. This multi-year agreement will be available to all city agencies to purchase video surveillance system solutions for neighborhood safety initiatives and City of Columbus facilities.

Classification: The video surveillance system consultant shall provide proper analysis, design, and project management to meet a variety of capabilities that will serve all departments within the City of Columbus. The successful offeror will be required to co-ordinate and manage the procurement and installation of video surveillance system solutions with contractors selected by and under contract to, the City of Columbus.

Bidder experience: The Video Surveillance System Consultant must submit an outline of its experience and work history in video surveillance system solution services for the past five years.

Bidder References: Video Surveillance System Consultant shall have proven successful installations in at least three public safety agencies representing Metropolitan areas comparable in size to the Columbus metropolitan area that have been "LIVE" for more than one (1) year and shall be utilizing the capabilities as outlined within this document.

Specification Questions: Questions regarding this bid must be sent by in writing via email to vendorservices@columbus.gov no later than 8:00 a.m. (local time) on December 15, 2008. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 5:00 p.m. (local time) on December 15, 2008.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: December 17, 2008

BID OPENING DATE - January 6, 2009 3:00 pm

SA003140 - HOUSING DIVISION/HOUSING MARKET STUDY

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

NEIGHBORHOOD REDEVELOPMENT/HOUSING MARKET STUDY

The purpose of this "request for proposals" is to conduct a neighborhood redevelopment/housing market study in a timely manner.

The City of Columbus receives federal funds including Community Development Block Grant, HOME, and HUD Lead Grant funds from the U.S. Department of Housing and Urban Development (HUD) to generate decent, safe and sanitary housing for low and moderate income residents, as well as, job creation, and economic development in Columbus neighborhoods. In addition, the City generates its own local housing development funds through issuance of capital improvement bonds and designated hotel/motel bed tax funds, operates a successful land banking program, and has recently been awarded the seventh largest grant to a local community of Neighborhood Stabilization funds from HUD. Finally the City finances capital improvements (e.g. streets, lighting, sidewalks, etc.) throughout the city's neighborhoods by issuing Capital Improvement Bonds.

The City desires to analyze its designated NSP focus area for neighborhood redevelopment within the city as to type of housing to be developed, tenure of residents (homeowners or tenants), supporting retail, and the strategies necessary to accomplish specific, measurable goals within the context of a market analysis in order to effect a positive impact on neighborhood revitalization through a holistic approach.

The City has designated funds for this contract not to exceed \$85,000. The City is requesting that the study be completed no later than 90 calendar days from the execution of a contract with the selected vendor.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov> <<http://vendorservices.columbus.gov/>>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 16, 2008

SA003141 - OCM-RFSQ FOR ARCH/ENG CONSULT SERVICES

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR RFSQ

PROFESSIONAL ARCHITECTURAL AND ENGINEERING
CONSULTING SERVICES FOR THE OFFICE OF CONSTRUCTION MANGMENT

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain responses to this RFSQ to establish a contract for PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES FOR THE OFFICE OF CONSTRUCTION MANAGEMENT

1.2 Classification: The work shall be for an architectural/engineering firm, with experience in renovation, building alterations, equipment replacement and site improvements for scattered sites serving the Department of Public Safety. Offeror will work closely with City staff on projects to ensure operational needs are met and budget constraints are adhered to.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: December 10, 2008

BID OPENING DATE - January 7, 2009 3:00 pm

SA003125 - POWER LINE CLEARANCE

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: 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 January 7, 2009 and publicly opened in the First Floor Auditorium at 910 Dublin Road and read at the hour and place for POWER LINE CLEARANCE. The work for which proposals are invited consists of furnishing all labor, material and equipment for TREE TRIMMING AROUND DISTRIBUTION AND STREET LIGHTING CIRCUITS 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 DIVISION OF POWER AND WATER (POWER), 3500 INDIANOLA AVE, COLUMBUS, OH 43214, and will be available to prospective bidders UPON PAYMENT OF \$25.00 BY CHECK OR MONEY ORDER ONLY PER SET (NON-REFUNDABLE) after December 8, 2008.

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: POWER LINE CLEARANCE

CLASSIFICATIONS: Prevailing wage rates do not apply. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance bond are required for this bid.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: November 21, 2008

SA003143 - 710 West Tank Interior Painting

SCOPE: The City of Columbus Department of Public Utilities, Division of Power & Water is receiving proposals for the 710 West Interior Tank Painting, Contract #1144. The work for which proposals are invited consists of removing the interior wet area coating from this 2 million gallon hydropillar tank and applying a plural component urethane coating system. All work shall be completed within 250 days of the Notice to Proceed. Bids are due on or before Wednesday January 7, 2009 3:00 PM (EST). Bids to be delivered to the City of Columbus, Department of Public Utilities, 910 Dublin Road, Room 4002, Columbus, OH 43215

CLASSIFICATIONS: There is no Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal guaranty (proposal bond or certified check) and a 100% (One hundred percent) performance and payment bond are required for this bid. Plans are available to prospective bidders beginning December 22, 2008.

For additional information concerning the bid, including procedures for obtaining a copy of the bid document and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: December 17, 2008

BID OPENING DATE - January 8, 2009 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003136 - FLEET/GENERAL VEHICLE REPAIR SERVICES

1.1 Scope: It is the intent of the City of Columbus, Fleet Management, to obtain proposals to establish Universal Term Contract(s) (UTC) to supply General Vehicle Repair Services up to and including June 30, 2011.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option of purchasing General Vehicle Repair Services for various City vehicles per bid document.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 10, 2008

SA003137 - REC & PARKS/GOLF COURSE CHEMICALS

1.1 Scope: It is the intent of the City of Columbus, Municipal Golf Division to obtain formal bids to establish contracts for the purchase of fertilizers, herbicides, fungicides, growth regulators, and grass seed for use on our seven Municipal Golf Courses during the 2009 growing season.

1.2 Classification: Suppliers are to bid on various pre-packaged agronomic products. Suppliers are required to supply and provide inside delivery of these products as well as on site technical assistance, product analysis, and delivery expedition as necessary.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 13, 2008

SA003139 - REFLECTIVE GLASS BEADS UTC/TRANSPORTATIO

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0. SCOPE AND CLASSIFICATION

1.1. SCOPE. It is the intent of this bid proposal to provide for all agencies of the City of Columbus, a "firm offer for sale" blanket type contract(s) for the purchase of reflective glass spheres to be used for striping various roadways throughout the City of Columbus. The term of the contract will be through December 31, 2010.

1.2. CLASSIFICATION. The following specifications describe moisture proof reflective glass spheres that are to be used with thermoplastic pavement marking and 40-mil solventless hot spray thermoplastic pavement marking materials. The City of Columbus requirements for these items have been slightly modified from the standard AASHTO M247-05 specifications.

1.2.1. Moisture Proof Reflective Glass Spheres for Thermoplastic Pavement Marking Material

1.2.2. Adhesion-promoting Coated Reflective Glass Spheres for 40 mil Solventless Hot Spray Thermoplastic Pavement Marking Material.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 10, 2008

SA003128 - REC & PARKS/ARTS & CRAFT SUPPLIES - UTC

1.1 Scope: It is the intent of the City of Columbus Recreation and Parks Department to secure bids for the purchase, on an as needed basis, of arts and crafts supplies for recreation activities for a period of two (2) years. This contract shall be in effect from date of execution to and including March 31, 2011.

1.2 Classification: The art and craft activities require the items to be of sufficient quality and design to allow children of all ages to have successful learning experiences. Orders can be placed at various times of the year for storage and distribution from a central location.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 12, 2008

BID OPENING DATE - January 14, 2009 9:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003126 - HELICOPTER INSURANCE

1.1 Scope

The City of Columbus, Department of Public Safety, Division of Police is seeking Request for Proposals (RFP) to identify a qualified insurance company to provide helicopter insurance. The Division of Police has a current fleet of six MD 500E in service.

This RFP will ask for pricing in three formats, liability only, hull only and hull/liability and an award will be based on available funding and approval of Columbus City Council.

The term of the contract shall be one year commencing February 2009 with option to renew for two additional one year periods beyond the initial term contingent upon mutual agreement of both parties.

Bidder's proposal must respond to each and every requirement outlined in the RFP in order to be considered responsive. Proposals must be clear and concise. Bidder's submitting proposals may be afforded an opportunity for discussion and revision of proposals. Revisions may be permitted after submissions of proposals found to be reasonably likely to be selected for award. The contents of any proposal shall not be disclosed so as to be available to competing suppliers during the negotiation process.

1.2 Classification

The suitable broker/partner in the placing and servicing of our helicopter insurance will at a minimum consider the following items and have the capabilities listed in the requirements section.

The Columbus Division of Police currently operates six in flight helicopters used for police patrol, aerial surveillance and a variety of emergency service missions. There are two additional helicopters in "storage" details are listed below.

The helicopter unit flies approximately six thousand hours per year. They patrol the City of Columbus by helicopter sixteen hours per day 365 days per year.

All six of the in flight aircraft are MD 500E model helicopters and all have been purchased within the last six years and are solely owned by the City of Columbus.

The City will take delivery of a new MD 500E in March 2009. At that time one of the current MD 500E helicopters will be sold and the fleet of (6) six MD 500E helicopters will be maintained.

The twenty (20) pilots are required to pass an internal pilot training program that far surpasses industry and F.A.A. standards

The Instructor Pilots all receive recurrent flight training annually from the aircraft manufacturers.

All pilots have completed the initial training course from the aircraft manufacturer.

1.3 Questions

Questions may be sent via e-mail to Lt. Michael Elkins at melkins@columbuspolice.org until Friday,

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

December 12, 2008 at 4:00 PM (EST). All questions must be in writing. No questions will be answered after this date.

1.3.1

No later than Wednesday, December 17, 2008 at 4:00 P.M. on all questions and answers will be displayed as an addendum on the City's vendor services website.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: November 25, 2008

BID OPENING DATE - January 15, 2009 11:00 am

SA003138 - PVC Pipe, Fittings, Couplings, Etc UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage, Sewer Maintenance Operations Center, 1250 Fairwood Avenue, to enter into a Universal Term Contract for PVC Pipe, Fittings, Flexible Couplings and Storm Drainage Pipe to be used for various sewer repair and replacement projects. Bidders are asked to bid firm or fixed prices on the items listed on the Proposal Pages as a quantity of one (1) each. It is estimated that the Division of Sewerage and Drainage will spend approximately \$50,000.00 annually from this contract. The proposed contract will be in effect for a period of two (2) years from the date of execution by the City to and including March 31, 2011.

1.2 Classification: Product standards will be in accordance with the latest edition A.S.T.M. specifications and with the latest edition of the City of Columbus Construction and Material Specifications. Only bids utilizing manufacturers approved by the City of Columbus, Division of Transportation, Testing Section will be considered. Bidder's must be located in Franklin County or contiguous county to receive an award. Delivery of items may be required within 24 hours or less or the City may pick up items in an emergency.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 11, 2008

SA003142 - Sewer-Construction Castings UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of City of Columbus, Division of Sewerage and Drainage, Sewer Maintenance Operations Center, 1250 Fairwood Avenue, to enter into a Universal Term contract for Construction Castings. Castings will be used for the replacement of existing castings, sewer construction, and repair projects. Bidders are asked to bid firm or fixed prices on the items listed on the Proposal Pages as a quantity of one (1) each. It is estimated that the Division of Sewerage and Drainage will spend approximately \$150,000.00 annually from this contract. The proposed contract will be in effect for a period of two (2) years from the date of execution by the City, to and including May 31, 2011.

1.2 Classification: Product standards will be in accordance with latest requirements of the current version of AASHTO M306 and ASTM A 48. Casting dimensions shall be in accordance with AASHTO M 306 section 4.2. and with the latest edition of the City of Columbus Construction and Material Specifications.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 13, 2008

BID OPENING DATE - January 29, 2009 11:00 am

SA003135 - CFD/EMERGENCY MEDICAL DISPATCHING

1.1 Scope: It is the intent of the City of Columbus, Fire Division to obtain formal bid proposals to establish a contract for the purchase of Emergency Medical Dispatching for emergency public safety dispatch use in the Fire Division.

1.2 Classification: The term of the agreement will be for the time period of three (3) years. A 100 percent performance bond is required.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 10, 2008

By-Laws Addendum

Election Rules and Districts

I. Election Committee

A) The Election Committee shall have all necessary authority to conduct Fifth by Northwest Area Commission (5xNW) elections, including the determination of candidate and voter qualifications, establishment of and staffing of polling places, counting of ballots, and adjudication of disputes and challenges.

B) The Committee is responsible for:

(1) Making all other necessary and appropriate arrangements and determinations with respect to the nomination and election process.

(2) Convening meetings to plan and execute election procedures and to inform candidates of election rules.

(3) Arranging for and supervising the reproduction of ballots.

(4) Verifying that no person has voted more than once in any election.

(5) Tallying the votes and certifying the results to the Commission.

II. Designation of 5xNW Liaison to Committee

The 5xNW shall designate one 5XNW member to serve as liaison between the Committee and the Commission. Such designee may be the 5XNW Chairman, but shall not be a candidate for election to the 5XNW during that year.

III. Elections

A) Date/Hours

(1) Annual elections shall be during the regular November meeting of the Fifth by Northwest Area Commission; special elections shall be held on a date selected in accordance with the bylaws.

B) Polling Place

(1) The polling place is the location of the regular November meeting of the Fifth by Northwest Area Commission.

C) Publicity

The Committee shall:

(1) Submit a call for candidates for publication to at least one newspaper of general circulation in the community 14 days before the election. The Committee may also use any other means to publicize the elections as may be available and appropriate. Materials are to include:

a) the location of the poll;

b) the date and hours of the election;

c) that a voter must present a photo identification and evidence of place of residence and age, or sign a statement that he or she is eighteen years of age or older and currently resides at a stated address within the area commission boundaries; and

D) Staff

(1) The Election Committee shall designate one person plus the 5XNW Liaison as the polling staff on the day of the election.

(2) The duties of the polling staff shall include the orderly operation of the polls and balloting, verifying voter eligibility, maintaining a register of persons voting, and ensuring the security of the ballots.

IV. Candidates

A) Qualifications

(1) Potential candidates shall be eighteen years of age or older on Election Day.

(2) Potential candidates shall be residents of the area commission boundaries when they submit nominating petitions to the Committee.

(3) Potential candidates shall be legally eligible to serve as Commissioners.

(4) Potential candidates in this non-partisan election are urged not to declare any political party affiliations.

(5) Potential candidates need not be registered voters on the rolls of the County Board of Elections.

(6) Before the Committee certifies the election results, the Committee shall disqualify a potential candidate or candidate who is ineligible to serve due to withdrawal, lack of residency, felony conviction, or other reason in violation of these rules or rulings by the mayor or city attorney.

B) 5XNW Residency Verification

(1) The Committee is authorized to verify in whatever way it considers appropriate the place of residence for any candidate whose residency is challenged, for example:

- a) The potential candidate's County Board of Elections voting address, if any.
- b) The potential candidate's residence address as listed in a public telephone directory.
- c) The potential candidate's residence address as listed in a public address directory.
- d) Written statements from neighbors abutting the potential candidate's residence.

V. Ballots, Regular and Absentee

- A) The Committee shall record the total number of ballots reproduced.
- B) Each ballot shall carry a list, headed Vote for One of the names of Petition Candidates certified by the Committee as meeting Candidate Qualifications () preceding each name.
- C) The order of listing candidate's names on the ballot shall be determined randomly.
- D) Each ballot in which there is a certified Write-In Candidate shall conclude with a blank line, preceded by a () for use in the event voters wish to write in the name of a Write-In Candidate.
- E) No Write-In Candidates are to be listed on the ballots.
- F) The absentee ballot shall be identical to the in-person ballot.
- G) No political party or other organization shall be named on the ballot in association with a candidate's name.

VI. Voter Qualifications

- A) Each voter must be at least eighteen years of age on Election Day.
- B) Each voter must reside or work in the Fifth by Northwest Area Commission for which an election is being held.
- C) The voter need not be a registered voter on the rolls of the County Board of Elections.
- D) No voter shall cast more than one ballot.

VII. Polling Procedures

A) The Committee shall provide for both Absentee voters who will be absent or otherwise not voting in person at the polls on Election Day and for in-person voters at the polls on Election Day.

B) Absentee Voting:

(1) A voter may request an absentee ballot by applying in writing to the 5XNW Elections Liaison. The request shall include the applicant's signature, printed name, residence address, residence telephone number, and date of birth. The request shall include a self-addressed stamped envelope. The request may be mailed or may be delivered by hand.

(2) The deadline for request of an absentee ballot shall be the fifth day before Election Day.

(3) Upon timely receipt of an absentee request, the Liaison shall verify that the voter is qualified, and if so, the Liaison shall immediately mail one absentee ballot to the applicant by first class mail.

(4) For the vote to be counted as valid, the marked absentee ballot must be received at the delivery place designated by the Liaison by 6:00 p.m. on the day before Election Day.

(5) The returned ballot shall be sealed in an envelope bearing the voter's name and residence address clearly printed on the outside. Failure to provide the voter's name and address on the envelope for possible later crosschecking to the polling place voter register will invalidate the vote.

(6) It is advised that the voter's signature appear across the seal of the envelope, to assist maintenance of ballot anonymity.

C) Direct in-person voting at the polls:

(1) Each voter shall provide identification in accordance with identifying rules valid in the State of Ohio. If a voter does not have such identification materials at the polling place, the voter must sign a statement that he or she is eighteen years of age or older and currently resides at a stated address within the area commission boundaries. A poll worker shall staple the statement to the ballot so that any person may challenge the residency of the voter. Any candidate, candidate's witness, Election Committee member, 5XNW member, or poll worker may review the residency statement. Any disputes related to the veracity of a residency statement shall be resolved under the Complaints/Challenges section of these Rules. The 5XNW acknowledges that a ballot with a statement attached is no longer anonymous. Any person may cast an anonymous ballot by presenting identification that complies with this rule.

(3) Upon such verification, the voter shall register in the poll book, entering signature, and residence address.

(3) The voter shall be provided with a single ballot, and shall cast a vote by marking the ballot and depositing it in a sealed ballot box provided for that purpose.

(4) No person shall engage in any campaigning within 100 feet of the premises of the polling place during the time the poll is open on Election Day. Candidates may, however, make one (1) two (2) minute speech before voting begins. No rebuttals will be permitted.

(5) The polling staff shall deliver the sealed ballot boxes to the Committee immediately upon the closing of the polls.

VIII. Counting of Ballots

A) The ballot boxes shall remain sealed until the counting begins.

B) The list of absentee voters shall be checked against poll book to insure no duplicate voting took place.

C) Immediately following the conclusion of all voting and the transportation of all ballots to the headquarters, the Committee shall count the ballots.

D) No ballots for a non-certified write-in candidate shall be counted.

E) Blank ballots shall be counted to insure integrity of election results.

F) Any person may witness the counting.

IX. Security of Ballots

A) All voted ballots shall be placed in a sealed container after counting has been completed.

B) The sealed containers shall be kept in a secure place until two weeks after the election or until any formal election complaint is resolved, whichever is later, at which time they may be destroyed under the supervision of the Committee.

C) Ballots not used in the election shall be handled in the same manner as voted ballots.

X. Results

A) The candidate receiving a plurality of valid votes cast shall be the winner of his or her seat.

B) In the event of a tie vote, the relevant ballots shall be recounted, and if the tie vote is verified, the winner shall be decided by a coin toss.

C) The committee shall certify the election results, including the votes, in writing to the 5XNW Chairman after six days but within ten days following Election Day. The 5XNW Chairman shall, on behalf of the 5XNW, certify the elected candidates to the Office of the Mayor of the City of Columbus, in writing, within thirty days of receipt of certification from the Committee.

D) Only a person who has, before the election, been certified as a qualified candidate by the Committee may be certified as the winner of an election.

XI. Complaints/Challenges

A) A person who seeks reconsideration of a decision by the Committee may file a written complaint, specifying the decision to be reconsidered, with the Liaison no later than five days after the election. The Committee shall rule on the request within five days.

B) Any candidate, any Commissioner, or the person who requested reconsideration may file a written appeal of the Committee's decision with the Chairperson of the 5XNW within three days of notification of the Committee's decision. The 5XNW, excluding any member whose election is the subject to the appeal, and the Committee shall hold a joint special meeting to hear the appeal within five days of receiving the appeal. Each member of the Committee and the 5XNW in attendance shall have one vote. The complaint is sustained only if a majority of those present votes to sustain the complaint. The joint meeting of the 5XNW and the Election Committee shall issue a written decision on the appeal within five days after hearing the appeal, but may issue an oral decision sooner.

C) Persons seeking reconsideration and appealing any such reconsideration should do so as soon as reasonably possible. The Committee or a joint meeting of the 5XNW and the Committee may choose to deny a complaint because of any unreasonable delay.

D) The resolution of any election-related dispute by the joint meeting of the 5XNW and the Committee is final.

XII. Applying These Rules

These rules should be interpreted using common sense in an attempt to conduct as fair an election as possible, especially if there is an inconsistency or omission in these rules.