

Columbus City Bulletin



Bulletin #19
May 9, 2009

Proceedings of City Council

Saturday May 9, 2009



SIGNING OF LEGISLATION

(With the exception of Ordinance 0492-2009, which was signed by President Pro-Tem Hearcel Craig on the night of the Council meeting, Monday, *May 4, 2009* all other legislation listed in this Bulletin was signed by Council President Michael C. Mentel, on the night of the Council meeting, Monday, *May 4, 2009*; Mayor, Michael B. Coleman on Wednesday, *May 6, 2009*; and attested by the City Clerk, Andrea Blevins prior to Bulletin publishing.)

The City Bulletin Official Publication of the City of Columbus

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

Council Journal (minutes)



City of Columbus

Journal - Final

Columbus City Council

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

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

Monday, May 4, 2009

5:00 PM

Columbus City Council

Columbus City Council

Journal

May 04, 2009

REGULAR MEETING NO. 19 OF COLUMBUS CITY COUNCIL, MAY 4, 2009 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

READING AND DISPOSAL OF THE JOURNAL

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

C0011-2009

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY APRIL 29, 2009:

New Type: C1, C2
To: HIS Group LLC
5346 Sinclair Rd
Columbus OH 43229
Permit # 4125256

New Type: C1, C2
To: Englefield Inc
DBA Olentangy & Bethel Duchess
5067 Olentangy River Rd
Columbus OH 43214
Permit # 25230550630

New Type: D5A
To: Pikes Inc
DBA Holiday Inn
5495 Maxwell Pl
Columbus OH 43228
Permit # 6923361

New Type: D5
To: 2418 Rbkr Inc
DBA Club 2418
2418 W Broad St
Columbus OH 43204
Permit # 9116675

New Type: C1, C2, D6
To: Nalini M & J Market LLC
DBA M & J Lanes Carryout
2040B E Dublin Granville Rd
Columbus OH 43229
Permit # 62961000005

New Type: D5
To: Rob-R E Corp
DBA Rob R E
903 E Dublin Granville
Columbus OH 43229
Permit # 74337500005

New Type: D2
To: Pei Wei Asian Diner Inc
DBA Pei Wei Asian Diner
Patio
4155 Morse Crossing
Columbus OH 43219
Permit # 67919310015

Transfer Type: D1, D2, D3
To: J & C Golf Services LLC
DBA Oak Tree Golf Course
Patio & Golf Course
1440 Old Oak Trail
Ontario OH 44903
From: Oaktree Golf Club LTD
Patio & Golf Course
1440 Old Oak Trail
Ontario OH 44903
Permit # 4179264

Transfer Type: D1, D2
To: Weber County Inc
1381 S Hamilton Rd
Columbus OH 43227
From: Weber County Inc
2530 W Broad St 1st Fl East End Only
Columbus OH 43204
Permit # 94563570001

Transfer Type:

To: Broad St Marathon Inc
 DBA Marathon
 3851 E Livingston Av
 Columbus OH 43227
 From: 3851 Livingston inc
 DBA Marathon
 3851 Livingston Av
 Columbus OH 43227
 Permit # 09636230005

Transfer Type: D1, D2, D3, D3A, D6
 To: Latte 161 LLC
 245 Huntington Park Dr
 Columbus OH 43235
 From: 477 Park Inc
 477 Park St S/E Building Unit & Patio
 Columbus OH 43215
 Permit # 50469270005

Stock Type: C1, C2
 To: 2516 W Broad Inc
 DBA Bees Food Mart
 2516 W Broad St 1st Flr Only
 Columbus OH 43204
 Permit# 7148716

Advertise: 05/09/2009
 Return: 05/14/2009

Read and Filed

RESOLUTIONS OF EXPRESSION

CRAIG

0052X-2009

To congratulate the Africentric Girls Basketball team on winning the Division IV State Championship title.

Sponsors: Hearcel Craig, Andrew Ginther, Michael C. Mentel, Charleta B. Tavares, A. Troy Miller, Priscilla Tyson and Eileen Y. Paley

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0053X-2009

To recognize the month of May 2009 as "National Bike Month" in the City of Columbus.

Sponsors: Hearcel Craig, Andrew Ginther, Charleta B. Tavares, Priscilla Tyson, Eileen Y. Paley and A. Troy Miller

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

GINTHER

0051X-2009

To declare the week of May 3, 2009 National Arson Awareness Week in Columbus, Ohio.

Sponsors: Andrew Ginther, Michael C. Mentel, Hearcel Craig, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares and Priscilla Tyson

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

TAVARES**0054X-2009**

To recognize the 11th Annual HOOPS! Basketball tournament.

Sponsors: Charleta B. Tavares, Andrew Ginther, Hearcel Craig and Priscilla Tyson

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0055X-2009

To recognize National Exercise is Medicine Month in the City of Columbus.

Sponsors: Charleta B. Tavares, Andrew Ginther and Hearcel Craig

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

TYSON**0049X-2009**

To recognize may 2009 as National Aquatics Month in the City of Columbus.

Sponsors: Priscilla Tyson

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RECESSED 6:29 P.M.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RECONVENED: 7:03

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADDITIONS OR CORRECTIONS TO THE AGENDA**FIRST READING OF 30-DAY LEGISLATION****FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY**

- 0620-2009** FR To authorize the Director of the Department of Finance and Management to execute a Lease Amendment with Directions for Youth and Families Group, Inc. to modify the lease to provide for a renewal term of three (3) years in length, with the renewal term commencing on July 1, 2009 and terminating on June 30, 2012.

Read for the First Time

PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER TAVARES**MENTEL**

- 0549-2009** FR To accept various deeds for parcels of real property; to dedicate these parcels as public rights-of-way and to name said rights-of-way as Fifth Street, Walnut Street, Doherty Road, Fisher Road, Warner Road, Civic Center Drive, Bent Tree Boulevard, Federated Boulevard, Hamilton Road, Hall Road, Kenny Road, Godown Road, Jackson Pike, Central College Road, Olentangy River Road, West Broad Street, Mount Vernon Avenue, Hamilton Avenue and Orion Place.

Read for the First Time

- 0557-2009** FR To accept the plat titled "Ashbrook Run Section I (includes and is a resubdivision of part of The Glen at Schirm Farms Section 2, Plat Book 108, Page 8)", from Ashbrook Run LLC, an Ohio limited liability company, by Village Communities Corporation, an Ohio corporation, Sole Member, by Donald R. Kenney, Manager and by The Glen At Schirm Farms, LLC, an Ohio limited liability company, by Village Communities Corporation, an Ohio corporation, Sole Member, by Donald R. Kenney, Manager.

Read for the First Time

- 0586-2009** FR To authorize the Director of Public Service to make payment to the Mid-Ohio Regional Planning Commission for staff support services rendered in connection with the State Capital Improvement Program and Local Transportation Improvement Program for the Division of Design and Construction; and to expend \$18,732.00 from the Streets and Highways G.O. Bonds Fund for this purpose. (\$18,732.00)

Read for the First Time

- 0632-2009** FR To authorize the Director of the Department of Public Service to execute those documents required to transfer the unimproved north/south alley east of Say Avenue, from the first alley south of Fourth Avenue to a point approximately 115 south thereof, to Andrew I. Klein and to waive the competitive bidding provisions of Columbus City Codes as they may apply to this transfer.

Read for the First Time

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- 0603-2009** FR To authorize the payment of \$5,602.08 for vacation time and benefits which have been accumulated in excess of the maximum amount established by salary ordinance for Fire Division personnel. (\$5,602.08)

Read for the First Time**DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

- 0614-2009** FR To authorize the Director of the Department of Development to amend forty-one (41) currently active Enterprise Zone Agreements and five (5) currently active Community Reinvestment Area Agreements held between the City of Columbus and various Enterprises for the purpose of eliminating language pertaining to personal property investment, and to dissolve six (6) other currently active Enterprise Zone Agreements that abate personal property tax only.

Read for the First Time**UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- 0532-2009** FR To authorize the Director of Public Utilities to execute a construction contract with Kokosing Construction Company, Inc., for the HCWP Lagoon No. 2 Embankment Modifications Project; to waive the provisions of competitive bidding; to authorize the appropriation and transfer of \$2,019,455.68 from the Water System Reserve Fund to the Water Supply Revolving Loan Account Fund; to authorize the appropriation and expenditure of \$2,019,455.68 within the Water Supply Revolving Loan Account Fund, and to authorize an amendment to the 2008 Capital Improvements Budget for the Division of Power and Water. (\$2,019,455.68)

Read for the First Time

- 0534-2009** FR To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Co. for the North High St. Circuit Conversion Project, Phase II for the Division of Power and Water (Power); to authorize the appropriation and transfer of \$216,919.00 from the Electricity Reserve Fund to the Voted Street Lighting and Electricity Distribution Improvement Fund; and to authorize the expenditure of \$216,919.00 from the Voted Street Lighting and Electricity Distribution Improvement Fund for the Division of Power and Water; and to amend the 2008 Capital Improvement Budget. (\$216,919.00)

Read for the First Time

- 0543-2009** FR To authorize the Director of the Department of Public Utilities to authorize and direct the City Auditor to deposit funds in the amount of \$762,768.75 into the State Treasury Asset Reserve of Ohio (Star Ohio) program for surety funds required for a construction permit to be issued for the Hap Cremean Water Plant Lagoon No. 2 Embankment Modifications Project; to authorize the appropriation and transfer of \$762,768.75 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$762,768.75 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$762,768.75)

Read for the First Time

- 0550-2009** FR To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Siemens Water Technologies for the purchase of U.S. Filter/Envirex Parts from an established Universal Term Contract for the Division of Sewerage and Drainage, and to authorize the expenditure of \$25,000.00 from the Sewerage System Operating Fund. (\$25,000.00)

Read for the First Time

- 0552-2009** FR To authorize the Director of Public Utilities to modify the contract for Specialty Maintenance Crafts with Righter Co., Inc. for the Division of Sewerage and Drainage; and to authorize the expenditure of \$170,000.00 from the Sewerage System Operating Fund. (\$170,000.00)

Read for the First Time

- 0577-2009** FR To authorize the Director of Finance and Management to establish a blanket purchase order for Laboratory Supplies from an established Universal Term Contract with VWR Scientific Products for the Division of Sewerage and Drainage and to authorize the expenditure of \$15,000.00 from the Sewerage System Operating Fund (\$15,000.00)

Read for the First Time

- 0600-2009** FR To authorize the Director of Public Utilities to execute a planned modification to the contract for HVAC Maintenance Services with Jim Skaggs dba Cornerstone Maintenance Services, Ltd. for the Division of Sewerage and Drainage; and to authorize the expenditure of \$ 136,315.90 from the Sewerage System Operating Fund. (\$136,315.90)

Read for the First Time**RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**

- 0553-2009** FR To authorize the Director of Recreation and Parks to enter into contract with three community agencies to provide After School programming services; to authorize the expenditure of \$79,500.00 from the Recreation and Parks Fund. (\$79,500.00)

Read for the First Time**ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL**

- 0205-2009** FR To rezone 22-28 WEST POPLAR AVENUE (43205), being 0.19± acres located at the southeast corner of Park Street and West Poplar Avenue, From: AR-2, Apartment Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z08-025).

Read for the First Time**CONSENT ACTIONS****RESOLUTIONS OF EXPRESSION****CRAIG**

- 0059X-2009** CA To recognize and commend Columbus Police Chief James Jackson for his 50 years of distinguished service to the City of Columbus on the occasion of his retirement from the Columbus Division of Police March 16, 2009.

Sponsors: Hearcel Craig, Andrew Ginther, Michael C. Mentel, A. Troy Miller, Eileen Y. Paley, Charleta B. Tavares and Priscilla Tyson

This Matter was Adopted on the Consent Agenda.

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 0527-2009** CA To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Janitorial Supplies with Key-4 Cleaning Supplies, to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund, and to

declare an emergency. (\$1.00).

This Matter was Approved on the Consent Agenda.

- 0555-2009** CA To authorize and direct Finance & Management Director to enter into various contracts to purchase photo ID supplies with OM Office Supply Inc., Lamination Services Inc., IdentiSys Inc., and Diebold Inc., to authorize the expenditure of four (4) dollars to establish these contracts from the Purchasing Mail, Print Services & UTC Account; and to declare an emergency. (\$4.00).

This Matter was Approved on the Consent Agenda.

- 0575-2009** CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Preventive and Corrective Maintenance and Corrective Repair Services for HVAC Units in the Arlingate and Hammond Center Facilities with American Mechanical Group, Inc, to authorize the expenditure of One dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0651-2009** CA To authorize the Director of Finance and Management to enter into partnership with Clean Fuels Ohio for the purpose of applying for federal funds through the United States Department of Energy for the Clean Cities Solicitation to fund Columbus' alternative fueled vehicle projects and infrastructure; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER
TAVARES MENDEL**

- 0571-2009** CA To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Heat-fused Preformed Thermoplastic Pavement Marking Material with Ennis Paint Inc. and Flint Trading Inc., to authorize the expenditure of two dollar to establish the contracts from the Mail, Print Services, and UTC Account, and to declare an emergency. (\$2.00).

This Matter was Approved on the Consent Agenda.

SAFETY : GINTHER, CHR. PALEY CRAIG MENDEL

- 0302-2009** CA To authorize and direct the Public Safety Director to modify and extend a contract for insurance for helicopters with NationAir Insurance Agencies, Inc., for the Division of Police, to authorize the expenditure of \$70,751.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$70,751.00)

This Matter was Approved on the Consent Agenda.

- 0332-2009** CA To authorize an appropriation of \$20,000.00, from the unappropriated monies in the Hester F. Dysart Paramedic Continuing Education Trust Fund for the Division of Fire, and to declare an emergency. (\$20,000.00)

This Matter was Approved on the Consent Agenda.

- 0444-2009** CA To authorize and direct the Director of Public Safety to modify and extend the contract for helicopter maintenance with Helicopter Minit-Men, Inc. for the Division of Police; to authorize the expenditure of \$100,000.00 from the

General Fund; and to declare an emergency. (\$100,000.00)

This Matter was Approved on the Consent Agenda.

- 0587-2009** CA To authorize an additional appropriation of \$410,000.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police; to purchase covert vehicles and trucks, and to fund travel and training needs; and to declare an emergency. (\$410,000.00)

This Matter was Approved on the Consent Agenda.

- 0608-2009** CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Police Uniforms, Shoes & Accessories with Roy Tailors Uniform Company of Columbus, Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

This Matter was Approved on the Consent Agenda.

- 0616-2009** CA To amend the 2008 Capital Improvements Budget; to authorize the City Auditor to transfer \$42,982.00 between projects in the Safety Voted Bond Fund; to authorize the Finance and Management Director to modify a contract with Gutknecht Construction Company for unforeseen issues encountered during the construction of Fire Station No.10; to authorize the expenditure of \$42,982.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$42,982.00)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- 0576-2009** CA To authorize and direct the City Auditor to transfer \$5,793 between projects within the Area Commission Fund; to authorize the appropriation of \$21,000 from the Area Commission Fund to the Department of Development for operating expenses of the Area Commissions; and to declare an emergency. (\$21,000.00)

This Matter was Approved on the Consent Agenda.

- 0628-2009** CA To authorize the Finance and Management Director to establish purchase orders for the Department of Development with Sprint Solutions, Inc. for wireless services per the terms and conditions of the citywide contract; to authorize the expenditure of \$80,567.00 from the General Fund; to authorize the expenditure of \$8,150 from the Community Development Block Grant Fund; and to declare an emergency. (\$88,717.00)

This Matter was Approved on the Consent Agenda.

- 0637-2009** CA To authorize the Finance and Management Director to establish purchase orders for various divisions within the Department of Development with AT&T for telephone services, per the terms and conditions of the citywide Universal Term Contract; to authorize the expenditure of \$65,800.00 from the General Fund; to authorize the expenditure of \$4,000 from the Home Fund; to authorize the expenditure of \$4,600 from the Community Development Block Grant Fund; and to declare an emergency. (\$74,400.00)

This Matter was Approved on the Consent Agenda.

- 0644-2009** CA To authorize the acceptance of a 3.515 acre tract of land to be held in the Land Bank inventory and managed in accordance with the policies and

procedures of the Land Reutilization Program; and to declare an emergency.

This Matter was Approved on the Consent Agenda.

JUDICIARY & COURT ADMINISTRATION: PALEY, CHR. CRAIG TYSON MENTEL

- 0038X-2009 CA To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Livingston and Parsons Avenue Roadway Improvement Project, and to declare an emergency.

Sponsors: Eileen Y. Paley and Hearcel Craig

This Matter was Adopted on the Consent Agenda.

- 0040X-2009 CA To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Alum Creek Drive Improvement Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

- 0041X-2009 CA To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Worthington Galena Road Improvement Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

- 0427-2009 CA To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Alum Creek Drive Improvement Project, to authorize the expenditure of \$55,415.00 from the Federal-State Highway Engineering Fund; and to declare an emergency. (\$55,415.00).

This Matter was Approved on the Consent Agenda.

- 0522-2009 CA To authorize the Director of Finance and Management to make payment to Franklin County for the rent of office space located at 375 South High Street , known as the Franklin County Municipal Court Building, for the period beginning April 1, 2009 and ending March 31, 2010; to authorize the expenditure of \$349,299.00 from the General Fund; and to declare an emergency. (\$349,299.00)

This Matter was Approved on the Consent Agenda.

- 0625-2009 CA To authorize the Franklin County Municipal Court Judges, through the Administrative and Presiding Judge, to modify and extend the contract with Willo Security, Inc. for the provision of security guard services in the Municipal Court building; to authorize the expenditure of \$80,000 from the Municipal Court special projects fund; and to declare an emergency. (\$80,000.00)

This Matter was Approved on the Consent Agenda.

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

- 0047X-2009 CA To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Chatterton Road Water Main Improvements Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

- 0048X-2009 CA To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Cleveland Avenue

Area Water Line improvements Project, and to declare an emergency.

This Matter was Adopted on the Consent Agenda.

- 0489-2009** CA To authorize the Director of Public Utilities to pay for subscription fees, for the right to use the IRTHNet Services with Irth Solutions Inc. for fiscal year 2008 for the for the Damage Prevention Section within the Division of Sewerage and Drainage to authorize the expenditure of \$20,232.72 from the Sewerage System Operating Fund, \$18,046.65 from the Water Operating Fund; \$5,395.40 from the Storm Water Operating Fund, and \$2,837.23 from the Electricity Operating Fund. (\$46,512.00)

This Matter was Approved on the Consent Agenda.

- 0491-2009** CA To authorize the Director of Public Utilities to pay subscription fees to subscribe with the Water Environment Research Foundation for Fiscal Year 2009 for use of the Utility Subscription Program for the Division of Sewerage and Drainage, and to authorize the expenditure of \$62,560.00 from the Sewerage System Operating Fund. (\$62,560.00)

This Matter was Approved on the Consent Agenda.

- 0521-2009** CA To authorize the Director of Public Utilities to contract with General Temperature Control for Boiler Maintenance Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$120,260.00 from the Sewerage System Operating Fund. (\$120,260.00)

This Matter was Approved on the Consent Agenda.

- 0635-2009** CA To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain easements, located in the vicinity of Livingston and Parson Avenue, at the request of the Nationwide Children's Hospital, an Ohio non profit corporation, for the purpose of constructing permanent underground foundations, footers, buttresses and shoring of the hospital's underground parking garage, and to declare an emergency.

This Matter was Approved on the Consent Agenda.

HEALTH, HOUSING & HUMAN SVC'S: TAVARES, CHR. TYSON MILLER MENTEL

- 0590-2009** CA To authorize the appropriation of \$283,302.00 from the General Government Grant Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with the Community Shelter Board for the purpose of continuing the city's support for homeless emergency shelters; to authorize the expenditure of \$283,302.00 from the General Government Grant Fund; and to declare an emergency. (\$283,302.00)

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

Abstained: 1 - Tyson

Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

- 0591-2009** CA To authorize the Director of the Department of Development to enter into a contract with the Deaf Services Center to support the Deaf Modification Program; to authorize the expenditure of \$40,000 from the 2009 Community Development Block Grant Fund; and to declare an emergency. (\$40,000)

This Matter was Approved on the Consent Agenda.

- 0598-2009 CA To authorize the Board of Health to enter into a contract with the Franklin County Board of Health to provide support for the Rabies Immunization and Control Program, to authorize the expenditure of \$37,474 from the Health Special Revenue Fund; and to declare an emergency. (\$37,474)

This Matter was Approved on the Consent Agenda.

- 0609-2009 CA To authorize the Board of Health to modify an existing revenue contract with the Franklin County Children Services for the provision of home visiting services for their Family Ties Program, in an amount not to exceed \$70,000.00, to authorize the appropriation of \$70,000 from the Health Department Grants Fund; and to declare an emergency. (\$70,000.00)

This Matter was Approved on the Consent Agenda.**RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**

- 0451-2009 CA To authorize the Director of the Recreation & Parks Department to accept a grant and enter into an agreement with The Columbus Foundation to appropriate said funds to the Recreation & Parks Grant Fund. (\$75,000.00)

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

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY**

- 0057X-2009 0057 To express support for the Reform and Efficiency Action Plan contained within this Resolution that will lead to cost savings and a continued high delivery of services, specifically in the areas of 1) Employee Benefits; 2) Safety Reforms; 3) Efficient Management & Using Technology; and 4) Partnerships, and to declare an emergency.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

- 0566-2009 To authorize and direct the Finance & Management Director to enter into contract for the option to rent Uniforms and Building Maintenance Supplies with Unifirst Corporation, to authorize expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund, to waive formal competitive bidding requirements, and to declare an emergency. (\$1.00).

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER
TAVARES MENDEL**

0632-2009

To authorize the Director of the Department of Public Service to execute those documents required to transfer the unimproved north/south alley east of Say Avenue, from the first alley south of Fourth Avenue to a point approximately 115 south thereof, to Andrew I. Klein and to waive the competitive bidding provisions of Columbus City Codes as they may apply to this transfer; and to declare an emergency.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENDEL

0583-2009

To authorize the Director of the Department of Development to enter into an 8-year, 65% Job Creation Tax Credit agreement with Clear Saleing, Inc.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENDEL

0470-2009

To authorize the Director of the Department of Technology to renew a contract with The Ohio State University/Ohio Supercomputer Center, for fiber network and broadband access and related services; and to authorize the expenditure of \$46,800.00 from the Department of Technology's Information Services Fund (\$46,800.00)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0501-2009

To authorize five (5) unpaid days for employees covered by Management Compensation Plan (MCP) Ordinance No. 1150-2007; Police MCP Ordinance No. 0676-2006; and Fire MCP Ordinance No. 0664-2006; and to declare an emergency.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0504-2009 To authorize the Director of the Department of Technology to renew an existing contract, with Lawson Software, for annual maintenance and support services, associated with the Central Payroll and Human Resources Information Management System; to authorize the expenditure of \$124,468.49 from the Department of Technology's Information Services Fund. (\$124,468.49)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0519-2009 To authorize the Director of the Department of Technology to modify a contract with Decade Software Company LLC, for the Envision Windows software license and support services, on behalf of Columbus Public Health; to authorize the expenditure of \$78,300.00 from the Department of Technology's Information Services Fund. (\$78,300.00)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0599-2009 To accept Memorandum of Understanding #2009-01 executed between representatives of the City of Columbus and American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1632, which amends the Collective Bargaining Contract, April 1, 2008 through March 31, 2011; and to declare an emergency.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

JUDICIARY & COURT ADMINISTRATION: PALEY, CHR CRAIG TYSON MENTEL

0573-2009 To authorize the Director of Public Utilities to execute all deeds and ancillary documents, between the City and Wahnetta Jean A. Barnes, necessary for the exchange of equal acres of real property; the sale of an additional 40 +/- acres to Ms. Barnes; the City's acceptance of waterline easements; to waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (Land Review Commission) and Section 329.29 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only; and to declare and emergency.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0618-2009 To ratify the payment of One Million Thirteen Thousand Nine Hundred Forty Dollars (\$1,013,940) made to the plaintiffs and associated agents to settle the case known as John Buck, et al.v. City of Columbus, et al authorized by Ord. No. 0371-2009; to amend Section 1 and 2 of Ord. No. 0371-2009 to correct the amount of the expenditure authorized in the settlement; to authorize the additional appropriation of Four Hundred Fifty Dollars within the Sanitary Sewer Reserve Fund; and to declare an emergency.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

0488-2009

To authorize the Director of Public Utilities to execute planned contract modification #4 with Malcolm Pirnie, Inc., for Professional Program Management Services for the Division of Sewerage and Drainage's 2006-2010 Capital Improvements Program under the Wet Weather Management Plan; to authorize the transfer of \$0.99 and the expenditure of \$10,387,836.50 from within the Sanitary Sewer Revenue Bonds Fund; to authorize the transfer and appropriation of \$4,298,077.87 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the transfer of \$649,985.63 within the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$4,948,063.50 within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$15,335,900.00).

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

Abstained: 1 - Tyson

Affirmative: 6 - Ginther, Ms. Tavares, Craig, President Mentel, Miller and Paley

0492-2009

To authorize the Director of Public Utilities to enter into a professional engineering services agreement with MS Consultants, Inc., for the Cherry St./Fourth St. Inflow Redirection Project; to authorize the transfer and expenditure of \$1,997,042.96 within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget for the Division of Sewerage and Drainage. (\$1,997,042.96)

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

Abstained: 1 - President Mentel

Affirmative: 6 - Ginther, Ms. Tavares, Craig, Tyson, Miller and Paley

0496-2009

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to authorize the transfer and appropriation of \$2,470,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$2,470,000.00 within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvement Budget for the Division of Sewerage and Drainage for costs in connection with the OSIS Downtown Odor Control Facilities Project; and to declare an emergency. (\$2,470,000.00).

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0507-2009

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to authorize the transfer and appropriation of \$1,000,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of

\$1,000,000.00 within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvement Budget for the Division of Sewerage and Drainage for costs in connection with the Alum Creek Relief Tunnel Project; and to declare an emergency. (\$1,000,000.00).

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0535-2009

To authorize the Director of Public Utilities to enter into a service agreement with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage, to waive the provisions of competitive bids of the Columbus City Code, to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0541-2009

To authorize the Director of Public Utilities to pay the State of Ohio Treasurer, Department of Natural Resources, for operation and maintenance services and water entitlement for the Alum Creek Reservoir, storage spaces #1 and #2, for the Division of Power and Water, to authorize the expenditure of \$1,190,440.02 from Water Systems Operating Fund. (\$1,190,440.02)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

**HEALTH, HOUSING & HUMAN SERVICES: TAVARES, CHR.
TYSON MILLER MENTEL**

0595-2009

To authorize the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$78,500; to authorize the appropriation of \$78,500 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$78,500)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

0597-2009

To authorize and direct the Board of Health to accept the grant service contract from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board in the amount of \$973,740, to authorize the total appropriation of \$1,411,740, which includes program revenues, from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,411,740)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**0422-2009**

To authorize and direct the Director of Recreation and Parks to enter into a contract with Class Acts Columbus, Inc., to provide professional and fiscal services for the Jazz and Rib Fest to be held July 24, 25, and 26, 2009; to waive the formal bidding provisions of the Columbus City Code, to authorize the expenditure of \$85,000.00 from the Music in the Air Donation Fund and \$15,000.00 from Recreation and Parks Operating Fund; and to declare an emergency. (\$100,000.00)

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley

ADJOURNMENT

ADJOURNED: 8:07 P.M.

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

Affirmative: 7 - Ginther, Ms. Tavares, Craig, Tyson, President Mentel, Miller and Paley



City of Columbus

Journal - Final

Zoning Committee

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

Priscilla Tyson, Chair; All Members

Monday, May 4, 2009

6:30 PM

Zoning Committee

Zoning Committee

Journal

May 04, 2009

REGULAR MEETING NO. 20 OF CITY COUNCIL (ZONING), MAY 4, 2009 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present: Mentel: Tavares: Ginther: Tyson: Craig: Paley and Miller

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:

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL

1098-2008

To rezone 6803 REFUGEE ROAD (43110), being 1.54± acres located at the southwest corner of Refugee and Gender Roads, From: CPD, Commercial Planned Development and C-4, Commercial Districts, To: CPD, Commercial Planned Development District (Rezoning # Z08-009).

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

1562-2008

To rezone 965 BETHEL ROAD (43214), being 0.45± acres located on the south side of Bethel Road, 250± feet west of Jasonway Avenue, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z07-034).

TABLED UNTIL 05/11/09

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

Abstained: Mentel

Affirmative: Paley, Miller, Craig, Tyson, Ginther and Tavares

0046-2009

To rezone 2816 MORSE ROAD (43231), being 3.86± acres located on the north side of Morse Road at the intersection with Chesford Road, From: R, Rural District, To: L-M, Limited Manufacturing District (Rezoning # Z06-081).

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

0089-2009

To grant a Variance from the provisions of Sections 3363.19(C), Location requirements, 3342.23, Striping and marking, 3342.24, Surface, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at 2816 MORSE ROAD (43231), to conform an existing "more objectionable manufacturing use" with reduced development standards in the L-M, Manufacturing District. (Council Variance #CV08-015).

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

1941-2008

To grant a Variance from the provisions of Sections 3332.02, R Rural District; 3385.07, Activities, developments and uses in the floodway; 3311.28, Requirements; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3363.19(C), Location requirements; 3385.08, Standards and requirements for activities, developments and uses in the floodway; 3385.09, Standards and requirements for activities, developments and uses in the floodway fringe; 3385.10, Fill and grading in the in the floodway fringe of the Columbus City Codes; for the property located at 4755 SOUTH HIGH STREET (43207), to allow quarrying and aggregate processing uses in the floodway and floodway fringe with reduced development standards in the EQ, Excavation and Quarrying, M, Manufacturing, and R, Rural Districts and to repeal Ordinances #344-80, passed February 25, 1980, and #1562-80 passed July 21, 1980 (Council Variance # CV08-024).

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares and Mentel

ADJOURNED: 7:03

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

Affirmative: Paley, Miller, Craig, Tyson, Ginther, Tavares 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: 0038X-2009

Drafting Date: 04/13/2009

Version: 1

Current Status: Passed

Matter Type: Resolution

Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Livingston and Parsons Avenue Roadway Improvement Project.

Fiscal Impact:

N/A

Emergency Justification:

Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay, thus facilitating the commencement of construction necessary to the project.

Title

To declare the necessity and intent to appropriate fee simple title and lesser interests in and to real estate in connection with the Livingston and Parsons Avenue Roadway Improvement Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus is engaged in the Livingston and Parsons Avenue Roadway Improvement Project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is immediately necessary to declare the necessity and intent to appropriate fee simple title and lesser interests in and to the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate fee simple title and lesser interests in and to the following listed parcels of real estate more fully described in Exhibits A through S attached hereto and made a part hereof as though fully written herein, necessary for the Livingston and Parsons Avenue Roadway Improvement Project, Project # 530161 pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

EXHIBIT/PARCEL NUMBER/OWNER(S)

A/1WD, T
B/3T
C/4T
D/5T

E/7WD, T
F/8WD, T
G/10WD, T
H/11WD, T
I/12WD, T
J/20WD, T
K/35WD, T
L/38 T
M/39 T
N/43WD
O/62WD, T
P/63 T
Q/64 T
R/68WD, SH, T
S/69WD

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

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

Legislation Number: 0040X-2009

Drafting Date: 04/16/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Alum Creek Drive Improvement Project.

Fiscal Impact:

N/A

Emergency Justification:

Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay in order to meet the Department of Public Utilities acquisition schedule.

TitleTo declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Alum Creek Drive Improvement Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Alum Creek Drive Improvement Project; and,

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

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

Section 1. That this Council hereby declares the necessity and intent to appropriate construction easements in, over, under and through the following described real estate necessary for the Alum Creek Drive Improvement Project, Project #561004, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

PARCEL 181-T-1
Fra-C.R. 122-4.14
24 Months from Date of entry

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township-11-North, Range-21-West, Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 3.312 acre tract as conveyed to Fieldstone Court Homes, LLC by deed of record in Instrument Number 200509270201964, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land located on the right side of the Plat of the Centerline of Right-of-Way of FRA-C.R. 122-4.14, as recorded in Plat Book ___, Page ___;

Beginning for reference at Franklin County Monument #8840, at the intersection of the existing right-of-way centerline of Watkins Road (East), with the existing right-of-way centerline of Alum Creek Drive (County Road 122), being 0.00 feet right of Alum Creek Drive station 142+58.23;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 846.51 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the westerly line of said Section 6, Township 11, Range 21, to a point in said centerline, being 0.00 feet right of Alum Creek Drive station 151+04.74;

Thence South 86 degrees 10 minutes 32 seconds East, a distance of 30.00 feet perpendicular to the existing right-of-way centerline of said Alum Creek Drive, to the intersection with the existing easterly right-of-way line of said Alum Creek Drive at a southwest corner of that 4.502 acre tract as conveyed to the Columbus/Franklin County Affordable Housing Trust Corporation by deed of record in Instrument Number 200307300237067, being 30.00 feet right of Alum Creek Drive station 151+04.74;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 90.41 feet along a westerly line of said 4.502 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in the existing easterly right-of-way line of said Alum Creek Drive, being 30.00 feet right of Alum Creek Drive station 151+95.15;

Thence South 86 degrees 10 minutes 32 seconds East, a distance of 10.00 feet along a westerly line of said 4.502 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in the existing easterly right-of-way line of said Alum Creek Drive, being 40.00 feet right of Alum Creek Drive station 151+95.15;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 365.74 feet along the westerly line of said 4.502 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to a rebar found at an angle point in the existing easterly right-of-way line of said Alum Creek Drive at the northwest corner of said 4.502 acre tract, being 40.00 feet right of Alum Creek Drive station 155+60.90;

Thence South 84 degrees 22 minutes 52 seconds East, a distance of 20.01 feet along the northerly line of said 4.502 acre tract, and along the southerly line of that 0.184 acre tract as conveyed to the City of Columbus by deed of record in Instrument Number 200607210142822, to the intersection with the existing easterly right-of-way line of said Alum Creek Drive, at the southwest corner of said Fieldstone

3.312 acre tract, and the southeast corner of said Columbus 0.184 acre tract, being 60.00 feet right of Alum Creek Drive station 155+60.27;

Thence continuing South 84 degrees 22 minutes 52 seconds East, a distance of 10.00 feet along the northerly line of said 4.502 acre tract, and along the southerly line of said Fieldstone 3.312 acre tract, to an iron pin set in the new easterly right-of-way line of Alum Creek Drive, being 70.00 feet right of Alum Creek Drive station 155+59.96;

Thence continuing South 84 degrees 22 minutes 52 seconds East, a distance of 10.00 feet along the northerly line of said 4.502 acre tract, and along the southerly line of said Fieldstone 3.312 acre tract, to the intersection with a new easterly line of a proposed Slope Easement, being 80.00 feet right of Alum Creek Drive station 155+59.64;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 40.36 feet, along a new easterly line of said proposed Slope Easement, and across said Fieldstone 3.312 acre tract, to a point being 80.00 feet right of Alum Creek Drive station 156+00.00, and being the Point of True Beginning;

Thence continuing North 03 degrees 49 minutes 28 seconds East, a distance of 50.00 feet, along a new easterly line of said proposed Slope Easement, and across said Fieldstone 3.312 acre tract, to a point being 80.00 feet right of Alum Creek Drive station 156+50.00;

Thence South 86 degrees 10 minutes 32 seconds East, a distance of 20.00 feet, across said Fieldstone 3.312 acre tract, and perpendicular to the existing right-of-way line of Alum Creek Drive, to a point being 100.00 feet right of Alum Creek Drive station 156+50.00;

Thence South 03 degrees 49 minutes 28 seconds West, a distance of 50.00 feet, across said Fieldstone 3.312 acre tract, and parallel to the existing right-of-way centerline of Alum Creek Drive, to a point being 100.00 feet right of Alum Creek Drive station 156+00.00;

Thence North 86 degrees 10 minutes 32 seconds West, a distance of 20.00 feet, across said Fieldstone 3.312 acre tract, and perpendicular to the existing right-of-way line of Alum Creek Drive, to the Point of True Beginning, containing 0.023 acres, more or less.

Of the above-described area, 0.023 acres is contained within the Franklin County Auditor's Parcel 010-267699;

The bearing datum of the afore-described parcel is based on the bearing of North 04 degrees 02 minutes 12 seconds East, for the centerline of Alum Creek Drive, from an adjusted field survey using G.P.S. methods using Franklin County Monuments #8819, #8820 and #8840, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was based upon a survey of Alum Creek Drive and Williams Road by R.D. Zande & Associates, Inc., in March 1999, and prepared on March 16, 2009 by Tim A. Baker, Registered Surveyor 7818.

Iron pins set are 3/4 inches in diameter by 30 inches long with a 1-1/2 inch aluminum cap placed on top, bearing the name "ODOT R/W" and "R D ZANDE & ASSOC".

Grantor claims title by instrument of record in Instrument Number 200509270201964, of the Recorder's Office, Franklin County, Ohio.

PARCEL NO. 181 T-2
FRA-C.R. 122-4.14
Temporary easement
24 Months from date of entry

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 6, Township-11-North, Range-21-West, Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 3.312 acre tract as conveyed to Fieldstone Court Homes, LLC by deed of record in Instrument Number 200509270201964, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land located on the right side of the Plat of the Centerline of Right-of-Way of FRA-C.R. 122-4.14, as recorded in Plat Book ____, Page ____;

Beginning for reference at Franklin County Monument #8840, at the intersection of the existing right-of-way centerline of Watkins Road (East), with the existing right-of-way centerline of Alum Creek

Drive (County Road 122), being 0.00 feet right of Alum Creek Drive station 142+58.23;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 846.51 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the westerly line of said Section 6, Township 11, Range 21, to a point in said centerline, being 0.00 feet right of Alum Creek Drive station 151+04.74;

Thence South 86 degrees 10 minutes 32 seconds East, a distance of 30.00 feet perpendicular to the existing right-of-way centerline of said Alum Creek Drive, to the intersection with the existing easterly right-of-way line of said Alum Creek Drive at a southwest corner of that 4.502 acre tract as conveyed to the Columbus/Franklin County Affordable Housing Trust Corporation by deed of record in Instrument Number 200307300237067, being 30.00 feet right of Alum Creek Drive station 151+04.74;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 90.41 feet along a westerly line of said 4.502 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in the existing easterly right-of-way line of said Alum Creek Drive, being 30.00 feet right of Alum Creek Drive station 151+95.15;

Thence South 86 degrees 10 minutes 32 seconds East, a distance of 10.00 feet along a westerly line of said 4.502 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in the existing easterly right-of-way line of said Alum Creek Drive, being 40.00 feet right of Alum Creek Drive station 151+95.15;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 365.74 feet along the westerly line of said 4.502 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to a rebar found at an angle point in the existing easterly right-of-way line of said Alum Creek Drive at the northwest corner of said 4.502 acre tract, being 40.00 feet right of Alum Creek Drive station 155+60.90;

Thence South 84 degrees 22 minutes 52 seconds East, a distance of 20.01 feet along the northerly line of said 4.502 acre tract, and along the southerly line of that 0.184 acre tract as conveyed to the City of Columbus by deed of record in Instrument Number 200607210142822, to the intersection with the existing easterly right-of-way line of said Alum Creek Drive, at the southwest corner of said Fieldstone 3.312 acre tract, and the southeast corner of said Columbus 0.184 acre tract, being 60.00 feet right of Alum Creek Drive station 155+60.27;

Thence continuing South 84 degrees 22 minutes 52 seconds East, a distance of 10.00 feet along the northerly line of said 4.502 acre tract, and along the southerly line of said Fieldstone 3.312 acre tract, to an iron pin set in the new easterly right-of-way line of Alum Creek Drive, being 70.00 feet right of Alum Creek Drive station 155+59.96;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 320.04 feet, along the new easterly right-of-way line of Alum Creek Drive, and across said Fieldstone 3.312 acre tract, to a point being 70.00 feet right of Alum Creek Drive station 158+80.00, and being the Point of True Beginning;

Thence continuing North 03 degrees 49 minutes 28 seconds East, a distance of 45.00 feet, along the new easterly right-of-way line of Alum Creek Drive, and across said Fieldstone 3.312 acre tract, to a point being 70.00 feet right of Alum Creek Drive station 159+25.00;

Thence South 86 degrees 10 minutes 32 seconds East, a distance of 15.00 feet, across said Fieldstone 3.312 acre tract, and perpendicular to the existing right-of-way line of Alum Creek Drive, to a point being 85.00 feet right of Alum Creek Drive station 159+25.00;

Thence South 03 degrees 49 minutes 28 seconds West, a distance of 45.00 feet, across said Fieldstone 3.312 acre tract, and parallel to the existing right-of-way centerline of Alum Creek Drive, to a point being 85.00 feet right of Alum Creek Drive station 158+80.00;

Thence North 86 degrees 10 minutes 32 seconds West, a distance of 15.00 feet, across said Fieldstone 3.312 acre tract, and perpendicular to the existing right-of-way line of Alum Creek Drive, to the Point of True Beginning, containing 0.015 acres, more or less.

Of the above-described area, 0.015 acres is contained within the Franklin County Auditor's Parcel 010-267699;

The bearing datum of the afore-described parcel is based on the bearing of North 04 degrees 02 minutes 12 seconds East, for the centerline of Alum Creek Drive, from an adjusted field survey using G.P.S. methods using Franklin County Monuments #8819, #8820 and #8840, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was based upon a survey of Alum Creek Drive and Williams Road by R.D. Zande & Associates, Inc., in March 1999, and prepared on March 16, 2009 by Tim A. Baker, Registered Surveyor 7818.

Iron pins set are 3/4 inches in diameter by 30 inches long with a 1-1/2 inch aluminum cap placed on top, bearing the name "ODOT R/W" and "R D ZANDE & ASSOC".

Grantor claims title by instrument of record in Instrument Number 200509270201964, of the Recorder's Office, Franklin County, Ohio.

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

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

Legislation Number: 0041X-2009

Drafting Date: 04/16/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Worthington Galena Road Improvement Project.

Fiscal Impact:

N/A

Emergency Justification: Emergency action is requested to allow the acquisition of the parcels necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare.

Title

To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Worthington Galena Road Improvement Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus is engaged in the Worthington Galena Road Improvement Project; and,

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

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

Section 1. That this Council hereby declares the necessity and intent to appropriate construction easements in, over,

under and through the following described real estate necessary for the Worthington Galena Road Improvement Project, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

IT
GRACE BRETHREN CHURCH

Situated in the State of Ohio, County of Franklin, City of Columbus, being an area located within that original 98.231-acre tract as described in a deed to Grace Brethren Church of Columbus, Ohio, of record in Deed Volume 3752, Page 459, all references herein being to the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the intersection of the southerly right-of-way line of Lazelle Road with the westerly right-of-way line of Worthington-Galena Road, said rights-of-way being established as Parcel No. 6 and Parcel No. 4, respectively, of record in Deed Volume 3151, Page 683;

Thence along said westerly right-of-way line the following courses:

1. South 38°08'10" West, a distance of 215.27 feet to a point;
2. With the arc of a non-tangent curve to the left, having a radius of 999.93 feet, a central angle of 23°39'48", an arc length of 412.07 feet, the chord of which bears South 29°20'30" West, a chord distance of 410.05 feet to a point;
3. South 17°30'36" West, a distance of 82.62 feet to a point located 44.22 feet left of Station 200+00 (all stationing related to a temporary roadway);

Thence through said 98.231-acre tract the following courses:

1. North 02°56'33" East, a distance of 193.08 feet to a point located 40.00 feet left of Station 202+00;
2. North 26°35'38" East, a distance of 207.82 feet to a point located 40.00 feet left of Station 204+00;
3. North 06°29'57" East, a distance of 269.31 feet to a point located 40.00 feet left of Station 207+00;
4. North 24°51'23" West, a distance of 175.92 feet to a point located 40.00 feet left of Station 209+00;
5. North 68°11'13" West, a distance of 308.78 feet to a point in the southerly right-of-way line of Lazelle Road located 45.04 feet right of Station 138+00 (Lazelle Road stationing);

Thence along said right-of-way line with the arc of a non-tangent curve to the right, having a radius of 909.93 feet, a central angle of 35°59'16", an arc length of 571.53 feet, the chord of which bears South 65°33'00" East, a chord distance of 562.18 feet to a point;

Thence South 41°59'42" East, continuing along said right-of-way line, a distance of 110.82 feet to the place of beginning and containing 2.078 acres.

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

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

Legislation Number: 0046-2009

Drafting Date: 01/07/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Rezoning Application Z06-081

APPLICANT: Anderson Properties Limited Partnership; c/o Brent D. Rosenthal and Jackie Lynn Hager, Attorneys; Carlile Patchen & Murphy LLP; 366 East Broad Street; Columbus, OH 43215.

PROPOSED USE: Limited manufacturing and commercial uses.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (7-0) on October 9, 2008.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 3.86± acre site is developed with an existing building utilized for manufacturing, a banquet facility and a child day care center. The site, which was annexed into Columbus in 1999, is zoned in the R, Rural District. The child day care center was permitted by a Council variance in 2006. The applicant is requesting the L-M, Limited Manufacturing District, to conform the existing manufacturing use and allow commercial development. The manufacturing company on the site makes glass products for residential, automotive and commercial markets, including the bending of glass for lenses for the lighting industry. The glass uses are identified as more objectionable in the zoning regulations, and are not allowed within 600 feet of a residential zoning district. The entire site is located within 600 feet of a residential zoning district, so the applicant is also requesting a companion Council variance (Ord. No. 0089-2009; CV08-015) to vary the distance requirement and parking-related requirements. The proposed use, as limited, is compatible with the development in the area.

Title

To rezone **2816 MORSE ROAD (43231)**, being 3.86± acres located on the north side of Morse Road at the intersection with Chesford Road, **From:** R, Rural District, **To:** L-M, Limited Manufacturing District (Rezoning # Z06-081).

Body

WHEREAS, application #Z06-081 is on file with the Building Services Division of the Department of Development requesting rezoning of 3.86± acres from the R, Rural District to L-M, Limited Manufacturing District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposed use, as limited, is compatible with the development in the area, now, therefore:

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

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

2816 MORSE ROAD (43231), being 3.86± acres located on the north side of Morse Road at the intersection with Chesford Road, and being more particularly described as follows:

DESCRIPTION OF A 3.8587 ACRE TRACT OF LAND ON THE NORTH SIDE OF MORSE ROAD AND WEST OF WESTERVILLE ROAD IN THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

- Parcel 1, Auditor's Parcel No. 010-252898-00
- Parcel 2, Auditor's Parcel No. 010-252899-00
- Parcel 3, Auditor's Parcel No. 010-252900-00

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of quarter Township 3, Township 2, Range 17 West, United States Military Lands, containing 3.8587 acres of land, more or less, being 1.793 acres of land out of that original 2 acre tract of land, referred to as Parcel 1, being 1.145 acres of land out of that original 1.263 acre tract of land, referred to as Parcel 2, being 0.921 acre of land out of that original 1.015 acre tract of land, referred to as Parcel 3,

all three (3) parcels of land being described in a deed to Anderson Properties Limited Partnership, of record in Official Record 13955 E13 (all references to official records, instruments or plat books in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 3.8587 acre tract of land being more particularly described as follows:

Beginning, for reference, at FCGS Monument 1135, thence S 86 deg. 38' 06" E, with the centerline of Morse Road a distance of 400.42 feet to a point at the southwesterly corner of that 0.369 acre tract of land as described in a deed to the Franklin County Commissioners, the southeasterly corner of that 0.228 acre tract of land as described in a deed to the Franklin County Commissioners, of record in Instrument No. 199911100282419, thence N 3 deg. 21' 54" E, with the westerly line of said 0.369 acre tract, the easterly line of said 0.228 acre tract, a distance of 55.00 feet to a point, the true point of beginning;

Thence, from said true point of beginning, continuing N 3 deg. 21' 54" E, with the westerly line of said Parcel 2, the easterly line of that original 0.609 acre tract of land as described in a deed to The McGlaughlin Oil CO., of record in Official record 3237 D16, a distance of 120.00 feet to a point;

Thence N 86 deg. 38' 06" W, with a southerly line of said Parcel 2, the northerly line of said 0.609 acre tract, a distance of 108.76 feet, to an iron pin (found) in a southeasterly right-of-way line of that 58.466 acre tract of land as described in a deed to the Consolidated Utilities Railroad Corp., of record in Instrument No. 199806290161477;

Thence N 29 deg. 19' 22" E with a northwesterly line of said Parcel 2, a southeasterly right-of-way line of said 58.466 acre tract, a distance of 23.25 feet to a point of curvature;

Thence, with the arc of a curve to the right, being northwesterly line of said Parcels Numbered 1, 2 and 3, a southwesterly right-of-way line of said 58.466 acre tract, said curve having a radius of 2861.98 feet, a sub-delta of 12 deg. 15' 24", a length of 612.23 feet, the chord of which bears N 35 deg. 27' 08" E, a chord distance of 611.12 feet to a point at the southwesterly corner of Parkridge Village Section 3, a subdivision of record in Plat Book 45, Page 67;

Thence S 86 deg. 34' 25" E, with the northerly line of said Parcel 1, a portion of the southerly line of said Parkridge Village Section 3, a distance of 66.14 feet to a point at the northwesterly corner of that original 4 acre tract of land as described in a deed to Carcorp, Inc., referred to as Parcel VI;

Thence S 3 deg. 22' 09" W, with the easterly line of said Parcel 1, the westerly line of said Parcel VI, a distance of 658.60 feet, passing an iron pin (found) at a distance of 653.60 feet, to the northeasterly corner of said 0.369 acre tract;

Thence N 86 deg. 38' 06" W, with the northerly line of said 0.369 acre tract, parallel with the centerline of said Morse Road and 55.00 feet northerly therefrom (as measured at right angles), a distance of 292.14 feet to the true point of beginning and containing 3.8587 acres of land, more or less.

Subject to all rights-of-way, easements or restrictions, if any, of previous record.

The basis of bearing N 86 deg. 38' 06" W, is based on the centerline of Morse Road as shown on roadway plans for Franklin County Morse Road Section D on file with the Franklin County Engineers Office.

No monumentation was set by ERLNBACH LAND SURVEYING COMPANY.

The foregoing description was prepared from existing deed, plat, and a mortgage location survey by ERLNBACH LAND SURVEYING COMPANY.

To Rezone From: R, Rural District,

To: L-M, Limited Manufacturing District.

SECTION 2. That a Height District of Thirty-five (35) feet is hereby established on the L-M, Limited Manufacturing

District on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text titled, "**REVISED DEVELOPMENT TEXT**," signed by Brent D. Rosenthal, Attorney for the Applicant, and dated March 13, 2009 and the text reading as follows:

REVISED DEVELOPMENT TEXT - MARCH 13, 2009

L.M. LIMITED MANUFACTURING

3.86 ACRES +/-

EXISTING DISTRICT: R-Rural District with Council Variance for Daycare use.

PROPOSED DISTRICT: L-M, Limited Manufacturing

PROPERTY ADDRESS: 2816 Morse Road; Columbus, Ohio 43231

PID: 010-252898-00; 010-252899-00; and 010-252900-00

OWNER/APPLICANT: Anderson Properties Limited Partnership; 2812 Morse Road; Columbus, Ohio 43231; c/o: Brent D. Rosenthal & Jackie Lynn Hager; Carlile Patchen & Murphy LLP; 366 East Broad Street; Columbus, Ohio 43215

APPLICATION #: Z06-081

INTRODUCTION:

The subject properties consist of three (3) parcels totaling 3.86+/- acres on the north side of the 2800 block of Morse Road ("site"). The Site was annexed into the City of Columbus on June 7, 1999. Prior to its annexation, the property was primarily used for commercial, manufacturing, and warehousing uses. Based on consultations with the City of Columbus, the applicant made no request for zoning at the time of annexation. As a result, the subject properties were classified with base zoning of R pursuant to Columbus City Ordinance.

On approximately July 25, 2006, Columbus City Council adopted Ordinance No. 1146-2006 granting a council variance to the Owner/Applicant to allow the Site to be used for a child daycare center with the condition that the property be rezoned to accommodate all the uses on the Site, which include the daycare center and other commercial, manufacturing and warehousing uses.

Application proposes the rezone the Site to LM, Limited Manufacturing, to accommodate the existing manufacturing, warehousing and general commercial uses on the Site, in accordance with appropriate development standards.

I. PERMITTED USES:

A. Manufacturing uses: Manufacture, assembly, production and storage of aluminum and metal products, including window and door frames, and glass products; bending and tempering of glass; and storage of the products and materials related to the same, as permitted by 3363.02, 3363.05, 3363.06, 3363.08 and 3363.10. All development standards and code requirements must be met, unless varied by City Council or the Board of Zoning Adjustment.

B. Commercial uses: All those uses permitted in Sections 3351.03 (C-1), 3353.03 (C-2), 3355.03 (C-3) and 3356.03 (C-4) of the Columbus City Code.

II. DEVELOPMENT STANDARDS:

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

1. **Lot Coverage:** Lot coverage for all buildings and pavement shall not exceed eighty percent (80%).

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

1. Any and all traffic-related commitments shall be designed and located to the specifications of the City of Columbus Transportation Division.

2. Sidewalks shall be maintained as currently on the Site.

3. West signalized driveway shall be widened to a minimum width of 26'.

4. Turning movements of the east non-signalized driveway shall be limited to right-in only turns.

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

1. All existing trees and landscaping shall be well maintained. Dead items shall be replaced within six (6) months or the next planting season, whichever occurs first.

2. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inch caliper; Ornamental - 1 ½ inch caliper; Evergreen - 5 feet in height. The minimum size of shrubs shall be two (2) gallons. Caliper shall be measured 6 inches above grade.

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

1. Building illumination shall be permitted, provided such light source is concealed. No colored lights shall be used to light the exterior of the building.

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

1. Unless necessary for the operation of the manufacturing business located on the site, all external outdoor lighting fixtures shall be fully shielded cutoff fixtures (down lighting) except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. Building mounted area lighting within the parcels shall be designed and mounted in such a way as to minimize any off-site light spillage.

3. All lighting shall be positioned as to not be directed toward any residential area.

F. Graphics and Signage Commitments:

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

G. Miscellaneous:

Applicant will pay a fee of four hundred dollars (\$400.00) per acre of land rezoned, or fraction thereof pursuant to The Parkland Dedication Ordinance, located in Chapter 3318 of the Columbus City Codes. Payment shall be made at the time of final plan approval.

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

Legislation Number: 0047X-2009

Drafting Date: 04/23/2009

Version: 1

Current Status: Passed

Matter Type: Resolution

..Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Chatterton Road Water Main Improvements Project.

Fiscal Impact:

N/A

Emergency Justification:

Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay, thus facilitating the commencement of construction necessary to the project.

Title

To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Chatterton Road Water Main Improvements Project, and to declare an emergency.

BodyWHEREAS, the City of Columbus is engaged in the Chatterton Road Water Main Improvements Project; and,

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

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

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent easements in, over, under and through the following described real estate necessary for the Chatterton Road Water Main Improvements Project, Project #690483, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

Utility Easement
City of Columbus
South Side of Chatterton Road
West side of Brice Road

Situated in the State of Ohio, County of Franklin, Truro Township, Section 2, Township 11 North, Range 21 West, Matthew's Survey of Congress Lands, and being an easement area over part of that 0.619 acre parcel known as Franklin County Auditor's Parcel Number 530-109267 conveyed to Apostolic Church of Christ as Parcel III in Official Record Volume 4728 A11, and over part of that 10.557 acre parcel known as Franklin County Auditor's Parcel Number 530-166405 conveyed to Apostolic Church of Christ as Parcel II in Official Record Volume 4728 A11 (all references are to records on file in the Franklin County Recorder's Office), said easement area being more particularly described as follows:

Beginning for reference at Franklin County Geodetic Survey Monument number 9918 at the

intersection of Refugee Road and Brice Road; Thence South 4°24'47" West, along the center of Brice Road, 129.86 feet to a point; Thence North 85°35'13" West, 55.00 feet to a point in the west line of Brice Road conveyed to the City of Columbus as Parcel 3WD in Instrument Number 200010240215165 and being in the east line of said 0.619 acre Apostolic Church of Christ parcel and being the point of beginning;

Thence North 85°26'47" West, crossing said 0.619 acre Apostolic Church of Christ parcel, 359.14 feet to a point in the west line of said 0.619 acre parcel, being in the east line of the aforementioned 10.557 acre Apostolic Church of Christ parcel;

Thence continuing North 85°26'47" West, into said 10.557 acre Apostolic Church of Christ parcel, 96.91 feet to a point;

Thence North 40°22'29" West, 98.87 feet to a point in the south line of Chatterton Road and Parcel 3WD, being the north line of the 10.557 acre tract;

Thence along a south line of Parcel 3WD, being the south line of Chatterton Road, South 85°26'47" East, 167.12 feet to a point, being the northeast corner of the 10.557 acre Apostolic Church of Christ tract, the northwest corner of the 0.619 acre Apostolic Church of Christ tract, and the northwest corner of Easement Parcel 3X-1, granted to the City of Columbus in Instrument Number 200010240215163;

Thence leaving the south line of Chatterton Road, and into the 0.619 acre Apostolic Church of Christ tract, and along said Easement 3X-1, South 64°25'39" East, 69.70 feet to a point;

Thence continuing along Easement 3X-1, South 85°26'47" East, 145.00 feet to a point;

Thence continuing along Easement 3X-1, North 4°33'13" East, 20.00 feet to a point in the south line of Chatterton Road, being the south line of Parcel 3WD;

Thence South 85°26'47" East, along the south line of Chatterton Road, being the south line of Parcel 3WD, 120.00 feet to a point;

Thence South 50°17'11" East, along Parcel 3WD, 34.96 feet to a point, being the west line of Brice Road;

Thence South 4°24'47" West, along Parcel 3WD, being the west line of Brice Road, 44.87 feet the point of beginning.

Containing 0.663 acres of land, of which 0.451 acre lies in Parcel 530-109267 and 0.212 acre lies in Parcel 530-166405.

For the purpose of this easement description, a bearing of South 4°24'47" West was used for the centerline of Brice Road between Franklin County Geodetic Survey monuments #9918 and 9939 according a field survey by Pomeroy & Associates, Ltd. in 2008.

Pomeroy & Associates, Ltd.
Mark D. Power
Professional Surveyor No. 7935

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

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

Legislation Number: 0048X-2009

Drafting Date: 04/23/2009

Version: 1

Current Status: Passed

Matter Type: Resolution

...Explanation

Background:

The following is a resolution to declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Cleveland Avenue Area Water Line improvements Project.

Fiscal Impact:

N/A

Emergency Justification:

Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay, thus facilitating the timely commencement of construction necessary to the project.

.Title

To declare the necessity and intent to appropriate permanent easements in, over, under and through real estate in connection with the Cleveland Avenue Area Water Line improvements Project, and to declare an emergency.

.Body

WHEREAS, the City of Columbus is engaged in the Cleveland Avenue Area Water Line improvements Project; and,

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

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

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent easements in, over, under and through the following described real estate necessary for the Cleveland Avenue Area Water Line improvements Project, Project #690236, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

DESCRIPTION OF A
WATERLINE EASEMENT
FOR THE CITY OF COLUMBUS
East side of Westerville Road

Situate in the State of Ohio, County of Franklin, Township of Clinton, lying in Quarter Township 1, Township 1, Range 18, United States Military Lands and being a easement 10 feet in width lying on, over and across a 0.185 acre tract conveyed to Richard J. Chrysler by deed of record in Official Record 715, Page C18 and Richard J. Chrysler, Trustee (an undivided one-half interest) by deed of record in Instrument 200505270102114, all records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point on the northerly line of said 0.185 acre tract at the intersection with the easterly right-of-way line of Westerville Road (width varies), said point being 30 feet easterly and perpendicular to the centerline of said Westerville Road;

Thence the following four (4) courses and distances on, over and across the said 0.185 acre tract:

South 86°31'11" East, a distance of 11.12 feet, along the northerly line of said 0.185 acre tract to a

point;

South 29°21'49" West, a distance of 80.01 feet, across the said 0.185 acre tract along a line parallel and 10 feet easterly of the easterly right-of-way line of said Westerville Road to a point on the southerly line of said 0.185 acre tract;

North 86°30'32" West, a distance of 11.11 feet, along the southerly line of said 0.185 acre tract to a point on the easterly right-of-way of said Westerville Road, being 30 feet easterly and perpendicular to the centerline of said Westerville Road;

North 29°21'49" East, a distance of 80.01 feet, along the easterly right-of-way line of said Westerville Road to the Point of Beginning, containing 0.018 acres, or 800.08 square feet, more or less.

Of the above described area, all 0.018 acres is contained within Franklin County Auditors Parcel Number 130-001513.

The bearings herein are based on, as determined by a GPS network of field observations, performed in August 2005, (Ohio State Plane Coordinate System, South Zone, 1986 adjustment).

STANTEC CONSULTING SERVICES, INC.

Robert J. Sands Date

Registered Surveyor No. S- 8053

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

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

Legislation Number: 0049X-2009

Drafting Date: 04/24/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title To recognize may 2009 as National Aquatics Month in the City of Columbus.

Body

WHEREAS, individual and organized forms of recreation and the creative use of free time are vital to the happy lives of all our citizens; and

WHEREAS, education, athletic, and recreation programs in the City of Columbus encompass a multitude of activities that can result in personal accomplishment, self-satisfaction and family unity for everyone, regardless of their background, ability level or age; and

WHEREAS, residents of Columbus should recognize the vital role that safe swimming and aquatic-related activities play in good physical and mental health and enhancing the quality of life for all people; and

WHEREAS, swimming provides lasting health benefits, including improved cardiovascular fitness, stronger muscles, and greater flexibility and is especially beneficial for pregnant women, the overweight and those rehabilitating from physical injuries; and

WHEREAS, the City of Columbus currently offers open swim, swimming lessons, lifeguard training and other exciting programming opportunities at four public outdoor pools and one indoor aquatics center, all of which provide safe and healthy aquatic recreational options; and

WHEREAS, the City of Columbus is extremely proud of the contribution of its swimming facilities, aquatic programs and other related activities to providing a safe and healthy place to learn and grow, to build self esteem, confidence and a sense of self worth, and are a fun source of exercise and social interaction; now, therefore

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

That this Council hereby recognizes May 2009 as National Aquatics Month in the City of Columbus.

Legislation Number: 0051X-2009

Drafting Date: 04/24/2009

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

Title*To declare the week of May 3, 2009 National Arson Awareness Week in Columbus, Ohio.*

Body

WHEREAS, arson for profit is a criminal method of obtaining money from a fire loss policy; and

WHEREAS, arson for profit, or economic arson, is when businesses or individuals set fires to reduce financial loss, recoup initial investments, or dispose of depreciated assets usually for a payout from insurance companies; and

WHEREAS, the Insurance Information Institute reports that arsonists destroyed nearly \$900 million in insured property and killed 295 civilians nationwide in 2007; and

WHEREAS, in 2005, the National Fire Protection Association (NFPA) estimated there were 323,900 intentional fires which resulted in 490 civilian fire deaths, 3 firefighter on-duty deaths, 1,500 civilian fire injuries, 7,600 firefighter on-duty injuries, and \$1.102 billion in direct property damage; and

WHEREAS, already this year, arson of vacant and abandoned homes and businesses in Columbus has spiked, resulting in one civilian death and multiple injuries to firefighters and civilians alike; and

WHEREAS, arson is a serious crime that jeopardizes the lives of Columbus citizens and emergency service personnel, which can only be stopped when citizens realize the severe damage arson causes; and

WHEREAS, the Columbus Division of Fire, Fire Prevention Bureau stresses the importance of citizens being aware of arson; now, therefore

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

That this Council does hereby declare the week of May 3-9, 2009 as National Arson Awareness Week and encourages all citizens to learn more about the tremendous toll arson takes on our community and our nation and to commit themselves to prevention efforts.

Legislation Number: 0052X-2009

Drafting Date: 04/29/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To congratulate the Africentric Girls Basketball team on winning the Division IV State Championship title.

Body

Whereas, the Africentric Girls Basketball team has an overall record of 125-26 after 6 years; and

Whereas, the Africentric Girls Basketball team has won four straight City League Championships, five straight District Championships, and three straight Regional Championships; and

Whereas, Africentric is the 1st and only female city league team to win two State Championships; and

Whereas, Africentric is the only girls public school team to win a State Championship in 2009, with the rest being won by private schools; and

Whereas, the Lady Nubians won their second title in three years by forcing 17 turnovers, limiting their opponents to 25 percent shooting in the second half and going after rebounds aggressively; and

Whereas, the Lady Nubians came together as a team and played as a team; no one star, but rather a group of talented players who complimented each other, who worked with each other and who believed in each other; now, therefore

Be it resolved by the Council of the City of Columbus:

That we do hereby congratulate the Africentric Girls Basketball team and recognize them as the 2009 Division IV State Champions.

Legislation Number: 0053X-2009

Drafting Date: 04/29/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize the month of May 2009 as "National Bike Month" in the City of Columbus.

Body

WHEREAS, the bicycle is a viable and environmentally sound form of transportation and an excellent form of recreation; and

WHEREAS, numerous citizens of the City of Columbus will experience the joys of bicycling during the month of May through educational programs, races, commuting events, helmet promotion, charity events, or just getting out and going for a ride; and

WHEREAS, creating bicycle-friendly communities has been shown to improve citizens' health, well-being, and quality of life, to boost community spirit, to improve traffic safety, and to reduce pollution and congestion; and

WHEREAS, the Share the Road (7:30 a.m) and Bike to Work Week (8:30 a.m.) campaigns will be launched at Ohio State University's Campus Gateway on May 11; and

WHEREAS, the Ride of Silence will take place in Columbus on May 20, 2009 at 7 p.m. at the Ohio Statehouse where cyclists will take to the roads in a silent procession to honor cyclists who have been killed or injured while cycling on public roadways; and

WHEREAS, BikeColumbus will gather May 30th, 2009 at COSI to raise awareness and funding for healthier kids and more diabetes prevention in a partnership between Mayor Michael B. Coleman, The Institute for Active Living in Columbus Public Health, and Consider Biking; and

WHEREAS, May has been declared National Bike Month for each of the last 53 years, and is so again in 2009; now, therefore

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

That we do hereby recognize the month of May 2009 as "National Bike Month" in the City of Columbus and urge all who support bicycling to participate in the events planned and all road users to share the road safely with bicyclists.

Legislation Number: 0054X-2009

Drafting Date: 04/29/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize the 11th Annual HOOPS! Basketball tournament.

Body

WHEREAS, The Junior League of Columbus and the Valerie Still Foundation have partnered to bring HOOPS!, a basketball clinic and tournament for middle school girls, to the Columbus community since 1999; and

WHEREAS, HOOPS! focuses on promoting the development of the girls' self-esteem, leadership, and teamwork skills through sports and supportive adult interaction; and

WHEREAS, research shows that girls and young women who play sports are more likely to have a positive body image, less likely to get pregnant in high school, and less likely to partake in drugs and alcohol; and

WHEREAS, youth who feel supported by adults are much more likely to develop the skills they need to become successful adults, including how to increase self-confidence, interact positively with others, and communicate with peers and adults; and

WHEREAS, this year's event will take place at The Jerome Schottenstein Center located on the campus of The Ohio State University in Columbus, Ohio, on May 2, 2009 from 8:30 am until 5:00 pm; now, therefore

Be it resolved by the Council of the City of Columbus:

That we do hereby recognize the 11th Annual HOOPS! Basketball tournament and commend the Junior League of Columbus and the Valerie Still Foundation for their commitment to the development of middle school girls in the Columbus community.

Legislation Number: 0055X-2009

Drafting Date: 04/29/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize National Exercise is Medicine Month in the City of Columbus.

Body

WHEREAS, May 2009 is National Exercise is Medicine Month; and

WHEREAS, all citizens are encouraged to speak with their physicians about how physical activity and exercise may help treat or prevent numerous chronic conditions, such as hypertension, cardiac disease and diabetes; and

WHEREAS, all physicians and other health care providers are encouraged to talk to their patients about the health benefits of exercise and to strongly recommend that their patients engage in appropriate exercise; and

WHEREAS, regular, moderate-intensity exercise has curative and health benefits; and

WHEREAS, the health benefits of physical activity and exercise can do much to improve the quality of life for everyone; and

WHEREAS, regular physical activity and exercise is indeed a prescription with great potential to improve the health of all American; and

WHEREAS, the American College of Sports Medicine, The Ohio State University Sports Medicine Center and the City of Columbus Institute for Active Living call on health care organizations, physicians and other professionals, regardless of specialty to assess, advocate for and review every patient's physical activity program during every comprehensive visit; now, therefore

Be it resolved by the Council of the City of Columbus:

That we do hereby recognize May as National Exercise is Medicine Month in the City of Columbus.

Legislation Number: 0057X-2009

Drafting Date: 05/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

By this joint resolution, the Mayor and City Council express their support of the cost reductions and efficiencies/reforms in furtherance of recommendations of the Economic Advisory Committee.

Title

To express support for the Reform and Efficiency Action Plan contained within this Resolution that will lead to cost savings and a continued high delivery of services, specifically in the areas of 1) Employee Benefits; 2) Safety Reforms; 3) Efficient Management & Using Technology; and 4) Partnerships, and to declare an emergency.

Body

WHEREAS, since the national economic recession in 2001 the City of Columbus has consistently been required to reduce its general fund budgets below continuation funding largely as a result of income tax revenues not growing at the rates experienced during the preceding 25 years, with the result that the 2009 budget is \$155 million below continuation funding from 2001 levels; and

WHEREAS, in an effort to further control spending, the City of Columbus has cut spending below even these reduced budgets by nearly \$67 million over this period of time; and

WHEREAS, these reductions have included such things as a 30% reduction in civilian employees and an increase from 3% to 9% in the employee share of health benefit costs, yet general fund revenues remain insufficient to fund essential public safety and neighborhood services; and

WHEREAS, even with these dramatic steps to reduce expenditures while maintaining the highest possible level of services for our residents, the City of Columbus - along with our state and nation - is now experiencing what is being called the worst economic recession in over sixty years, severely jeopardizing City service delivery and neighborhood infrastructure levels that our residents depend on; and

WHEREAS, in response to this, the City of Columbus commissioned the Economic Advisory Committee in March 2008 to analyze the financial condition of the City's general fund; and

WHEREAS, the Economic Advisory Committee issued a report of its analysis on March 5, 2009 concluding that the City General Fund faces a fiscal imbalance of \$80 to \$120 million; and

WHEREAS, the Economic Advisory Committee report recommends that the fiscal imbalance be resolved through a combination of job creation and retention, cost reductions and efficiencies, and revenue enhancements; and

WHEREAS, the Economic Advisory Committee report included specific cost-saving recommendations and efficiencies/reforms that have been further studied by the City of Columbus; and

WHEREAS, the City has identified the following cost-saving measures with a goal of full implementation over the next ten years:

- A phase-out of the pension pick-up, where the City currently pays the employee share of pension contributions;
- A phased increase of the employee share of health benefit costs;
- A continued review of health benefit enrollees to ensure that the City is only providing health insurance to individuals eligible under the City's employee benefit plan;
- A review of existing overtime policies and the establishment of new policies to discourage excessive overtime;
- A redeployment of uniformed police and firefighters from jobs that could be civilianized to jobs that provide direct public safety services;
- A continuation and expansion of energy efficiency measures to include building weatherization, energy efficient lighting, and more efficient heating and cooling;
- A continuation and expansion of efforts to improve fleet management efficiency;
- A continuation and expansion of on-line auctions to dispose of the City's surplus assets;
- Continue and expand the use of technology to promote efficiency and generate savings; and
- The pursuit of partnerships such as the collaboration with Metroparks to incorporate City trails into the regional trail network.

WHEREAS, the City has brought on an outside consultant who is in the process of comparing and benchmarking compensation (salary, health care, and pension compensation) paid to City employees and will produce a report in June, 2009 with its findings as well as recommendations on how to ensure that Columbus employees' compensation is comparable with the market based on like occupations in the public and private sectors; and

WHEREAS, the City has identified several other areas from the Economic Advisory Committee report that will require further study; and

WHEREAS, it is appropriate and important that the City of Columbus demonstrate continued commitment to more efficient government and reforms as part of the solution to its fiscal imbalance; and

WHEREAS, attached is a more detailed explanation of the 10-year efficiency and reform plan; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to support the cost-saving initiatives outlined above for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore

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

Section 1. The Mayor and City Council of Columbus express support for the cost-saving initiatives and efficiencies/reforms listed in this Resolution as a necessary and integral part of a strategy to confront the City's long-term fiscal imbalance.

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

Legislation Number: 0059X-2009

Drafting Date: 05/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Explanation

Title

To recognize and commend Columbus Police Chief James Jackson for his 50 years of distinguished service to the City of Columbus on the occasion of his retirement from the Columbus Division of Police March 16, 2009.

Body

WHEREAS, Columbus Police Chief James Jackson graduated from the police academy and became a patrol officer in 1958, was promoted to sergeant in 1967, lieutenant in 1971, captain in 1974, and deputy chief in 1977; and

WHEREAS, on June 15, 1990, James Jackson became the first African-American police chief in Columbus and served in that capacity for more than 18 years; and

WHEREAS, one of his first priorities as chief was for the Division to become accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc., which the Division achieved for the first time in July 1999; and

WHEREAS, during his historic and remarkable career, Chief Jackson constantly strived to secure the necessary personnel, equipment and resources to make this Division the epitome of professionalism; and

WHEREAS, Chief Jackson implemented many programs to enhance the public's respect, trust and confidence in the Columbus Division of Police; and

WHEREAS, among the high points of his career, Chief Jackson includes helping women and minorities gain a greater presence on the police force; and

WHEREAS, among his many honors and awards, Chief Jackson received the 2005 National Organization of Black Law Enforcement Executives Lloyd Sealy Award for his outstanding service in the field of criminal justice; and

WHEREAS, Chief Jackson was the longest-serving chief in the Division's history and was the longest active serving chief of any metropolitan city in the United States and Canada; and

WHEREAS, Chief Jackson's 50-year legacy will be forever memorialized through the naming of the Columbus Police Academy in his honor; and

WHEREAS, Chief James Jackson retired on March 16, 2009 after 50 years of commendable service to the citizens of Columbus with the Columbus Division of Police; now; therefore

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

That this Council does hereby recognize and commend Columbus Police Chief James Jackson for his 50 years of distinguished service to the City of Columbus on the occasion of his retirement March 16, 2009.

Legislation Number: 0089-2009

Drafting Date: 01/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Council Variance Application CV08-015

APPLICANT: Anderson Properties Limited Partnership; c/o Brent D. Rosenthal and Jackie Lynn Hager, Attorneys; Carlile Patchen & Murphy LLP; 366 East Broad Street; Columbus, Ohio 43215.

PROPOSED USE: Variances for an existing more objectionable manufacturing use within 600 feet of residential, surface, striping and parking.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This is a companion Council variance to Ordinance # 0046-2009 (Z06-081), a rezoning request from R, Rural District to L-M, Limited Manufacturing District. The non-conforming manufacturing company on the site makes glass products for residential, automotive and commercial markets, including the bending of glass for lenses for the lighting industry. The existing uses on the site include production of glass products, an event center, and a child day care. The day care was originally permitted by council variance in 2006, when the property was zoned in the R, Rural District. The applicant is requesting this Council variance to vary the requirements for parking lot surface, striping and marking of parking spaces, a reduction in the required parking spaces from 216 to 44, and that a more objectionable use, glass production, not be located within 600 feet of a residential or apartment residential district. The entire site is located within 600 feet of a residential and apartment residential zoning district. Glass production is the only "more objectionable manufacturing use" that would be allowed on the site. The Transportation Division has reviewed the proposed parking variance and has determined that it can be supported based on the current uses at this site and the complementary peak demands of the allowable uses, and because an additional 100 unpaved parking spaces are available on the site. The proposed development, as conditioned, is compatible with development in the area.

Title

To grant a Variance from the provisions of Sections 3363.19(C), Location requirements, 3342.23, Striping and marking, 3342.24, Surface, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes, for the property located at **2816 MORSE ROAD (43231)**, to conform an existing "more objectionable manufacturing use" with reduced development standards in the L-M, Manufacturing District. (Council Variance #CV08-015).

Body

WHEREAS, by application No. CV08-015, the owner of property at **2816 MORSE ROAD (43231)**, is requesting a Council variance to conform an existing more objectionable manufacturing use with reduced development standards in the L-M, Limited Manufacturing District; and

WHEREAS, Section 3363.19(C), Location requirements, prohibits more objectionable uses located within less than six hundred (600) feet from the boundaries of any residential or apartment residential district, while the applicant proposes to continue the existing production of glass products for residential, automotive, and commercial markets within 600 feet of residential and apartment residential districts; and

WHEREAS, Section 3342.23, Striping and marking, requires parking spaces to be striped, while the applicant proposes to maintain the un-striped parking spaces to the rear of the building; and

WHEREAS, Section 3342.24, Surface, requires the surface of any parking or loading space, parking lot, aisle or driveway be designed to control stormwater runoff and be improved with Portland cement, asphaltic concrete or hard surface other than gravel or loose fill, while the applicant proposes to maintain the parking and loading area to the rear of the building without such a surface; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires 6 parking spaces for the child day care use, 7 parking spaces for general office use, 51 parking spaces for the manufacturing use, and 152 parking spaces for the banquet hall use, or 216 total parking spaces, while the applicant proposes to maintain the existing 44 paved and striped parking spaces and has approximately 100 unpaved parking spaces available on site; and

WHEREAS, City Departments recommend approval because the proposed development, as conditioned, is compatible with development in 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 **2816 MORSE ROAD (43231)**, 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 3363.19(C), Location requirements; 3342.23, Striping and marking; 3342.24, Surface; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes are hereby granted for the property located at **2816 MORSE ROAD (43231)**, insofar as said sections prohibit the production of glass products for residential, automotive, and commercial markets, a more objectionable use within 600 feet of any residential or apartment district, with parking and loading spaces, parking lot, aisle or driveway to the rear of the building that are not striped or improved with Portland cement, asphaltic concrete or hard surface other than gravel or loose fill, and a reduction in the minimum number of required parking spaces by 172 spaces, from 216 to 44, said property being more particularly described as follows:

2816 MORSE ROAD (43231), being 3.86± acres located on the north side of Morse Road at the intersection with Chesford Road, and being more particularly described as follows:

DESCRIPTION OF A 3.8587 ACRE TRACT OF LAND ON THE NORTH SIDE OF MORSE ROAD AND WEST OF WESTERVILLE ROAD IN THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO.

Parcel 1, Auditor's Parcel No. 010-252898-00

Parcel 2, Auditor's Parcel No. 010-252899-00

Parcel 3, Auditor's Parcel No. 010-252900-00

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of quarter Township 3, Township 2, Range 17 West, United States Military Lands, containing 3.8587 acres of land, more or less, being 1.793 acres of land out of that original 2 acre tract of land, referred to as Parcel 1, being 1.145 acres of land out of that original 1.263 acre tract of land, referred to as Parcel 2, being 0.921 acre of land out of that original 1.015 acre tract of land, referred to as Parcel 3, all three (3) parcels of land being described in a deed to Anderson Properties Limited Partnership, of record in Official Record 13955 E13 (all references to official records, instruments or plat books in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 3.8587 acre tract of land being more particularly described as follows:

Beginning, for reference, at FCGS Monument 1135, thence S 86 deg. 38' 06" E, with the centerline of Morse Road a distance of 400.42 feet to a point at the southwesterly corner of that 0.369 acre tract of land as described in a deed to the Franklin County Commissioners, the southeasterly corner of that 0.228 acre tract of land as described in a deed to the Franklin County Commissioners, of record in Instrument No. 199911100282419, thence N 3 deg. 21' 54" E, with the westerly line of said 0.369 acre tract, the easterly line of said 0.228 acre tract, a distance of 55.00 feet to a point, the true point of beginning;

Thence, from said true point of beginning, continuing N 3 deg. 21' 54" E, with the westerly line of said Parcel 2, the easterly line of that original 0.609 acre tract of land as described in a deed to The McGlaughlin Oil CO., of record in Official record 3237 D16, a distance of 120.00 feet to a point;

Thence N 86 deg. 38' 06" W, with a southerly line of said Parcel 2, the northerly line of said 0.609 acre tract, a distance of 108.76 feet, to an iron pin (found) in a southeasterly right-of-way line of that 58.466 acre tract of land as described in a deed to the Consolidated Utilities Railroad Corp., of record in Instrument No. 199806290161477;

Thence N 29 deg. 19' 22" E with a northwesterly line of said Parcel 2, a southeasterly right-of-way line of said 58.466 acre tract, a distance of 23.25 feet to a point of curvature;

Thence, with the arc of a curve to the right, being northwesterly line of said Parcels Numbered 1, 2 and 3, a southwesterly right-of-way line of said 58.466 acre tract, said curve having a radius of 2861.98 feet, a sub-delta of 12 deg. 15' 24", a length of 612.23 feet, the chord of which bears N 35 deg. 27' 08" E, a chord distance of 611.12 feet to a point at the southwesterly corner of Parkridge Village Section 3, a subdivision of record in Plat Book 45, Page 67;

Thence S 86 deg. 34' 25" E, with the northerly line of said Parcel 1, a portion of the southerly line of said Parkridge Village Section 3, a distance of 66.14 feet to a point at the northwesterly corner of that original 4 acre tract of land as described in a deed to Carcorp, Inc., referred to as Parcel VI;

Thence S 3 deg. 22' 09" W, with the easterly line of said Parcel 1, the westerly line of said Parcel VI, a distance of 658.60 feet, passing an iron pin (found) at a distance of 653.60 feet, to the northeaterly corner of said 0.369 acre tract;

Thence N 86 deg. 38' 06" W, with the northerly line of said 0.369 acre tract, parallel with the centerline of said Morse Road and 55.00 feet northerly therefrom (as measured at right angles), a distance of 292.14 feet to the true point of beginning and containing 3.8587 acres of land, more or less.

Subject to all rights-of-way, easements or restrictions, if any, of previous record.

The basis of bearing N 86 deg. 38' 06" W, is based on the centerline of Morse Road as shown on roadway plans for Franklin County Morse Road Section D on file with the Franklin County Engineers Office.

No monumentation was set by ERLNBACH LAND SURVEYING COMPANY.

The foregoing description was prepared from existing deed, plat, and a mortgage location survey by ERLNBACH LAND SURVEYING COMPANY.

SECTION 2. That this ordinance is further conditioned that the existing paved areas and the area indicated, with cross-hatching, on the plan titled, "**REZONING SITE SURVEY**," signed by Jackie Hager, attorney for the applicant, and dated January 7, 2009, meet the striping and marking requirements of Section 3342.23 and the surface requirements of Section 3342.24. Any slight adjustment to the plan shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

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

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

Legislation Number: 0302-2009

Drafting Date: 02/20/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Public Safety Director to modify and extend a contract with NationAir Insurance for helicopter insurance for six months. The Division of Police advertised to receive bids for insurance for the six MD 500E helicopters on January 14, 2009. These bids were non-responsive. In order to maintain insurance coverage during the new bid process, the Division of Police needs to modify and extend the current contract with NationAir Insurance Agencies, Inc. for hull insurance. This extension is critical in order to protect the City's investment while new bids are reviewed and an award is made to the winning bidder. Extension of the contract term to August 1, 2009 will ensure that the insurance remains effective until new bids are received and reviewed.

Bid Information: A formal bid for helicopter insurance, SA003126 was opened January 14, 2009, and both bids were non-responsive. Therefore, in order to get better pricing, Real Estate Management has processed a Request for Proposal ("RFP") for insurance broker service for the City's Property and Casualty, Boiler and Machinery and Aviation Insurance programs.

Contract Compliance No: 43-1188120 Expires 02/05/2010

Emergency Designation: Emergency legislation is requested so that the contract for insurance can be extended to allow for payment of six additional months of insurance coverage with the current vendor, while the RFP for insurance services are processed and bids are reviewed. Current insurance expired February 8, 2009.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$70,751.00 from Law Enforcement Seizure Fund for six additional months of insurance for the Police helicopters. The Police Division spent \$170,208.00 in 2006 for insurance, \$160,317.00 in 2007 and \$170,087.00 in 2008. Unlike previous years, this expense does not impact the General Fund, because funding is from the Law Enforcement Seizure Fund.

Title

To authorize and direct the Public Safety Director to modify and extend a contract for insurance for helicopters with NationAir Insurance Agencies, Inc., for the Division of Police, to authorize the expenditure of \$70,751.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$70,751.00)

Body

WHEREAS, the Division of Police needs to extend the contract for hull and liability insurance coverage until August 1, 2009 for its helicopters to allow for coverage until new bids are received and reviewed; and

WHEREAS, a Request for Proposal ("RFP") has been processed by Real Estate Management for insurance services; and

WHEREAS, NationAir Insurance Agencies, Inc., the current provider, has agreed to extend insurance coverage for six additional months; and

WHEREAS, an emergency exists in the usual daily operations of the Division of Police in that it is immediately necessary to modify and extend the contract EL005833 for the purchase of additional insurance for seven helicopters, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the Public Safety Director be and is hereby authorized and directed to modify and extend the contract with NationAir Insurance Agencies, Inc. for the purchase of six months of additional hull and liability insurance for the Division of Police's helicopters.

SECTION 2. That the expenditure of \$70,751.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | FUND 219 | OBJ LEVEL (1) 03 | OBJECT LEVEL (3) 3392 | OCA # 300988 | SUBFUND 016 |

SECTION 3. That for the 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: 0332-2009

Drafting Date: 02/26/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: There is a need to appropriate \$20,000.00 from the unappropriated funds in the Hester F. Dysart Paramedic Continuing Education Trust Fund. Ordinance No. 1955-79, passed September 10, 1979, established the Hester F. Dysart Paramedic Continuing Education Trust Fund in order to provide supplemental monies for continuing education of Fire Division Emergency Medical Services (EMS) personnel. The Training Bureau has identified continuing education courses and training materials for paramedics for which these funds are required.

The Division of Fire has expended approximately \$5,000.00 in 2007, and \$7,000.00 in 2008 from this fund for said purpose.

Bid Information: N/A

Contract Compliance: N/A

Emergency Designation: Emergency action is requested to make funding immediately available for pending training requests.

FISCAL IMPACT: This ordinance authorizes an appropriation of \$20,000.00 in the Hester F. Dysart Paramedic Continuing Education Trust Fund for the Division of Fire. The amount of Dysart Trust Fund monies currently available for appropriation and use totals \$44,715.67. There are no matching funds required of the General Fund budget. The Dysart Trust Fund monies shall be used for approved training and educational purposes in the ratio of two dollars to each non-fund dollar. The cost of the additional one third shall be paid by the personnel.

TitleTo authorize an appropriation of \$20,000.00, from the unappropriated monies in the Hester F. Dysart Paramedic Continuing Education Trust Fund for the Division of Fire, and to declare an emergency. (\$20,000.00)

Body**WHEREAS**, the Division of Fire Training Bureau encourages participation in continuing education courses and seminars by medic personnel as technology advances and new protocols dictate that EMS personnel use the most professional methods available; and

WHEREAS, the Division of Fire can utilize the funds in the Hester F. Dysart Paramedic Continuing Education Trust Fund

for this purpose with the matching funds provisions as set forth in Ordinance No. 1955-79; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to appropriate said funds for the Division of Fire for pending training requests 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 cash balance and from any and all sources estimated to come into said fund and unappropriated for any other purpose, the following sums are appropriated to the designated codes in the Public Safety Department 30, Fire Division #30-04, Hester F. Dysart Paramedic Continuing Education Trust Fund #230, OCA Code 631408, OL3 Code 3331, in the amount \$20,000.00.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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: 0422-2009

Drafting Date: 03/12/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This ordinance will enable the Director of Recreation and Parks to enter into a contract with Class Acts Columbus, Inc., for professional and fiscal services to Music in the Air and the Office of Special Events for the Jazz and Rib Fest to be held July 24, 25 and 26th , 2009 and other events as needed. Services include all details pertaining to artist booking, advance performance, travel and production arrangements. Fiscal agent services include processing artist contracts and payment of contract deposits and artist fees. Class Acts Columbus will collect all festival vendor fees and beverage receipts, and pay event expenses from invoices as authorized and directed by CRPD. Class Acts Columbus will maintain financial records pertaining to all transactions. Class Act Columbus will hold a bond in the amount of \$100,000.00 and Certificate of Insurance as required by the City.

Compensation to Class Acts Columbus will be \$7,500 and 10 percent of the artists' contract fees as payment for these services, with total payment no to exceed \$20,000. Payment will be made to Class Acts upon receipt of proof of payment and invoice for services rendered. Due to the unique nature of the services provided the department is requesting the waiver of competitive bidding requirements to enter into an agreement with Class Acts Columbus.

Due to the unique nature of the services provided, the Department is requesting the waiver of the competitive bidding provisions of the Columbus City Code to enter into a contract with Class Acts Columbus, Inc.

The Federal ID Number for Class Acts Columbus, Inc., is 31-1340678 and they are contract compliant through March 11, 2011.

Emergency action is requested in order to obtain commitments from entertainers, secure major programmatic elements and process contracts for performances beginning in June 2009.

Fiscal Impact:

A total of (estimated \$100,000.00) is required to meet the financial obligation of this agreement as follows:

<u>Project Title</u>	<u>Fund No.</u>	<u>Grant No.</u>	<u>O. C. A.</u>	<u>O. L. 3</u>	<u>Amount</u>
Music in the Air					
-Donations	286	518626	510784	3336	\$85,000
R & P Operating Fund	285	516567		3336	\$15,000

TOTAL : \$100,000

Title

To authorize and direct the Director of Recreation and Parks to enter into a contract with Class Acts Columbus, Inc., to provide professional and fiscal services for the Jazz and Rib Fest to be held July 24, 25, and 26, 2009; to waive the formal bidding provisions of the Columbus City Code, to authorize the expenditure of \$85,000.00 from the Music in the Air Donation Fund and \$15,000.00 from Recreation and Parks Operating Fund; and to declare an emergency. (\$100,000.00)

Body

WHEREAS, it is in the best interest of the City of Columbus to waive the formal bidding provisions of the Columbus City Code 329.06(b) and contract with Class Acts Columbus, Inc., to provide professional and fiscal services to Music in the Air and the Office of Special Events for Jazz and Rib Fest to be held July 24, 25, and 26, 2009; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract in order to obtain commitments from artists, secure major programmatic elements and process contracts for performances by July 2009; now, therefore

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

SECTION 1. That this Council finds it in the best interest of the City of Columbus to waive the provisions of the Columbus City Code to Music in the Air and the Office of Special Events for Jazz and Rib Fest to be held July 24, 25, and 26, 2009, and does hereby waive provisions of Section 329.06(b) of the Columbus City Codes.

SECTION 2. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Class Acts Columbus, Inc., to provide professional and fiscal services to Music in the Air and the Office of Special Events for Jazz and Rib Fest to be held July 24, 25, and 26, 2009.

SECTION 3. That the expenditure of \$100,000.00, or so much thereof as may be necessary, be and is hereby authorized from Department No. 51-01, as follows, to pay the cost thereof:

<u>Project Title</u>	<u>Fund No.</u>	<u>Grant No.</u>	<u>O. C. A.</u>	<u>O. L. 3</u>	<u>Amount</u>
Music in the Air					
-Donations	286	518626	510784	3336	\$85,000
R & P Operating Fund	285	516567		3336	\$15,000

TOTAL : \$100,000

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: 0427-2009

Drafting Date: 03/12/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Alum Creek Drive Improvement Project.

Fiscal Impact: Funding for this project is from the Department of Public Service, Division of Design and Construction, Federal-State Highway Engineering Fund.

Emergency Justification: Emergency action is requested to allow the acquisition of the parcels necessary for this project to proceed without delay in order that the project may meet its deadline.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary the Alum Creek Drive Improvement Project, to authorize the expenditure of \$55,415.00 from the Federal-State Highway Engineering Fund; and to declare an emergency. (\$55,415.00).

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Alum Creek Drive Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0030X-2008, on the 25th day of February, 2008, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore:

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

Section 1. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Alum Creek Drive Improvement Project, #561004, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

161WDV

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 1, Township-4-North, Range-22-West, Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 1.5 acre tract as conveyed to George C. Smith and George S. Smith by deed of record in Instrument Number 200610040198313, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land located on the right side of the Plat of the Centerline of Right-of-Way of FRA-C.R. 122-4.14, as recorded in Plat Book ___, Page ___;

Beginning for reference at Franklin County Monument #8840, at the intersection of the existing right-of-way centerline of Watkins Road (East), with the existing right-of-way centerline of Alum Creek Drive (County Road 122), being 0.00 feet right of Alum Creek Drive station 142+58.23;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 2054.47 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the easterly line of said Section 1, Township 4, Range 22, to an angle point in said centerline, at the south corner of said Smith 1.5 acre

tract, being 0.00 feet right of Alum Creek Drive station 163+12.70, and being the Point of True Beginning;

Thence North 32 degrees 15 minutes 32 seconds West, a distance of 408.57 feet along the existing right-of-way centerline of said Alum Creek Drive, and along a westerly line of said Smith 1.5 acre tract, to an angle point in said centerline, being 0.00 feet right of Alum Creek Drive station 167+21.27;

Thence North 26 degrees 29 minutes 32 seconds West, a distance of 110.11 feet along the existing right-of-way centerline of said Alum Creek Drive, and along a westerly line of said Smith 1.5 acre tract, to a point in said centerline, at the northwest corner of said Smith 1.5 acre tract, being 0.00 feet right of Alum Creek Drive station 168+31.38;

Thence South 86 degrees 35 minutes 26 seconds East, a distance of 86.52 feet along the northerly line of said Smith 1.5 acre tract, and along the southerly line of Lot 17E of McDowell's Lawndale Avenue Block of Lots in Alumcrest Acres (An Unrecorded Subdivision Plat), as conveyed to Watt Khmer Puthipreak by deed of record in Instrument Number 199707180050341, to an iron pin set at the intersection with the proposed easterly right-of-way line of said Alum Creek Drive, being 75.00 feet right of Alum Creek Drive station 167+88.25;

Thence South 26 degrees 29 minutes 32 seconds East, a distance of 80.79 feet across said Smith 1.5 acre tract, and along the proposed easterly right-of-way line of said Alum Creek Drive, to an iron pin set at an angle point in the proposed easterly right-of-way line of said Alum Creek Drive, being 73.23 feet right of Alum Creek Drive station 167+00.00;

Thence South 20 degrees 37 minutes 33 seconds East, a distance of 214.40 feet across said Smith 1.5 acre tract, and along the proposed easterly right-of-way line of said Alum Creek Drive, to an iron pin set at the intersection with the existing easterly right-of-way line of said Alum Creek Drive, being 30.00 feet right of Alum Creek Drive station 164+90.00;

Thence South 32 degrees 15 minutes 32 seconds East, a distance of 135.58 feet across said Smith 1.5 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to the intersection with the easterly line of said Smith 1.5 acre tract, being 30.00 feet right of Alum Creek Drive station 163+54.42;

Thence South 03 degrees 27 minutes 52 seconds West, a distance of 51.38 feet along the easterly line of said Smith 1.5 acre tract, and along the westerly line of that 1.910 acre tract as conveyed to the Boots Fulton Partnership by deed of record in Instrument Number 199803190063761, to the Point of True Beginning, containing 0.539 acres, more or less, of which 0.361 acres, more or less, lies within the present road occupied;

Of the above described area, 0.539 acres is contained within the Franklin County Auditor's Parcel 010-113244;

The bearing datum of the afore-described parcel is based on the bearing of North 04 degrees 02 minutes 12 seconds East, for the centerline of Alum Creek Drive, from an adjusted field survey using G.P.S. methods using Franklin County Monuments #8819, #8820 and #8840, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was based upon a survey of Alum Creek Drive and Williams Road by R.D. Zande & Associates, Inc., in March 1999, and prepared on February 8, 2007 by Tim A. Baker, Registered Surveyor 7818.

Iron pins set are 3/4 inches in diameter by 30 inches long with a 1-1/2 inch aluminum cap placed on top, bearing the name "ODOT R/W" and "R D ZANDE & ASSOC". Grantor claims title by instrument of record in Instrument Number 200610040198313, of the Recorder's Office, Franklin County, Ohio. R.D. ZANDE AND ASSOCIATES, INC., Registered Surveyor No. 7818

161-T

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 1, Township-4-North, Range-22-West, Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 1.5 acre tract as conveyed to George C. Smith and George S. Smith by deed of record in Instrument Number 200610040198313, records of the Recorder's Office, Franklin County, Ohio, and

being more particularly described as follows:

Being a parcel of land located on the right side of the Plat of the Centerline of Right-of-Way of FRA-C.R. 122-4.14, as recorded in Plat Book ___, Page ___;

Beginning for reference at Franklin County Monument #8840, at the intersection of the existing right-of-way centerline of Watkins Road (East), with the existing right-of-way centerline of Alum Creek Drive (County Road 122), being 0.00 feet right of Alum Creek Drive station 142+58.23;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 2054.47 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the easterly line of said Section 1, Township 4, Range 22, to an angle point in said centerline, at the south corner of said Smith 1.5 acre tract, being 0.00 feet right of Alum Creek Drive station 163+12.70;

Thence North 32 degrees 15 minutes 32 seconds West, a distance of 257.30 feet along the existing right-of-way centerline of said Alum Creek Drive, and along a westerly line of said Smith 1.5 acre tract, to a point in said centerline, being 0.00 feet right of Alum Creek Drive station 165+70.00,;

Thence North 57 degrees 44 minutes 28 seconds East, a distance of 46.47 feet perpendicular to the existing right-of-way centerline of said Alum Creek Drive, and across said Smith 1.5 acre tract, to a point in the proposed easterly right-of-way line of said Alum Creek Drive, being 46.47 feet right of Alum Creek Drive station 165+70.00 and being the Point of True Beginning;

Thence North 20 degrees 37 minutes 33 seconds West, a distance of 71.47 feet across said Smith 1.5 acre tract, and along the proposed easterly right-of-way line of said Alum Creek Drive, to a point being 60.88 feet right of Alum Creek Drive station 166+40.00;

Thence South 87 degrees 46 minutes 35 seconds East, a distance of 35.33 feet across said Smith 1.5 acre tract to a point being 90.00 feet right of Alum Creek Drive station 166+20.00;

Thence South 32 degrees 15 minutes 32 seconds East, a distance of 50.00 feet across said Smith 1.5 acre tract to a point being 90.00 feet right of Alum Creek Drive station 165+70.00;

Thence South 57 degrees 44 minutes 28 seconds West, a distance of 43.53 feet across said Smith 1.5 acre tract to the Point of True Beginning, containing 0.052 acres, more or less;

Of the above described area, 0.052 acres is contained within the Franklin County Auditor's Parcel 010-113244;

The bearing datum of the afore-described parcel is based on the bearing of North 04 degrees 02 minutes 12 seconds East, for the centerline of Alum Creek Drive, from an adjusted field survey using G.P.S. methods using Franklin County Monuments #8819, #8820 and #8840, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was based upon a survey of Alum Creek Drive and Williams Road by R.D. Zande & Associates, Inc., in March 1999, and prepared on January 15, 2007 by Tim A. Baker, Registered Surveyor 7818.

Iron pins set are 3/4 inches in diameter by 30 inches long with a 1-1/2 inch aluminum cap placed on top, bearing the name "ODOT R/W" and "R D ZANDE & ASSOC".

Grantor claims title by instrument of record in Instrument Number 200610040198313, of the Recorder's Office, Franklin County, Ohio.

R.D. ZANDE AND ASSOCIATES, INC., Registered Surveyor No. 7818

Section 2. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Alum Creek Drive Improvement Project, #561004, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

166WDV

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 1, Township-4-North, Range-22-West, Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 14.766 acre tract (Auditor's Acreage), as conveyed to George C. Smith and George S. Smith by deed of record in Official Records 28925 A04 and 29032 H20, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land located on the right side of the Plat of the Centerline of Right-of-Way of

FRA-C.R. 122-4.14, as recorded in Plat Book ____, Page ____;

Beginning for reference at Franklin County Monument #8840, at the intersection of the existing right-of-way centerline of Watkins Road (East), with the existing right-of-way centerline of Alum Creek Drive (County Road 122), being 0.00 feet right of Alum Creek Drive station 142+58.23;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 2054.47 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the easterly line of said Section 1, Township 4, Range 22, to an angle point in said centerline, being 0.00 feet right of Alum Creek Drive station 163+12.70;

Thence North 32 degrees 15 minutes 32 seconds West, a distance of 408.57 feet along the existing right-of-way centerline of said Alum Creek Drive (1956 Roadway) to an angle point in said centerline, being 0.00 feet right of Alum Creek Drive station 167+21.27;

Thence North 26 degrees 29 minutes 32 seconds West, a distance of 432.12 feet along the existing right-of-way centerline of said Alum Creek Drive (1956 Roadway), to a point in said centerline at the southwest corner of that 2.514 acre tract as conveyed to the City of Columbus by deed of record in Deed Book 3782, Page 707, being 0.00 feet right of Alum Creek Drive station 171+53.39;

Thence South 86 degrees 35 minutes 26 seconds East, a distance of 34.61 feet along the southerly line of said Columbus 2.514 acre tract, and along the northerly line of Lot 17E of McDowell's Lawndale Avenue Block of Lots in Alumcrest Acres (An Unrecorded Subdivision Plat), as conveyed to Watt Khmer Puthipreak by deed of record in Instrument Number 199707180050341, to an iron pin found at the intersection with the existing easterly right-of-way line of said Alum Creek Drive, at the southwest corner of said Smith 14.766 acre tract, being 30.00 feet right of Alum Creek Drive station 171+36.14, and being the Point of True Beginning;

Thence North 26 degrees 29 minutes 32 seconds West, a distance of 139.03 feet along a westerly line of said Smith 14.766 acre tract, along an easterly line of said Columbus 2.514 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in said right-of-way line, being 30.00 feet right of Alum Creek Drive station 172+75.17;

Thence North 75 degrees 45 minutes 34 seconds East, a distance of 10.23 feet along a westerly line of said Smith 14.766 acre tract, along an easterly line of said Columbus 2.514 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in said right-of-way line, being 40.00 feet right of Alum Creek Drive station 172+73.00;

Thence North 26 degrees 29 minutes 32 seconds West, a distance of 133.00 feet along a westerly line of said Smith 14.766 acre tract, along an easterly line of said Columbus 2.514 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in said right-of-way line, being 40.00 feet right of Alum Creek Drive station 174+06.00;

Thence North 23 degrees 31 minutes 12 seconds West, a distance of 135.00 feet along a westerly line of said Smith 14.766 acre tract, along an easterly line of said Columbus 2.514 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an angle point in said right-of-way line, being 47.00 feet right of Alum Creek Drive station 175+40.81;

Thence North 25 degrees 45 minutes 39 seconds East, a distance of 35.41 feet along a westerly line of said Smith 14.766 acre tract, along an easterly line of said Columbus 2.514 acre tract, and along the existing easterly right-of-way line of said Alum Creek Drive, to an iron pin set at the intersection with the proposed easterly right-of-way line of said Alum Creek Drive, being 75.00 feet right of Alum Creek Drive station 175+62.49;

Thence South 26 degrees 29 minutes 32 seconds East, a distance of 452.23 feet across said Smith 14.766 acre tract, and along the proposed easterly right-of-way line of said Alum Creek Drive, to an iron pin set in the southerly line of said Smith 14.766 acre tract, being 75.00 feet right of Alum Creek Drive station 171+10.26;

Thence North 86 degrees 35 minutes 26 seconds West, a distance of 51.91 feet along the southerly line of said Smith 14.766 acre tract, and along the northerly line of Lot 17E, to the Point of True Beginning, containing 0.366 acres, more or less, of which 0.000 acres, more or less, lies within the present road occupied;

Of the above described area, 0.366 acres is contained within the Franklin County Auditor's Parcel 010-115118;

The bearing datum of the afore-described parcel is based on the bearing of North 04 degrees 02

minutes 12 seconds East, for the centerline of Alum Creek Drive, from an adjusted field survey using G.P.S. methods using Franklin County Monuments #8819, #8820 and #8840, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was based upon a survey of Alum Creek Drive and Williams Road by R.D. Zande & Associates, Inc., in March 1999, and prepared on February 24, 2005 by Tim A. Baker, Registered Surveyor 7818.

Iron pins set are 3/4 inches in diameter by 30 inches long with a 1-1/2 inch aluminum cap placed on top, bearing the name "ODOT R/W" and "R D ZANDE & ASSOC".

Grantor claims title by instrument of record in Official Records 28925 A04 and 29032 H20, of the Recorder's Office, Franklin County, Ohio.

R.D. ZANDE AND ASSOCIATES, INC. Registered Surveyor No. 7818

166-T

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 1, Township-4-North, Range-22-West, Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 14.766 acre tract (Auditor's Acreage), as conveyed to George C. Smith and George S. Smith by deed of record in Official Records 28925 A04 and 29032 H20, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land located on the right side of the Plat of the Centerline of Right-of-Way of FRA-C.R. 122-4.14, as recorded in Plat Book ____, Page ____;

Beginning for reference at Franklin County Monument #8840, at the intersection of the existing right-of-way centerline of Watkins Road (East), with the existing right-of-way centerline of Alum Creek Drive (County Road 122), being 0.00 feet right of Alum Creek Drive station 142+58.23;

Thence North 03 degrees 49 minutes 28 seconds East, a distance of 2054.47 feet along the existing right-of-way centerline of said Alum Creek Drive, and along the easterly line of said Section 1, Township 4, Range 22, to an angle point in said centerline, being 0.00 feet right of Alum Creek Drive station 163+12.70;

Thence North 32 degrees 15 minutes 32 seconds West, a distance of 408.57 feet along the existing right-of-way centerline of said Alum Creek Drive (1956 Roadway) to an angle point in said centerline, being 0.00 feet right of Alum Creek Drive station 167+21.27;

Thence North 26 degrees 29 minutes 32 seconds West, a distance of 628.73 feet along the existing right-of-way centerline of said Alum Creek Drive (1956 Roadway), to a point in said centerline being 0.00 feet right of Alum Creek Drive station 173+50.00;

Thence North 63 degrees 30 minutes 28 seconds East, a distance of 75.00 feet perpendicular to the existing right-of-way centerline of said Alum Creek Drive, to a point in the proposed easterly right-of-way line of said Alum Creek Drive, being 75.00 feet right of Alum Creek Drive station 173+50.00, and being the Point of True Beginning;

Thence North 26 degrees 29 minutes 32 seconds West, a distance of 212.49 feet across said Smith 14.766 acre tract, and along the proposed easterly right-of-way line of said Alum Creek Drive, to an iron pin set being 75.00 feet right of Alum Creek Drive station 175+62.49;

Thence North 25 degrees 45 minutes 39 seconds East, a distance of 22.05 feet along a westerly line of said Smith 14.766 acre tract and along the existing easterly right-of-way line of said Alum Creek Drive to a point being 92.43 feet right of Alum Creek Drive station 175+76.00;

Thence South 00 degrees 55 minutes 33 seconds East, a distance of 28.81 feet across said Smith 14.766 acre tract to a point being 80.00 feet right of Alum Creek Drive station 175+50.00;

Thence South 26 degrees 29 minutes 32 seconds East, a distance of 75.00 feet across said Smith 14.766 acre tract to a point being 80.00 feet right of Alum Creek Drive station 174+75.00;

Thence North 81 degrees 56 minutes 34 seconds East, a distance of 15.81 feet across said Smith 14.766 acre tract to a point being 95.00 feet right of Alum Creek Drive station 174+70.00;

Thence South 26 degrees 29 minutes 32 seconds East, a distance of 35.00 feet across said Smith 14.766 acre tract to a point being 95.00 feet right of Alum Creek Drive station 174+35.00;

Thence South 13 degrees 15 minutes 06 seconds East, a distance of 87.32 feet across said Smith 14.766 acre tract, to the Point of True Beginning, containing 0.050 acres, more or less;

Of the above described area, 0.050 acres is contained within the Franklin County Auditor's Parcel 010-115118;

The bearing datum of the afore-described parcel is based on the bearing of North 04 degrees 02 minutes 12 seconds East, for the centerline of Alum Creek Drive, from an adjusted field survey using G.P.S. methods using Franklin County Monuments #8819, #8820 and #8840, based on the Ohio State Plane Coordinate System, South Zone, NAD 83.

This description was based upon a survey of Alum Creek Drive and Williams Road by R.D. Zande & Associates, Inc., in March 1999, and prepared on May 22, 2007 by Tim A. Baker, Registered Surveyor 7818.

Iron pins set are 3/4 inches in diameter by 30 inches long with a 1-1/2 inch aluminum cap placed on top, bearing the name "ODOT R/W" and "R D ZANDE & ASSOC".

Grantor claims title by instrument of record in Official Records 28925 A04 and 29032 H20, of the Recorder's Office, Franklin County, Ohio.

R.D. ZANDE AND ASSOCIATES, INC., Registered Surveyor No. 7818

Section 3. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 4. That the Council of the City of Columbus hereby declares its intention to obtain immediate possession of the real property interests described herein.

Section 5. That the Council of the City of Columbus hereby fixes the value of said fee simple title and lesser interests as follows:

- | | |
|-------------|-------------|
| 1. 161WD, T | \$5,575.00 |
| 2. 166WD, T | \$49,840.00 |

Section 6. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 7. That the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$55,415.00, or so much thereof as may be necessary from fund 765, the Federal State Highway Engineering Fund, Department No. 59-12, Division of Design and Construction, Object Level One Code 06, Object Level Three Code 6601, Auditors Certificate #027844, OCA 591294, Grant 597015, to pay those costs relative to the acquisition of the additional rights-of-way required for the Alum Creek Drive Improvement project.

Section 8. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0444-2009

Drafting Date: 03/16/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: To authorize and direct the Director of Public Safety, Division of Police, to modify and extend the contract with Helicopter Minit-Men, Inc. for the purpose of providing maintenance for the Police helicopters. The original

contract, DL013049 has an option to renew. This will be the third and final year of the contract. The current contract expires in March 2009.

Contract Compliance No: 31-0864866, Expires 02/13/2010

Emergency Designation: Emergency legislation is requested so that the current contract may be continued without interruption.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$100,000.00 from the Division of Police 2009 General Fund operating budget for helicopter maintenance. The Division spent \$732,819.00 in 2007 and \$732,819.00 in 2008 for this service. The Division of Police budgeted \$562,010 in the 2009 budget for this expense.

Title

To authorize and direct the Director of Public Safety to modify and extend the contract for helicopter maintenance with Helicopter Minit-Men, Inc. for the Division of Police; to authorize the expenditure of \$100,000.00 from the General Fund; and to declare an emergency. (\$100,000.00)

Body

WHEREAS, the Director of Public Safety, Division of Police, needs to have a contract for helicopter maintenance; and

WHEREAS, the current contract has the option to renew for a third and final year with Helicopter Minit-Men, Inc.; and

WHEREAS, emergency legislation is requested so that the current contract may be continued without interruption; 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 modify and extend the contract for helicopter maintenance thereby preserving the public peace, property, health, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Public Safety, be and is hereby authorized and directed to modify and extend the contract with Helicopter Minit-Men, for helicopter maintenance for the Division of Police.

SECTION 2. That the expenditure of \$100,000.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

| DEPT 30-03 | FUND 010 | OBJ LEV 1 (03) | OBJ LEV 3 (3378) | OCA 300707 |

SECTION 3. 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: 0451-2009

Drafting Date: 03/17/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

ExplanationTo authorize the Director of the Recreation & Parks Department to accept a grant and enter into an agreement with The Columbus Foundation, and provide for the appropriation of said funds to the Columbus Recreation & Parks Grant Fund. \$75,000.00 has been awarded to renovate the Carriage Place playground to a universally accessible playground. The target completion date for this project is December 31, 2009.

The total grant amount from the Henry E. Coyle Fund of The Columbus Foundation is \$75,000. This City of Columbus is to contribute a minimum of \$45,000 from Fund 702, Voted Bond funds, to support the installation of the playground. The grantee is to secure the remaining \$125,000 (cash or in-kind, including the value of corporate discounts) necessary to complete the installation of the playground.

Financial Information

75,000.00 in grant funding will be used exclusively to playground improvements to Carriage Place.

The fiscal impact of this ordinance will be to reduce the Recreation and Parks Grant Fund's unappropriated balance by \$75,000.00.

The expenditure of \$75,000.00 is budgeted in the Recreation and Parks Grant Fund 291.

TitleTo authorize the Director of the Recreation & Parks Department to accept a grant and enter into an agreement with The Columbus Foundation to appropriate said funds to the Recreation & Parks Grant Fund. (\$75,000.00)

BodyWHEREAS, The Henry E. Coyle Fund of The Columbus Foundation has awarded the City of Columbus, Recreation and Parks Department, a grant to renovate the Carriage Place playground to a universally accessible playground; and

WHEREAS, the total grant amount being awarded is \$75,000. The required local match will be through in-kind services and community build and Columbus Recreation & Parks CIP funding; and

WHEREAS, the need exists at Carriage Place Recreation Center to renovate to a universally accessible playground. The target completion date for this project is December 31, 2009; and

WHEREAS, That this ordinance shall take effect and be in force from and after the earliest date allowed by law; now, therefore

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

SECTION 1. That the Director of the Recreation and Parks Department is hereby authorized to accept a grant of \$75,000 and enter into an agreement with The Columbus Foundation, and provide for the appropriation of said funds to the Columbus Recreation & Parks Grant Fund.

SECTION 2. That the need exists at Carriage Place Recreation Center to renovate to a universally accessible playground. The target completion date for this project is December 31, 2009.

SECTION 3. That from the unappropriated monies in the Recreation and Parks Private Grant Fund No. 291, 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, 2009, the sum of \$75,000.00 is appropriated to the Recreation and Parks Department as follows:

Department Number: 51-01, Grant Number:519043 , OCA Code:519043 , Object Level 3: 6621

SECTION 4. That the monies in the foregoing Section 3 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications with this legislation.

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

Legislation Number: 0470-2009

Drafting Date: 03/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:**

This ordinance will authorize the Director of the Department of Technology to renew an agreement for annual fiber network and broadband access and related services, with The Ohio State University/Ohio Supercomputer Center (OSC); a local non-profit educational institute (servicing grades K-12, colleges and universities) and is the provider of the State of Ohio's OSCnet. OSCnet provides advanced technology; network linking communities, universities, and colleges; provides media and devices for Internet information transmission; supports education, research, healthcare and economic development programs throughout the state. The original contract EL007115 was established through the approval of ordinance number 0789-2007 passed by City Council on June 4, 2007, provided language that allows for modifications and renewals for additional coverage periods at the end of each year's coverage period, contingent upon the express written approval of all parties and the City's appropriation and authorization of funds.

The agreement allows The Ohio State University/Ohio Supercomputer Center (non-profit organization) and the City of Columbus to work together to connect OSCnet's statewide network to the City's community fiber network; cables laid to provide connections for information transmission throughout communities. OSCnet provides Internet services to the City and provides access to broadband (a high speed telecommunication media or device used for information of data transmission) by utilizing existing fiber connectivity and resources.

Passage of this ordinance will provide for annual fiber network and broadband access and related services, with a coverage period from July 25, 2009 to July 24, 2010.

FISCAL IMPACT:

Previously, in the year of 2007 purchase order EL007115 was established in the amount of \$27,720.00 funding the first year of services, for the agreement with The Ohio State University/Ohio Supercomputer Center. During fiscal year 2008, funds in the amount of \$46,800.00 were legislated and encumbered for same services. The funds for this year's contract renewal, in the amount of \$46,800.00, with a coverage period of July 25, 2009 to July 24, 2010, are available within the Department of Technology's Information Services Fund. This is the second contract modification renewal associated with the original agreement. Approval of this ordinance, through the Department of Technology, will bring the contract total to \$121,320.00.

CONTRACT COMPLIANCE: 31-6401599 (Non Profit Organization)

TitleTo authorize the Director of the Department of Technology to renew a contract with The Ohio State University/Ohio Supercomputer Center, for fiber network and broadband access and related services; and to authorize the expenditure of \$46,800.00 from the Department of Technology's Information Services Fund (\$46,800.00)

Body

WHEREAS, this ordinance will authorize the Director of the Department of Technology to renew an agreement with The Ohio State University/Ohio Supercomputer Center (OSC); a local non-profit educational institute (servicing grades K-12, colleges and universities) and is the provider of the State of Ohio's OSCnet; and

WHEREAS, this agreement allows The Ohio State University/Ohio Supercomputer Center and the City of Columbus to work together to connect OSCnet's statewide network to the City's community fiber network; cables laid to provide connections for information transmission throughout communities; and

WHEREAS, passage of this ordinance will provide for annual fiber network and broadband access and related services, with a coverage period from July 25, 2009 to July 24, 2010.

WHEREAS, it is necessary to renew a contract with The Ohio State University/Ohio Supercomputer Center, for fiber network and broadband access and related services, for the preservation of the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1: That the Director of the Department of Technology be and is hereby authorized to renew a contract with The Ohio State University/Ohio Supercomputer Center, for fiber network and broadband access and related services with a coverage period from July 25, 2009 to July 24, 2010.

SECTION 2: That the expenditure of \$46,800.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.:47-02|**Fund:**514|**Subfund:** 001|**OCA Code:** 470206|**Obj. Level 1:**03|**Obj. Level 3:** 3367|
Amount: \$46,800.00

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

Legislation Number: 0488-2009

Drafting Date: 03/20/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

- A. **Need.** This legislation authorizes the Director of Public Utilities to modify the agreement with Malcolm Pirnie, Inc., for professional program management services for the 2006-2010 Capital Improvements Program of the Division of Sewerage and Drainage. The work in that program is a very substantial group of sewer capital improvements projects (CIPs), both collections systems and treatment works improvements, which have been agreed to by the City and Ohio EPA in order to conform to the requirements of the City's consent orders. The actual emplacement of the CIPs will be by construction contract; the professional program management contract is providing: program planning, scheduling, budgeting, and status reporting; construction management; design management; some design of critical projects; special services such as Value Engineering, and other services for this very large, important program, as directed by the City. The initial authorization of, and appropriation of monies to, this contract was accomplished by Ordinance No. 0731-2006, passed May 8, 2006. The Malcolm Pirnie, Inc. modification amount requested under this ordinance is \$15,335,900.00. The contract total including

this modification is \$65,718,025.00. This contract was always planned to be funded incrementally, via approximately annual appropriations. The current appropriation will be exhausted at the end of April, 2009, and this modification provides monies to continue this important work into FY2010.

B. **Contract Compliance No.:** 132653703/001 (MAJ) (Expires 04/07/2010)

C. **Emergency Designation:** No emergency designation is required or requested.

2. **FISCAL IMPACT:**

This ordinance authorizes the transfer and expenditure of funds within the Sanitary Sewer Revenue Bonds Fund; the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; and the transfer and expenditure of funds from the Voted Sanitary Sewer Bond Fund. The 2008 Capital Improvements Budget is amended for this expenditure upon passage of this ordinance. The probable total amount of this contract over the program duration through 2011 may be approximately \$84,968,625.00. This contract is planned to be modified, approximately annually, to provide needed monies as the program proceeds. Actual timing and modification amounts will depend upon the progress and development of the overall program.

Title

To authorize the Director of Public Utilities to execute planned contract modification #4 with Malcolm Pirnie, Inc., for Professional Program Management Services for the Division of Sewerage and Drainage's 2006-2010 Capital Improvements Program under the Wet Weather Management Plan; to authorize the transfer of \$0.99 and the expenditure of \$10,387,836.50 from within the Sanitary Sewer Revenue Bonds Fund; to authorize the transfer and appropriation of \$4,298,077.87 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the transfer of \$649,985.63 within the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$4,948,063.50 within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$15,335,900.00).

Body

WHEREAS, the Division of Sewerage and Drainage is undertaking a substantial program of large capital improvements to improve the Division's facilities, in conformance with a Wet Weather Management Plan submitted by the City to Ohio EPA, in conformance with the City's agreed-upon Consent Orders; and

WHEREAS, a program of the size and scope of that being undertaken by the Division to improve its facilities requires the best, most robust management to assure the success of the program; and

WHEREAS, the City has contracted for such professional program management services, under authority of Ordinance No. 0731-2006, passed May 8, 2006; and

WHEREAS, the initial funding of contract EL006055 was planned to be sufficient to provide the necessary services for the balance of 2006, with additional necessary funding to be added as the program proceeded in 2007 and subsequent years; and

WHEREAS, Modification No. 1 authorized by Ordinance No. 2134-2006, as passed by Columbus City Council on January 22, 2007 provided additional funding that was estimated to be necessary for the continuation of the professional program management services into 2007; and

WHEREAS, Modification No. 2 authorized by Ordinance No. 1335-2007, as passed by Columbus City Council on October 1, 2007 provided additional funding that was estimated to be necessary for the continuation of the professional program management services into 2008; and

WHEREAS, Modification No. 3 authorized by Ordinance No. 1001-2008, as passed by Columbus City Council on July 7,

2008 provided additional funding that was estimated to be necessary for the continuation of the professional program management services into 2009; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined that it is necessary to modify the subject contract in order to provide the necessary additional professional program management services required for this project into 2010; and

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

WHEREAS, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund for purposes of providing sufficient funding for the aforementioned project expenditure;

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvements Budget for the purpose of creating and 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 the Voted Sanitary Sewer Bond Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditure (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, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to modify the agreement for professional engineering services with Malcolm Pirnie, Inc., for the Professional Program Management Services for the Division of Sewerage and Drainage's 2006-2010 Capital Improvements Program, at the earliest practicable date; **Now, Therefore,**

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to modify contract EL006055 with Malcolm Pirnie, Inc., 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240-2020, for Professional Program Management Services for the Division of Sewerage and Drainage's 2006-2010 Capital Improvements Program, in accordance with the terms and conditions of the modification on file in the offices of the Division of Sewerage and Drainage.

Section 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$4,298,077.87 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05| OCA Code 901654 | Object Level One 10 | Object Level Three 5502.

Section 3. That the City Auditor is hereby authorized to transfer \$4,298,077.87 to the Voted Sanitary Sewer Bond Fund 664, into the Professional Program Management Services Project, 650390.1, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 4. That the \$4,298,077.87 is hereby appropriated for the Professional Program Management Services Project, within the Voted Sanitary Sewer Bond Fund | Fund 664 | Division 60-05 | Project 650390.1 | OCA Code 664390 | Object Level Three 6678.

Section 5. That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewer System Reserve Fund the amount transferred above, and said funds are hereby deemed appropriated for such purposes.

Section 6. That the City Auditor is hereby authorized to transfer \$0.99 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

650250 | JPWWTP Digester Cover Rehab | 665250 | \$0.83
650704 | OSIS Augment Sewer, Whitier - JPWWTP | 665704 | \$0.16

TO:

Proj. No. | Proj. Name | OCA | Amount

650390.1 | Professional Program Management Services | 665390 | \$0.99

Section 7. That the City Auditor is hereby authorized to transfer \$649,985.63 within the Voted Sanitary Sewer Bond Fund, Fund 664; OBJLVL3: 6678; Division of Sewerage and Drainage; Div. 60-05:

FROM:

Proj. No. | Proj. Name | OCA | Amount

650352 | SWWTP New Headworks | 650352 | \$200,000.00
664999 | Unallocated Balance Fd. 664 | 999664 | \$449,985.63

TO:

Proj. No. | Proj. Name | OCA | Amount

650390.1 | Professional Program Management Services | 664390 | \$649,985.63

Section 8. That the 2008 Capital Improvements Budget Ordinance No.0690-2008 is hereby amended as follows, to create and provide sufficient budget authority for the award of the agreement stated herein.

Creation of Authority for Fund 665:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650250-100002 | JPWWTP Digester Cover Rehab | \$0.00 | \$1.00 | (+\$1.00)
650704-100000 | OSIS Augment Sewer, Whitier - JPWWTP | \$110,000 | \$110,001 | (+\$1.00)

Amendment of Authority for Fund 665:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650250-100002 | JPWWTP Digester Cover Rehab | \$1.00 | \$0.00 | (-\$1.00)
650704-100000 | OSIS Augment Sewer, Whitier - JPWWTP | \$110,001 | \$110,000 | (-\$1.00)
650390-100000 | Professional Program Management Services | \$27,269,961 | \$27,269,963 | (+\$2.00)

Amendment of Authority for Fund 664:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650352-100000 | SWWTP New Headworks | \$4,702,000 | \$4,502,000 | (-\$200,000)
664999-100000 | Unallocated Balance Fd. 664 | \$449,986 | \$0.00 | (-\$449,986)
650390-100000 | Professional Program Management Services | \$28,000,000 | \$28,649,986 | (+\$649,986)

Section 9. That for the purpose of paying the cost of the professional program services contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05; Fund 665; Professional Program Management Services for the Division of Sewerage and Drainage's 2006-2010 Capital Improvements Program, Project No. 650390.1; OBJLVL3: 6678 | OCA Code: 665390 | Amount \$10,387,836.50.

Section 10. That for the purpose of paying the cost of the professional program services contract modification, the following expenditure, or as much thereof as may be needed, be and the same is hereby authorized as follows: Division 60-05; Fund 664; Professional Program Management Services for the Division of Sewerage and Drainage's 2006-2010

Capital Improvements Program, Project No. 650390.1; OBJLVL3: 6678 | OCA Code: 664390 | Amount \$4,948,063.50.

Section 11. 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 the obligations to be issued by the City in a principal amount currently estimated to be \$4,298,077.87 (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 12. 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 13. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 14. 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 15. That the contracted 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 16. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0489-2009

Drafting Date: 03/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to pay for the 2008 subscription for IRTHNet Prevention Ticket Management Services. The subscription for 2008 is billed in 2009 and the amount is based on the amount of tickets requests an agency requested. In 2008 there were 152,000 requests at a cost of .3060/ticket request.

The service is designed to automate dig requests processing, this will allow the Department of Public Utilities to focus on protecting underground facilities. There is not software or maintenance associated with this service. The service is offered to subscribers via the internet. The Department of Public Utilities, Damage Prevention Section utilized Irth Solutions Inc .for the rights to use IRTHNet website service to manage damage prevention ticket system The Damage Prevention Section is responsible for locating underground utilities for the Department of Public Utilities and will be receiving these locate request through the Ohio Utilities Protection Service (OUPS) This creates the need for IRTHNet ticket management system to help route these request to the correct locator and geographical area. The software utilized with this service is directly connected to OUPS which the Department of Public Utilities is a member.

The service allows the Damage Prevention section to automatically process map definitions through the internet and the IRTHNet software will compare dig site data. IRTHNet uses the same land base that the One Call Center uses for creating the dig request. IRTHNet provides total automation for Positive Response to the excavator and One Call Center .Furthermore, the (OUPS) uses IRTHNet for ticket creation.

The Division of Sewerage and Drainage is expected to review the needs for a ticket management service in 2009.

SUPPLIER: Irth Solutions Inc. (31-1137223) Expires 9-4-10

FISCAL IMPACT: \$46,512.00 is needed and budgeted for this subscription

Title

To authorize the Director of Public Utilities to pay for subscription fees, for the right to use the IRTHNet Services with Irth Solutions Inc. for fiscal year 2008 for the for the Damage Prevention Section within the Division of Sewerage and Drainage to authorize the expenditure of \$20,232.72 from the Sewerage System Operating Fund, \$18,046.65 from the Water Operating Fund; \$5,395.40 from the Storm Water Operating Fund, and \$2,837.23 from the Electricity Operating Fund. (\$46,512.00)

Body

WHEREAS, the Division of Sewerage and Drainage, Damage Prevention Section is responsible for locating underground utilities for the Department of Public Utilities; and

WHEREAS, in 2008 the Damage Prevention Section entered into a subscription for the use of the IRTHNet Service through Irth Solutions, Inc.; and

WHEREAS, the cost of the subscription for 2008 is billed in 2009 and the amount is based on the amount of tickets requests that and agency requested. In 2008 there were 152,000 requests at a cost of .3060/ticket request; and

WHEREAS, the Department of Public Utilities wishes to pay for the 2008 subscription fees for the use of the IRTHNet Services through Irth Solutions Inc.; and

WHEREAS, the Division of Sewerage and Drainage is expected to review the needs for a ticket management service in 2009, 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 pay for 2008 subscription for the use of the IRTHNet Service provided by Irth Solutions Inc for the Department of Public Utilities.

Section 2. The subscription for 2008 is billed in 2009 and the amount is based on the amount of tickets requests an agency requested. In 2008 there were 152,000 requests at a cost of .3060/ticket request

Section 3. That the expenditure of \$46,512.00 or as much thereof as may be needed, is hereby authorized as follows:

FUND: 650
OCA Code 605073
Object Level 1: 3
Object Level 3: 3332
Amount: \$20,232.72

FUND: 600
OCA Code 601849
Object Level 1: 3
Object Level 3: 3332
Amount: \$18,046.65

FUND: 675
OCA Code 675002
Object Level 1: 3
Object Level 3: 3332
Amount: \$5395.40

FUND: 550
OCA Code 600700
Object Level 1: 3
Object Level 3: 3332
Amount: \$2837.23

TOTAL AMOUNT: \$46,512.00

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

Legislation Number: 0491-2009

Drafting Date: 03/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to renew the yearly subscription for the Division of Sewerage and Drainage with the Water Environment Federation Research Foundation (WERF). The Research Foundation performs research that applies to various operations within the Division of Sewerage and Drainage, including sewage sludge incineration, stormwater management, bio-solids reuse, whole effluent toxicity, and combined sewage overflow (CSO). Subscription rates are based on prior year average daily flow managed including wet weather flow. For 2008 the average was 160 multiplied by \$391.00 per mgd.

The USEPA no longer performs important research work and the Water Environmental Federation Research Foundation fills this void by performing needed research in the areas stated above. Subscribers to WERF are provided direct and timely access to research information that enables the Department of Public Utilities to enhance and improve the quality of wastewater and storm water management. There are many emerging issues that require research in the near future and being a subscriber to WERF enable the Department of Public Utilities to receive any future research will be shared to personnel within the department. The subscription period is through December 31, 2009.

SUPPLIER: Water Environment Research Foundation (54-1511635) **Non-Profit.**

Fiscal Impact: This contract was budgeted in the amount of \$62,560.00.

\$60,960.00 was spent in 2008

\$57,920.00 was spent in 2007

To authorize the Director of Public Utilities to pay subscription fees to subscribe with the Water Environment Research Foundation for Fiscal Year 2009 for use of the Utility Subscription Program for the Division of Sewerage and Drainage, and to authorize the expenditure of \$62,560.00 from the Sewerage System Operating Fund. (\$62,560.00)

Body

WHEREAS, it is necessary to subscribe with the Water Environment Federation Research Foundation to insure continued and proper research in Wastewater Treatment areas for Fiscal Year 2009, and

WHEREAS, the Research Foundation performs research that applies to our operations - sewage sludge incineration, Stormwater management, bio-solids reuse, whole effluent toxicity, and combined sewage overflow, and

WHEREAS, the subscription period is through December 31, 2009, and

WHEREAS, the Water Environment Federation Research Foundation currently conducts research applicable to the City of Columbus Division of Sewerage and Drainage operations including sewage sludge incineration, bio-solids reuse/recycling, whole effluent toxicity, combined sewer overflows (CSO). The collaborative research provided by the Water Environment Federation Research Foundation is a cost-effective means to fill a void of wastewater industry. Subscription enables the City to participate in developing future topics and have full access to research in progress; 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 pay for subscription fees to the Water Environment Federation Research Foundation, for the Division of Sewerage and Drainage for Fiscal Year 2009.

Section 2. That the expenditure of \$62,560.00, or so much thereof as may be needed, is hereby authorized from Sewerage System Operating Fund, Fund No. 650 to pay for the cost thereof.

OCA 605006
Object Level 1 03
Object Level 3: 3332.

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

Legislation Number: 0492-2009

Drafting Date: 03/23/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

- A. **Need:** This legislation authorizes the Director of Public Utilities to enter into a professional engineering services agreement with MS Consultants, Inc., for the Cherry St./Fourth St. Inflow Redirection Project for the Division of Sewerage and Drainage. 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.

This work will include preparation of construction documents (plans and specifications) for stormwater, sanitary sewer, and combined system improvements, preparation of necessary easements, and fielding technical questions during construction. Preparation of construction documents and easements will be completed within 34 months from the Notice to Proceed date. It is anticipated that construction will begin in 2012. Engineering services will end with completion of construction.

- B. Procurement Information:** The Division advertised Request for Proposals (RFP's) for the subject services in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage received technical proposals on August 8, 2008 from the following companies:

<u>Name</u>	<u>C.C. No.</u>	<u>City/State</u>	<u>Maj/MBE/FBE</u>
MS Consultants, Inc.	34-6546916	Columbus, OH	Maj.
Brown & Caldwell	68-0442806	Columbus, OH	Maj.
DLZ Ohio, Inc.	31-1268980	Columbus, OH	Maj.
Stantec Consulting Services Inc.	11-2167170	Columbus, OH	Maj.
R. W. Armstrong & Assoc., Inc.	35-1062227	Columbus, OH	Maj.
Gresham, Smith and Partners	62-0794126	Columbus, OH	Maj.
MWH Americas, Inc.	95-1878805	Columbus, OH	Maj.
Ribway Engineering Group, Inc.	31-1406579	Columbus, OH	MBE
Metcalf & Eddy of Ohio, Inc.	22-2581306	Columbus, OH	Maj.
Pomeroy & Associates, LTD.	31-1568332	Worthington, OH	Maj.

These proposals were reviewed and ranked by a Professional Engineering Services Selection Committee in order to determine the consultant best qualified to provide the services for this project. The committee ranked the proposals on quality and feasibility. After careful consideration, the committee recommended that the MS Consultants, Inc., be selected to provide the engineering services for this study, for which the Division Administrator has concurred.

- C. Contract Compliance No.:** 34-6546916/001 (MAJ) (Expires 7/10/2010)

- D. 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 the purpose of providing the necessary funding required for this expenditure. There will also be an amendment to the 2008 Capital Improvements Budget to provide sufficient budget authority. This legislation will authorize the expenditure of \$1,997,042.96 within the Sanitary Sewer Revenue Bonds Fund.

Title

To authorize the Director of Public Utilities to enter into a professional engineering services agreement with MS Consultants, Inc., for the Cherry St./Fourth St. Inflow Redirection Project; to authorize the transfer and expenditure of \$1,997,042.96 within the Sanitary Sewer Revenue Bonds Fund; and to amend the 2008 Capital Improvements Budget for the Division of Sewerage and Drainage. (\$1,997,042.96)

Body

WHEREAS, the procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959: ten proposals were received and the Division's Evaluation Committee selected MS Consultants, Inc., from among the ten firms; and

WHEREAS, it is necessary to authorize the transfer 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 the 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 enter into an agreement for professional engineering services with MS Consultants, Inc., for the Cherry St./Fourth St. Inflow Redirection Project, at the earliest practicable date; **Now, Therefore,**

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into an agreement for professional engineering services with MS Consultants, Inc., 2221 Schrock Road, Columbus, OH 43229, in connection with the Cherry St./Fourth St. Inflow Redirection Project, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

Section 2. That the City Auditor is hereby authorized to transfer \$1,997,042.96 within the Sanitary Sewer Revenue Bonds Fund, Fund 665; Object Level Three 6676; Division of Sewerage and Drainage; Div. 60-05:

FROM:

Proj. No. | Proj. Name | OCA | Amount

650046 | Alum Creek Subtrunk | 665046 | \$8,000.00
650250 | JPWWTP Biosolids Digester No. 3 | 665250 | \$27,534.00
650390 | WWMP Prof. Program Mgt. | 665390 | \$796,301.96
650620 | Lockbourne Rd. SSI Assessment | 665620 | \$765,000.00
650695 | Fulton / Mound / Noble Rehabilitation | 665695 | \$100,000.00
650704 | OSIS Augment Sewer, Whittier - JPWWTP | 665704 | \$200,207.00
650708 | First Ave. Inflow Redirection | 665708 | \$100,000.00

TO:

Proj. No. | Proj. Name | OCA | Amount

650707 | Cherry St./Fourth St. Inflow Redirection Project | 665707 | \$1,997,042.96

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:

Project No. | Project Name | Current Authority | Revised Authority | (Change)

650707-100000 | Cherry St./Fourth St. Inflow Redirection Project | \$0.00 | \$1,997,043 | (+\$1,997,043)
650046-100000 | Alum Creek Subtrunk | \$8,000 | \$0.00 | (-\$8,000)
650250-100002 | JPWWTP Biosolids Digester No. 3 | \$27,534 | \$0.0 | (-\$27,534)
650390-100000 | WWMP Prof. Program Mgt. | \$28,066,263 | \$27,269,961 | (-\$796,302)
650620-100000 | Lockbourne Rd. SSI Assessment | \$766,505 | \$1,505 | (-\$765,000)
650695-100000 | Fulton / Mound / Noble Rehabilitation | \$133,000 | \$33,000 | (-\$100,000)
650704-100000 | OSIS Augment Sewer, Whittier - JPWWTP | \$310,207 | -\$110,000 | (-\$200,207)
650708-100000 | First Ave. Inflow Redirection | \$652,598 | \$525,598 | (-\$100,000)

Section 4. That for the purpose of paying the cost of the professional engineering services contract, the expenditure of \$1,997,042.96, or as much thereof as may be needed, is hereby authorized from the Sanitary Sewer Revenue Bonds Fund, Fund No. 665 | Division 60-05 | Project No. 650707 | OCA Code 665707 | Object Level Three 6676.

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 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: 0496-2009

Drafting Date: 03/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Ordinance No. 1814-2007, passed November 19, 2007 which authorized the City Attorney to acquire certain property rights, and to expend monies in connection with the OSIS Downtown Odor Control Facilities Project. The preliminary amount of funding originally made available for this project was done with the understanding that additional monies may be needed at a later date. It is now necessary to authorize the City Attorney to acquire additional fee simple title and lesser interests, contract for any additional necessary professional services, and to expend additional money for payment of acquisition costs in connection with the OSIS Downtown Odor Control Facilities Project.

Fiscal Impact: This ordinance authorizes the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund for this expenditure, and also allows for an amendment to the 2008 Capital Improvements Budget to establish sufficient funds and budget authority to cover the expenditure upon passage of the ordinance. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

Emergency Justification: Emergency action is requested to allow for the acquisition of real property necessary to the completion of this project to proceed without delay.

Title

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to authorize the transfer and appropriation of \$2,470,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$2,470,000.00 within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvement Budget for the Division of Sewerage and Drainage for costs in connection with the OSIS Downtown Odor Control Facilities Project; and to declare an emergency. (\$2,470,000.00).

Body

WHEREAS, the City of Columbus is engaged in the OSIS Downtown Odor Control Facilities Project; and

WHEREAS, Ordinance No. 1814-2007, passed November 19, 2007, which authorized the City Attorney to acquire certain property rights, and to expend monies in connection with the OSIS Downtown Odor Control Facilities Project; and

WHEREAS, the preliminary amount of funding originally made available for this project was done so with the understanding that additional monies may be needed at a later date; and

WHEREAS, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund to provide sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvement Budget for the purpose of providing sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of \$2,470,000.00 from the Voted Sanitary Sewer Bond Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditure (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, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize 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 OSIS Downtown Odor Control Facilities Project, Project #650691.

Section 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$2,470,000.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05| OCA Code 901654 | Object Level One 10 | Object Level Three 5502.

Section 3. That the City Auditor is hereby authorized to transfer \$2,470,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, Fund 664, into the OSIS Downtown Odor Control Facilities Project, Project 650691, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 4. That the \$2,470,000.00 is hereby appropriated for the OSIS Downtown Odor Control Facilities Project, within the Voted Sanitary Sewer Bond Fund| Fund 664| Division 60-05| Project 650691 | OCA Code 664691 | Object Level Three 6601.

Section 5. That the 2008 Capital Improvements Budget Ordinance No. 0690-2008 is hereby amended as follows, to provide sufficient budget authority for the execution of the cost agreement increase stated herein:

Proj. No. | Proj. Name | Current Authority | Revised Authority | (Change)

650725 | Large Diameter Sewer Rehab. Olentangy & Alum Creek| \$5,465,889 | \$3,700,889 | (-\$1,765,000)

650691 OSIS Downtown Odor Control Facilities Project | \$705,000 | (+\$2,470,000) | \$1,765,000

Section 6. That the expenditure of \$2,470,000.00, or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund| Fund No. 664| Division 60-05| Project 650691 | OCA Code 664691 | Object Level

Three 6601.

Section 7. That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above, and said funds are hereby deemed appropriated for such purposes.

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 the obligations to be issued by the City in a principal amount currently estimated to be \$2,470,000.00 (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 Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

Section 9. 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 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 11. 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 12. That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0501-2009

Drafting Date: 03/24/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

In order to address a portion of the projected 2009 \$13 million deficit, this ordinance authorizes five (5) unpaid days to be taken by all employees of the Management Compensation Plan, Police Management Compensation Plan, and Fire Management Compensation Plan. The fiscal savings would be \$920,000.

Emergency action is proposed in order to provide City agencies the opportunity to schedule the unpaid days.

Title

To authorize five (5) unpaid days for employees covered by Management Compensation Plan (MCP) Ordinance No. 1150-2007; Police MCP Ordinance No. 0676-2006; and Fire MCP Ordinance No. 0664-2006; and to declare an emergency.

Body

WHEREAS, the City of Columbus is in a fiscal emergency and financial savings must be realized to the extent possible; and

WHEREAS, the MCP Ordinance No. 1150-2007 provides for a forty (40) hour workweek for employees covered by the

ordinance; and

WHEREAS, the Police MCP Ordinance No. 0676-2006 provides for a forty (40) hour workweek for employees covered by the ordinance; and

WHEREAS, the Fire MCP Ordinance No. 0664-2006 provides for a forty (40) hour workweek for employees covered by the ordinance; and

WHEREAS, this ordinance authorizes each employee covered by the named ordinances to forfeit forty (40) hours of pay in 2009 and authorizes Appointing Authorities to waive the forty (40) workweek in weeks where unpaid days will be observed; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize unpaid days for employees covered by the various management compensation plans, thereby preserving the public health, peace, property, welfare, and safety; Now, Therefore

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

Section 1. That each Appointing Authority is authorized to waive the forty (40) hour workweek in weeks where unpaid days will be observed and to schedule forty (40) hours of unpaid time for each full-time employee covered by the herein named management compensation plans in order to help alleviate some of the financial burden on the City by choosing from the following options:

(A) The following holidays will be observed, but not paid: Memorial Day, Independence Day, Labor Day, Columbus Day, and Thanksgiving Day; or

(B) The following days will not be considered workdays, and will be unpaid: Friday, May 22; Thursday, July 2; Friday, September 4; Friday, November 27; and Thursday, December 24, 2009; or

(C) Appointing Authorities may also select and schedule alternate dates based on operational need, which dates must be taken on or before December 26, 2009.

Section 2. Part-time employees will be required to forfeit normally scheduled hours on the days scheduled as unpaid days.

Section 3. No paid leave, i.e., sick leave, vacation, etc. may be taken for any unpaid day.

Section 4. Unpaid days will not result in a break in continuous service.

Section 5. All existing benefits will continue uninterrupted as if employees remained in paid status.

Section 6. All Appointing Authorities are required to report selected unpaid days off to the Director of Human Resources no later than Monday, May 18, 2009.

Section 7. The City Auditor will make periodic financial reports regarding the savings of instituting unpaid days.

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 (10) days after its passage if the Mayor neither approves nor vetoes the same.

Drafting Date: 03/24/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND

This legislation authorizes the Director of Technology to renew services provided within an existing contract, associated with purchase order EL007511, with Lawson Software, for software application annual maintenance and support services, associated with the Central Payroll and Human Resources Information Management System. The original contract provided language that allows for renewals for up to five years, and contract modifications as mutually agreed by all parties having jurisdiction thereof and approval of a City of Columbus, certified purchase order. The coverage period associated with this renewal is for twelve months, from June 1, 2009 through May 31, 2010 and is the second year.

Fiscal Impact: There was no cost for the first six months of maintenance. During fiscal year 2008, the Department of Technology expended \$80,000.00 for eight months of maintenance service, with a coverage period from June 1, 2008 through January 31, 2009. Earlier this year \$38,643.75 was expended for the same services with a coverage period from February 1, 2009 through May 31, 2009. Now, this ordinance will provide funding in the amount of \$124,468.49 for twelve month coverage, second year of a five year renewal, with the coverage period of June 1, 2009 through May 31, 2010, bringing the contract aggregate total (for maintenance and support) to \$243,112.24. This funding is available from the Department of Technology's Information Services Fund.

Contract Compliance:

Lawson Software - 41-1251159 - Expiration 09/06/09

TitleTo authorize the Director of the Department of Technology to renew an existing contract, with Lawson Software, for annual maintenance and support services, associated with the Central Payroll and Human Resources Information Management System; to authorize the expenditure of \$124,468.49 from the Department of Technology's Information Services Fund. (\$124,468.49)

Body

WHEREAS, an existing contract, associated with purchase order EL007511, with Lawson Software, allows for software application annual maintenance and support services, associated with the Central Payroll and Human Resources Information Management System, and

WHEREAS, the original contract provided language that allows for renewals for up to five years, and contract modifications as mutually agreed by all parties having jurisdiction thereof and approval of a City of Columbus, certified purchase order, and

WHEREAS, the coverage period associated with this renewal is for twelve months, from June 1, 2009 through May 31, 2010 and is the second year, with the cost of \$124,468.49, and

WHEREAS, the Department of Technology will need to renew a contract with Lawson Software to continue the maintenance and support without interruption of service, 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 is hereby authorized to renew an annual maintenance and support contract with Lawson Software with a coverage period from June 1, 2009 through May 31, 2010, the second year of a five year renewal, at a cost of \$124,468.49.

SECTION 2: That the expenditure of \$124,468.49 or so much thereof as may be necessary is hereby authorized to be expended as follows:

Dept./Div.: 47-02| Fund: 514| Subfund:001|OCA Code: 470202| Obj. Level 1: 03| Obj. Level 3: 3369| Amount: \$124,468.49

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

Legislation Number: 0507-2009

Drafting Date: 03/25/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Ordinance No. 1814-2007, passed November 19, 2007 which authorized the City Attorney to acquire certain property rights, and to expend monies in connection with the Alum Creek Relief Tunnel Project. The preliminary amount of funding originally made available for this project was done with the understanding that additional monies may be needed at a later date. It is now necessary to authorize the City Attorney to acquire additional fee simple title and lesser interests, contract for any additional necessary professional services, and to expend additional money for payment of acquisition costs in connection with Alum Creek Relief Tunnel Project.

Fiscal Impact This ordinance authorizes the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund for this expenditure, and also allows for an amendment to the 2008 Capital Improvements Budget to establish sufficient funds and budget authority to cover the expenditure upon passage of the ordinance. Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from an upcoming Bond Sale via the transfer detailed in this Ordinance.

Emergency Justification: Emergency action is requested to allow for the acquisition of real property necessary to the completion of this project to proceed without delay.

TitleTo authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to authorize the transfer and appropriation of \$1,000,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund; to authorize the expenditure of \$1,000,000.00 within the Voted Sanitary Sewer Bond Fund; to amend the 2008 Capital Improvement Budget for the Division of Sewerage and Drainage for costs in connection with the Alum Creek Relief Tunnel Project; and to declare an emergency. (\$1,000,000.00).

Body

WHEREAS, the City of Columbus is engaged in the Alum Creek Relief Tunnel Project; and

WHEREAS, Ordinance No. 1814-2007, passed November 19, 2007, which authorized the City Attorney to acquire

certain property rights, and to expend monies in connection with the Alum Creek Relief Tunnel Project; and

WHEREAS, the preliminary amount of funding originally made available for this project was done so with the understanding that additional monies may be needed at a later date; and

WHEREAS, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund to provide sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize an amendment to the 2008 Capital Improvement Budget for the purpose of providing sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of \$1,000,000.00 from the Voted Sanitary Sewer Bond Fund; and

WHEREAS, the City anticipates incurring certain Original Expenditure (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, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize 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 Alum Creek Relief Tunnel Project, Project #650046.

Section 2. That from the unappropriated monies in the Sanitary Sewer Reserve Fund No. 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$1,000,000.00 is hereby appropriated to the Division of Sewerage and Drainage: Division 60-05| OCA Code 901654 | Object Level One 10 | Object Level Three 5502.

Section 3. That the City Auditor is hereby authorized to transfer \$1,000,000.00 from the Sanitary Sewer Reserve Fund to the Voted Sanitary Sewer Bond Fund, Fund 664, into the Alum Creek Relief Tunnel Project, Project 650046, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

Section 4. That the \$1,000,000.00 is hereby appropriated for the Alum Creek Relief Tunnel Project, within the Voted Sanitary Sewer Bond Fund| Fund 664| Division 60-05| Project 650046 | OCA Code 664046 | Object Level Three 6601.

Section 5. That the 2008 Capital Improvements Budget Ordinance No. 0690-2008 is hereby amended as follows, to provide sufficient budget authority for the execution of the cost agreement increase stated herein:

<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>(Change)</u>
650625	Beulah Rd. Trunk Sewer Rehab.	\$5,750,000	\$4,750,000	(-\$1,000,000)
650046	Alum Creek Relief Tunnel Project	\$0.00	\$1,000,000	+\$1,000,000

Section 6. That the expenditure of \$1,000,000.00, or as much thereof as may be needed, is hereby authorized from the Voted Sanitary Sewer Bond Fund| Fund No. 664| Division 60-05| Project 650046 | OCA Code 664046 | Object Level Three 6601.

Section 7. That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sanitary Sewer Reserve Fund the amount transferred above, and said funds are hereby deemed appropriated for such purposes.

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 the obligations to be issued by the City in a principal amount currently estimated to be \$1,000,000.00 (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 Sanitary/Sewer Reserve Fund 654, which is the fund from which the advance for costs of the Project will be made.

Section 9. 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 10. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

Section 11. 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 12. That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0519-2009

Drafting Date: 03/26/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

ExplanationBACKGROUND:

This legislation authorizes the Director of the Department of Technology to modify a contract with Decade Software Company LLC, established through purchase order EL000490, for the annual renewal of maintenance and support services, on behalf of Columbus Public Health, effective July 1, 2009 through June 30, 2010. The original contract was established by the Health Department in the amount of \$135,000.00; this contract provided language that allows for renewals at the conclusion of the ending term.

The Envision Windows and the EnvisionConnect software application provides Columbus Public Health the ability to operate the Environmental Health unit by providing an extensive array of services such as tracking and maintaining information associated with inspections, historical data of restaurants and other businesses, tracking sanitation standards data, vector control for mosquitoes, environmental reviews, accounts receivable/payable and billings as well as statistics and analysis regarding the Environmental Health unit.

Services provided include telephone support services, software maintenance, update training, upgrades and enhancements. Without this service Columbus Public Health would lose the ability to operate the Environmental Health unit, which could result in the failure to meet requirements mandated by the State Of Ohio.

FISCAL IMPACT: In fiscal year 2007, \$85,300.00 was encumbered and expended for maintenance and support services with Decade Software Company LLC, and \$78,300.00 for the 2008 contract. For this contract modification funding is available within the 2009 Department of Technology's Information Services Fund. The cost associated with this contract period, from July 1, 2009 through June 30, 2010, is \$78,300.00; with the aggregate contract total, including this modification, through the Department of Technology of \$524,225.00.

CONTRACT COMPLIANCE: 770564825 Expires: 6/02/2010

TitleTo authorize the Director of the Department of Technology to modify a contract with Decade Software Company LLC, for the Envision Windows software license and support services, on behalf of Columbus Public Health; to authorize the expenditure of \$78,300.00 from the Department of Technology's Information Services Fund. (\$78,300.00)

Body**WHEREAS**, the Director of the Department of Technology, on behalf of Columbus Public Health, be and is hereby authorized to modify and renew a contract established by purchase order EL000490 for maintenance and support services, for the Envisions Windows application, provided by Decade Software Company LLC. The original contract provides language that allows for renewals at the conclusion of the ending term, and

WHEREAS, the coverage period that will be authorized by this ordinance is from July 1, 2009 through June 30, 2010, and

WHEREAS, the Envisions Windows is a critical application that provides the Health Department the ability to operate the Environmental Health unit, which provides an extensive array of services, and

WHEREAS, without this contract the Columbus Health Department will lose the ability to meet reporting and licensing requirements mandated by the State of Ohio, thus losing the ability to operate the Environmental Health unit, and

WHEREAS, it is necessary to maintain on-going support and to allow for uninterrupted daily operations 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 Technology be and is hereby authorized to modify and renew a contract established by purchase order EL000490 with Decade Software Company LLC, for the Envision Windows software license and support services, on behalf of the Columbus Public Health, with a coverage period effective July 1, 2009 through June 30, 2010, in the amount of \$78,300.00.

SECTION 2: That the expenditure of \$78,300.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Division: 47-01|**Fund:** 514|**Subfund:** 010|**OCA Code:** 500147|**Obj. Level 1:**03|**Obj. Level 3:** 3369|**Amount:** \$78,300.00

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

Legislation Number: 0521-2009

Drafting Date: 03/26/2009

Current Status: Passed

Explanation

BACKGROUND:

A **Need.** This legislation authorizes the Director of Public Utilities to enter into contract for Boiler Maintenance Services for the Division of Sewerage and Drainage. This contract was bid on March 11, 2009, and is proposed as a multi-year contract with incremental funding, approximately annually, as stated in the Bidding Documents.

B Procurement History. This procurement has been conducted in accordance with the requirements for competitive sealed bidding in Section 329, Columbus City Codes, 1959. An Invitation For Bidders (IFB) was published electronically and in the "City Bulletin" in January, 2009. A Pre-Bid Meeting was held on February 10, 2009. Sets of Bidding Documents were obtained by prospective Bidders, and three Bids were received on March 11, 2009, as follows:

Entity and Base Bid Amount

American Mechanical Group, Inc. \$92,394.00
General Temperature Control \$120,290.00
Speer Mechanical \$165,656.00

The bids have been reviewed. The bid from American Mechanical Group, Inc. was found to have several material defects and deemed non-responsive. The bid from Speer Mechanical found to have one material defect. The bid from General Temperature Control was found to be free of material defects.

C. Recommended Contract Award. The bid of General Temperature Control appears to be free of substantive defects. This bid is within the budget, and has also been tendered by an entity which is well qualified to perform the contract work. Award is recommended to **General Temperature Control of Canal Winchester, Ohio, who is the lowest Responsive and Responsible and Best Bidder.**

Supplier: General Temperature Control 31-1201236 (MAJ) Expires 4-29-10

FISCAL IMPACT: The FY2009 Budget allocates sufficient funds for this contract. Amounts appropriated for this purpose in recent years are as follows:

\$50,000.00 was spent in 2008
\$50,000.00 was spent in 2007

PROJECT LOCATION:

This project involves the Division's Southerly Wastewater Treatment Plant.

Title

To authorize the Director of Public Utilities to contract with General Temperature Control for Boiler Maintenance Services, for the Division of Sewerage and Drainage; and to authorize the expenditure of \$120,260.00 from the Sewerage System Operating Fund. (\$120,260.00)

Body

WHEREAS, bids for Boiler Maintenance Services for the Division of Sewerage and Drainage were received by the Director of Public Utilities on March 11, 2009; and

WHEREAS, the bids received have been reviewed and a recommendation for award has been made; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to enter into contract with General Temperature Control for Boiler Maintenance Services, in order to provide for the proper maintenance of operational facilities of the Division of Sewerage and Drainage; 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 contract with General Temperature Control, 970 W. Walnut Street, Canal Winchester, OH 43110, for Boiler Maintenance Services for the Division of Sewerage and Drainage, in accordance with the terms and conditions as shown in the contract on file in the office of the Division of Sewerage and Drainage.

Section 2. That the said firm shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 3. That the expenditure of \$120,260.00, or as much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund 650, Department 60-05, Fund 650 to pay the cost of this contract, as follows:

OCA: 605063
Object Level 1: 03
Object Level 3: 3374

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

Legislation Number: 0522-2009

Drafting Date: 04/15/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

In November 2008, Ordinance #1774-2008 was passed by Columbus City Council authorizing the Director of Finance & Management to enter into a one (1) year lease and continuing automatically for successive one (1) year terms by and between the City of Columbus and the County Commissioners of Franklin County for the property located at 375 South High Street, Columbus, Ohio, 43215, and known as the Franklin County Municipal Court Building. The annual rent for the lease is the sum of the County's actual operating costs to provide janitorial service to the space occupied or used by the City and the pro-rated cost of the building casualty insurance excluding any coverage for contents. The costs for the 2009 lease year have now been finalized.

This legislation is to authorize the Director of Finance and Management to expend funds for the payment of annual rent for the one (1) year initial term beginning April 1, 2009 and ending March 31, 2010 for the lease agreement with the County Commissioners of Franklin County for the property located at 375 South High Street.

Fiscal Impact: This ordinance authorizes the expenditure of \$349,299.00 appropriated pursuant to the 2009 General Fund Appropriation Ordinance.

Emergency Justification: Emergency action is requested to allow services to the building to continue without interruption.

TitleTo authorize the Director of Finance and Management to make payment to Franklin County for the rent of office

space located at 375 South High Street , known as the Franklin County Municipal Court Building, for the period beginning April 1, 2009 and ending March 31, 2010; to authorize the expenditure of \$349,299.00 from the General Fund; and to declare an emergency. (\$349,299.00)

Body

WHEREAS, the City has entered into a lease with the County Commissioners of Franklin County for the property located at 375 South High Street, Columbus, Ohio, 43215: and

WHEREAS, the parties have agreed that the annual rent consideration for the initial term of the lease shall be the sum of the County's actual operating costs to provide janitorial service to the space occupied or used by the City with supplemental cleaning services billed on an hourly basis and the pro-rated cost (based on the City's occupancy) of building casualty insurance excluding any coverage for contents; and

WHEREAS, the commencement date of the lease as stated in Ordinance 1744 -2008 is now modified to April 1, 2009 by mutual agreement by the parties; and

WHEREAS, the City appropriated rental funds pursuant to the 2009 General Fund Appropriation Ordinance; and

WHEREAS, it is necessary to authorize the expenditure of rental funds; 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 expend \$349,299.00 for payment of annual rent for the term of the lease now commencing on April 1, 2009 and terminating on March 31, 2010.

SECTION 2. That the expenditure of \$349,299.00, or so much thereof that may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

Division: 45-07
Fund: 010
OCA Code: 450044
Object Level 1: 03
Object Level 3: 3301
Amount: \$349,299.00

SECTION 3. That the City Auditor is authorized to make any accounting changes necessary to insure that this contract is properly accounted for and recorded accurately on the City's financial records. 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 its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0527-2009

Drafting Date: 03/27/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Janitorial Supplies to be used for cleaning City buildings. The term of the proposed option contract is two (2) years. Contract is through March 31, 2011. The contract may be extended for two (2) additional years subject to mutual agreement by both parties. The Purchasing Office opened formal bids on February 26, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 Solicitation SA003174; 81(MBE:3; FBE:2) bids were solicited; 15(MBE: 0; FBE: 1) bids were received.

In support of the Mayor's "Green Initiative" and to implement "green cleaning" in City buildings, bidders were encouraged to submit quotes on environmental preferable products. Bidders were required to provide supporting documentation proving products meet standards for "green" certification, as they contain ingredients which are safer for the workplace. To create a safer and more cost effective program for the City, dilution controlled systems, training and technical assistance is available on the contract, at no cost to the City.

Environmental preferable products are being provided in Categories 1, 2, 5, & 11; Total products: 15

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

Key-4 Cleaning Supplies: CC# 311471176 (Expires: 9/29/2010)

Total Estimated Annual Expenditure: \$330,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

In Category 1, HP Products was low bidder. However, they were deemed non-responsive to specifications, Section 3.1.6.1 for items 1, 7, and 8. Category awarded to Key-4 Cleaning Supplies.

In Category 2, Acuity Specialty dba ZEP was low bidder and Carmens Distribution Systems, Inc. was 2nd low bidder. However, both were deemed non-responsive to specifications, 3.0 Requirements for item# 1. Category awarded to Key-4 Cleaning Supplies.

Carmen's Distribution Systems, Inc. was low in Category 4-7. However, they were deemed non-responsive to specifications, Section 6.2.5.1. Categories awarded to Key-4 Cleaning Supplies.

In Category 8, Carmens Distribution Systems, Inc., low bidder was deemed non-responsive to specifications, Sec. 6.2.5.1; HP Products, 2nd low bidder was deemed non-responsive to Sec. 3.1.6.1 for items 4 and 5. No award made for this Category.

In Category 9 Carmens Distribution Systems, Inc., low bidder was deemed non-responsive to specifications, Sec. 6.2.5.1; Weisheimers Sales & Service 2nd low bidder was deemed non-responsive to Sec. 3.1.6.1 for items 1 and 3. No award made for this Category.

Category 10: MSC Industrial, low bidder, Rose Products 2nd low bidder, and Carmens Distributions 3rd low bidder were deemed non-responsive to Sec. 6.2.5.1. HP, 4th low bidder was deemed non-responsive to Sec. 3.1.6.1 for items 1, 2, 3, and 4. Category awarded to Key-4 Cleaning Supplies.

In Category 12, Carmens Distribution Systems, Inc., low bidder and HP Products, 2nd low bidder were deemed non-responsive to specifications, Sec. 6.2.5.1. No award made for this Category.

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 Mail, Print Services and UTC Fund. Agencies will be required to obtain approval to expend from their own appropriation.

Title

To authorize and direct the Finance & Management Director to enter into one (1) UTC contract for the option to purchase Janitorial Supplies with Key-4 Cleaning Supplies, to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund, and to declare an emergency. (\$1.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on February 26, 2009 and selected the lowest, responsive, responsible and best bids. Fifteen (15) bids were received;

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, Janitorial Supplies are used in City buildings, as part of an effort to purchase environmentally preferable janitorial cleaning products, which represent a lesser impact to public health and the environment than competing products, and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into one (1) contract for an option to purchase Janitorial Supplies to ensure uninterrupted supply of materials, 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 Janitorial Supplies through March 31, 2011 with the option to extend for two (2) additional years in accordance with Solicitation SA003174; Key-4 Cleaning Supplies, as follows:

Award Recommendation:

Key-4 Cleaning Supplies: Category 1-7, 10, and 11; Amount: \$1.00

No award made on Category 8, 9, and 12.

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2212, 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: 0535-2009

Drafting Date: 03/30/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to enter into a service agreement with Madden Brothers Inc. for the purposes of providing Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage, Compost Facility. This ordinance is being submitted as a waiver to Columbus City Code Section 329.06 because all bidders were non-responsive and the Division of Sewerage and Drainage feels that it is in the best interest of the City of Columbus to waive competitive bids and enter into the agreement for the lowest formal bid received.

The Division of Sewerage and Drainage, Compost Facility has a Universal Term Contract that provides the purchase of woodchips to be used as bulking agents for composting and to produce the product Com-Til. The services to be performed under this agreement call for Madden Brothers Inc. to provide equipment and operator to grind yard waste (shrubs, leaves, tree limbs, logs, etc). that are received by the Compost Facility. The finished product will be used as an alternative source for bulking agents. The contract language provides for a one (1) year agreement in effect to and including July 31, 2010. Furthermore, upon mutual agreement and approval by the Columbus City Council, this contract allows for two (2) extensions on a year to year basis and funds availability. The Compost Facility estimates that it will budget \$100,000.00 per year for this service.

The Director of Public Utilities received and opened formal bids on March 11, 2009. Three (3) bids were received. All bidders were deemed non-responsive. Due to that fact, to enter into an agreement from these proposals the Division of Sewerage and Drainage must waive the provisions of Columbus City Code section 329.06. Upon consultation with the City Attorney's office it is in the best interest of the City of Columbus to waive the provisions of Columbus City Code 329.06 and enter into an agreement with the lowest bid, Madden Brothers Inc. The reasons for the non-responsiveness are detailed below. Madden Brothers has supplied signatures and the required mobile air permit.

Madden Brothers Inc. Did not sign proposal and did not submit mobile air permit.

Ohio Mulch: Did not submit experience documentation, equipment list or mobile air permit

Park Enterprises: Did not submit experience documentation, equipment list or mobile air permit.

A tabulation of the formal proposals received follow:

Company	Item 1 Yard Waste Grinding	Item 2 Log Grinding
Madden Brothers	\$2.15/cubic yard	\$6.00/cubic yard
Ohio Mulch	\$3.65/cubic yard	\$6.90/cubic yard
Park Enterprises	\$3.98/cubic yard	\$10.00/cubic yard

SUPPLIER: Madden Brothers Inc. (34-1739227) Expires 3-30-11

FISCAL IMPACT: \$100,000.00 is needed and budgeted for this service.

\$100,000.00 was spent in 2008

\$150,000.00 was spent in 2007

Title

To authorize the Director of Public Utilities to enter into a service agreement with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage, to waive the provisions of competitive bids of the Columbus City Code, to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

Body

WHEREAS, the Division of Sewerage and Drainage, Compost Facility has a Universal Term Contract that provides the purchase of woodchips to be used as bulking agents for composting and to produce the product Com-Til, and

WHEREAS, the services to be performed under this agreement call for Madden Brothers Inc. to provide equipment and

operator to grind yard waste (shrubs, leaves, tree limbs, logs, etc). that are received by the Compost Facility, and

WHEREAS, the finished product will be used as an alternative source for bulking agents., and

WHEREAS, the contract will be in effect for a one (1) year agreement to and including July 31, 2010 and upon mutual agreement and approval by the Columbus City Council, this contract can be extended for two (2) additional years on a year to year basis and funds availability, and

WHEREAS, the Director of Public Utilities received formal bids on March 11, 2009. Three (3) bids were received. All bidders were deemed non-responsive, and

WHEREAS, the bidders were deemed non-responsive for the following reasons, Madden Brothers Inc. Did not sign proposal and did not submit mobile air permit; Ohio Mulch: Did not submit experience documentation or mobile air permit; and Park Enterprises: Did not submit experience documentation or mobile air permit, and

WHEREAS, , to enter into an agreement from these proposals the Division of Sewerage and Drainage must waive the provisions of Columbus City Code section 329.06, and

WHEREAS, it is in the best interest of the City of Columbus to waive the provisions of Columbus City Code 329.06 and enter into an agreement with the lowest bid, Madden Brothers Inc., now, therefore

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

Section 1. That the Director of Public Utilities be and is hereby authorized to enter into a service agreement with Madden Brothers Inc. for Yard Waste and Log Grinding Services for the Division of Sewerage and Drainage.

Section 2. This agreement will be effective for one (1) year to an including July 31, 2010. Furthermore, upon mutual agreement and approval by the Columbus City Council, this contract allows for two (2) extensions on a year to year basis and funds availability.

Section 3. That this Council finds it in the best interest of the City of Columbus to waive the provisions of competitive bids as specified in Columbus City Code Section 329.06.

Section 4. That the expenditure of \$100,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows:

OCA 605899
Object Level 1: 03
Object Level 03: 3377

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

Legislation Number: 0541-2009

Drafting Date: 03/31/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The City of Columbus has an agreement with the State of Ohio, Department of Natural Resources

allowing the Division of Power and Water to withdraw raw water from Alum Creek Reservoir and to pay the State a prorated share of the operation and maintenance costs. This agreement was entered into by the authority of Ordinance 1663-71, passed on November 15, 1971. An annual payment is needed to keep the agreement in effect.

The Federal Identification Number for the State of Ohio, Department of Natural Resources is 31-6402047 (044).

FISCAL IMPACT: This is an annual expenditure and the Division of Power and Water has allocated \$1,352,000.00 for this purpose in the 2009 Budget.

\$1,151,414.10 was expended for this purpose during 2008.

\$1,228,628.49 was expended for this purpose during 2007.

Title

To authorize the Director of Public Utilities to pay the State of Ohio Treasurer, Department of Natural Resources, for operation and maintenance services and water entitlement for the Alum Creek Reservoir, storage spaces #1 and #2, for the Division of Power and Water, to authorize the expenditure of \$1,190,440.02 from Water Systems Operating Fund. (\$1,190,440.02)

Body

WHEREAS, Ordinance Number 1663-71 passed November 15, 1971, authorized the City of Columbus and the State of Ohio, Department of Natural Resources to enter into an agreement permitting the City of Columbus to withdraw raw water from Alum Creek Reservoir and to pay the State a prorated share of the operation and maintenance costs, and

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 pay the State of Ohio Treasurer, Department of Natural Resources for operation and maintenance services and water entitlement for the Alum Creek Reservoir, in order to pay the invoice by the due date of June 15, 2009 for the preservation of public health, peace, property and safety; now, therefore,

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

Section 1. That the Director of Public Utilities be and is hereby authorized to pay the State of Ohio Treasurer, Department of Natural Resources, for operation and maintenance costs for water entitlement from storage spaces #1 and #2 at Alum Creek Reservoir as indicated in the previously mentioned agreement.

Section 2. That the expenditure of \$1,190,440.02 or as much thereof as may be needed is hereby authorized from Water Works Fund 600, Department 60-09, OCA Code 600965, Object Level One 03, Object Level Three 3401, to pay the cost thereof.

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

Legislation Number: 0555-2009

Drafting Date: 04/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to establish a Universal Term Contract (UTC) to purchase photo ID supplies for Recreation and Parks Department facilities, as well as various other City agencies. The term of the proposed option contract is two (2) years, and would be in effect from the date of execution by the City to and including March 31, 2011, with the option to renew for one (1) additional year. The Purchasing Office opened formal bids on February 19, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003120. Thirty-seven (37) bids were solicited (MBR-3, M1A). Nine (9) bids were received, and one (1) of these nine (9) bids was from a MBR.

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

OM Office Supply, CC#251794667 (Expires 11/06/2010); MBR
Lamination Services, CC#621058511 (Expires 04/08/2011); MAJ
IdentiSys, CC#411938567 (Expires 04/07/2011); MAJ
Diebold, CC#340183970 (Expires 03/06/2011); MAJ

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 Mail, Print Services & UTC Account. The Division of Recreation and Parks will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct Finance & Management Director to enter into various contracts to purchase photo ID supplies with OM Office Supply Inc., Lamination Services Inc., IdentiSys Inc., and Diebold Inc., to authorize the expenditure of four (4) dollars to establish these contracts from the Purchasing Mail, Print Services & UTC Account; and to declare an emergency. (\$4.00).

Body

WHEREAS, The Purchasing Office advertised and solicited formal bids on February 19, 2009, and selected the lowest, responsive, responsible and best bidders; 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 imposing 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 photo ID supplies are supplied without interruption, as they are used to create photo identifications, this is being submitted for consideration as an emergency measure; and

WHEREAS, as emergency exists in the usual daily operation of the Division of Parks and Recreation, as well as various other City agencies, in that it is immediately necessary to enter into a contract for the option to purchase photo ID supplies, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance & Management Director be and is hereby authorized and directed to enter into the following contract(s) for an option to purchase photo ID supplies. The contract(s) are for a term of two (2) years, ending March 31, 2011, with the option to renew for one (1) additional year in accordance with Solicitation SA003120 as follows:

IdentiSys, Item 1: \$1.00;
Diebold, Item 2: \$1.00;
OM Office Supply, Item 3: \$1.00;

Lamination Services, Items 4, 5 & 6: \$1.00

SECTION 2. That the expenditure of \$4.00 is hereby authorized from Mail, Print Services & UTC Account, Organizational Level 1: 45-01, Fund 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3 . That 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: 0566-2009

Drafting Date: 04/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to rent Uniforms and Building Maintenance Supplies for Various City Agencies. The term of the proposed option contract would be three years, with the option to extend the contract for one additional three-year extension. The Contract is through May 31, 2012. The Purchasing Office opened formal bids on March 12, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003203. Seventy (70) bids were solicited (M1A: 1). Four (4) bids were received. It is recommended that the City waive the competitive bidding procedure to allow for award of all items to the overall low bidder, Unifirst Corporation. The vendor did not provide identification of the alternate products as required, with their bid. However, awarding all items to the low overall bidder would benefit the City in the form of additional savings.

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

Unifirst Corporation, CC#042103460 (Expires March 10, 2011), \$1.00, All items.
Total Estimated Annual Expenditure: \$150,000.00

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 Mail, Print Services and UTC Fund. Various City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance & Management Director to enter into contract for the option to rent Uniforms and Building Maintenance Supplies with Unifirst Corporation, to authorize expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund, to waive formal competitive bidding requirements, and to declare an emergency. (\$1.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 12, 2009 and four (4) bids were received; and

WHEREAS, it is necessary to waive formal competitive bidding requirements due to the vendor's failure to provide required documentation with their bid, and award to the low bidder in order to take advantage of savings to the City; 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 the rental and cleaning of Uniforms is needed to outfit City Employees working in unsanitary conditions and the rental and cleaning of Building Maintenance Supplies are needed to keep City buildings safe and sanitary, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the City Agencies in that it is immediately necessary to enter into a contract for an option to rent Uniforms and Building Maintenance Supplies, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance & Management Director be and is hereby authorized and directed to enter into the following contract for the option to rent Uniforms and Building Maintenance Supplies for the term ending May 31, 2012, with the option to extend the contract for one (1) additional three (3) year period, in accordance with Solicitation No. SA003203 as follows:

Unifirst Corporation, All items: Amount: \$1.00

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

SECTION 3. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving, and does hereby waive Section 329.06 (Formal Competitive Bidding) of the Columbus City Code.

SECTION 4. 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: 0571-2009

Drafting Date: 04/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Heat-fused Preformed Pavement Marking Material for the Department of Public Service, Division of Design and Construction, the largest user, and other city agencies. The term of the proposed option contract would be through December 31, 2010 with the option to extend one additional year, subject to mutual agreement by both parties, in accordance with formal bid SA003208. The Purchasing Office opened formal bids on March 19, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003208). Sixteen bids were solicited (MAJ: 16) and 2 bids (MAJ 2) were received.

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

The bids for Items 10 and 11 did not meet the specifications and will not be awarded. Bids for these items will be solicited as needed. The Purchasing Office is recommending award of two contracts to the lowest, responsive, responsible and best bidders:

Ennis Paint Inc., CC#752657523, exp. 4/11/2011
Flint Trading, Inc. CC#561736552, exp. 7/22/2010
Total Estimated Annual Expenditure: \$50,000.00

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 Mail, Print Services, and UTC Account. The Department of Public Service and other city departments will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Heat-fused Preformed Thermoplastic Pavement Marking Material with Ennis Paint Inc. and Flint Trading Inc., to authorize the expenditure of two dollar to establish the contracts from the Mail, Print Services, and UTC Account, and to declare an emergency. (\$2.00).

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 19, 2009 and selected the lowest, responsive, responsible and best bids; and

WHEREAS, this ordinance addresses the 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 Department of Public Service and various city departments to efficiently maintain their supply chain and service to the public; and

WHEREAS, in order to ensure Heat-fused Preformed Pavement Marking Materials are supplied without interruption to mark the pavement for new and existing city roadway projects, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service/Division of Design and Construction in that it is immediately necessary to enter into a contract for an option to purchase Heat-fused Preformed Pavement Marking Materials 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 contracts for the option to purchase Heat-fused Preformed Pavement Marking Materials for the term ending December 31, 2010 with the option to extend for one (1) additional year subject to mutual agreement in accordance with Solicitation No. SA003208 as follows:

Flint Trading, Inc. Items: 1, 5-9, 14, 15, 19, 21, 23-32, 34, 35, 37, 39-49, and 51-64. Amount \$1.00.
Ennis Paint, Inc., Items: 2-4, 12 option A and B, 13, 16-18, 20, 22, 33, 36, 38, 50 and 52. Amount \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from the Mail, Print Services, and 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: 0573-2009

Drafting Date: 04/09/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The City of Columbus ("City"), Division of Water ("DOW"), owns certain real property, approximately 94.99 acres, in northern Delaware County, commonly referred to as the "Zieg Farm". In an effort to expand the size of a future upground reservoir the DOW desires to exchange the "Zieg Farm", while reserving easement rights thereon, for a more ideal property, a 128 +/- acre parcel owned by Ms. Wahnetta Jean A. Barnes. In order to complete this exchange on an even acre per acre basis, an additional 33.01 +/- acres will be conveyed to Ms. Barnes from a separate 150 +/- acre tract, which the City will acquire pursuant to a purchase contract it has with Kenneth Lee Davis and Charlotte A. Davis, Co-Trustees, and as authorized under Ordinance No. 0555-2005. The result being an equal exchange of 128 acres for 128 acres. The DOW also desires to sell an additional 40 +/- acres from the 150- acre tract to Ms. Barnes for \$189,892.00. The 40 +/- acres will not be needed for the future upground reservoir. As additional consideration, Ms. Barnes will convey waterline easements for additional properties in the area for which she has ownership rights and which are necessary for the upground reservoirs. The DOW has determined that the exchange of subject properties, the sale of the additional property, and the City's acceptance of the waterline easements is in the best interest of the City and should be allowed.

Fiscal Impact: \$189,982.00 to be paid to the City, subject to closing costs and tax pro-rations.

Emergency Justification: Emergency action is requested to allow this acquisition and closing to occur pursuant to the terms of the real estate purchase contract(s).

Title

To authorize the Director of Public Utilities to execute all deeds and ancillary documents, between the City and Wahnetta Jean A. Barnes, necessary for the exchange of equal acres of real property; the sale of an additional 40 +/- acres to Ms. Barnes; the City's acceptance of waterline easements; to waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (Land Review Commission) and Section 329.29 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only; and to declare an emergency.

Body

WHEREAS, The Division of Water continues to work to increase the safe yield of its surface water supply; and

WHEREAS, The City of Columbus ("City") is the owner of certain real property "Zieg Farm" totaling approximately 94.99 acres +/-, Delaware County Tax Parcel No. 10020001091000, which will not be needed for the construction of an upground reservoir; and

WHEREAS, Wahnetta Jean A. Barnes ("Owner"), the owner of certain real property totaling approximately 128 acres +/-, Delaware County Tax Parcel No. 1002001089000, desires to sell and otherwise exchange this property for the "Zieg Farm" 94.99 acres +/-, subject to the City reserving easements thereon; and

WHEREAS, The City and Owner wish to exchange the properties on an even acre for acre basis, subject to closing costs and tax pro-rations; and

WHEREAS, The City has the right to purchase a separate property, approximately 150 acres +/-, Delaware County Tax Parcel No. 1002001004000, pursuant to a purchase contract it has with Kenneth Lee Davis and Charlotte A. Davis, as authorized by Ordinance No. 0555-2005; and

WHEREAS, The City and Owner wish to exchange 33.01 +/- acres from Tax Parcel No. 1002001004000, in addition to the 94.99 acre "Zieg Farm", thereby totaling approximately 128 acres +/- for the approximately 128 acres +/- tract owned by Owner; and

WHEREAS, The Owner also desires to purchase an additional 40 acres +/-, which the City will not need for construction of an upground reservoir, from the 150 acre +/- tract, Delaware County Parcel No. 1002001004000, for approximately \$189,892.00; and

WHEREAS, The Owner further agrees, as additional consideration, to obtain and convey fully executed waterline easements, which are necessary for the upground reservoir waterlines; and

WHEREAS, the Division of Water has determined that the exchange of subject properties, sale of the additional property, and acceptance of the waterline deed of easements will not adversely affect the City and it is in the best interest of the City and should be allowed; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is necessary to authorize the Director of Public Utilities, in conjunction with the City Attorney's Office, to execute those documents necessary effectuate the sale and any ancillary documents, between the City and Wahnetta Jean A. Barnes, necessary for the exchange of equal acres of real property; the sale an additional 40 acres +/- to Ms. Barnes; the City's acceptance of waterline easements; to waive competitive Review Commission provisions of the Columbus City Codes (1959), for the preservation of the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the Director of Public Utilities, in conjunction with the City Attorney's Office, be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to deed and convey by quitclaim deed the following described City owned real property, Delaware County Tax Parcel No. 1002001091000, to Wahnetta Jean A. Barnes, reserving to the City the following described waterline easement areas:

68.291 +/- acres

Situated in Part of Lot #31, Jonathan Clark Survey Number 3021 in the Virginia Military Lands, Thompson Township, Delaware County, State of Ohio and being more particularly described as follows;

Beginning at a Railroad Spike located at the intersection of the centerline of County Road 183 with the centerline of Township Road 185 as said centerline is produced northward; thence N 0° 01' 40" E along the centerline of Township Road 185 for a distance of 1773.55 feet to a Railroad Spike at Grantor's northwest corner; thence N 88° 59' 10" E along Grantor's north line for a distance of 1577.41 feet to Grantor's northeast corner; thence S 0° 20' 20" E along Grantor's east line for a distance of 2039.13 feet to an existing Iron Bar located on the centerline of County Road 183; thence N 81° 30' 00" W along the centerline of County Road 183 for a distance of 60.73 feet to a Railroad Spike; thence N 0° 20' 20" W for a distance of 176.34 feet to an iron pin; thence N 81° 30' 00" W for a distance of 250.00 feet to an iron pin; thence S 0° 20' 20" E for a distance of 176.34 feet to a Railroad Spike on the centerline of County Road 183; thence N 81° 30' 00" W along the centerline of County Road 183 for a distance of 1297.02 feet to a Railroad Spike and the place of beginning.

Containing 68.291 acres more or less and subject to legal highways, easements, restrictions and agreements of record. This description prepared from a survey performed by Thomas L. Boblenz, Registered Surveyor 5719, and dated October 12, 1978.

26.699 +/- acres

Situated in Part of Lot #31, Jonathan Clark Survey Number 3021 in the Virginia Military Lands, Thompson Township, Delaware County, State of Ohio and being more particularly described as follows;

Beginning at an existing railroad spike located at the intersection of the centerline of County Road 183 with the centerline of Township Road 185 as said centerline is produced southward; thence S 0° 56' 40" E along the centerline of Township Road 185 for a distance of 790.48 feet to a Railroad Spike; thence N 89° 01' 50" E along Grantor's south line for a distance of 1912.46 feet to Grantor's southeast

corner; thence N 1° 02' 45" W along Grantor's east line for a distance of 471.67 feet to an existing Railroad Spike on the centerline of County Road 183; thence N 81° 30' 00" W along the centerline of County Road 183 for a distance of 646.60 feet to a Railroad Spike; thence S 0° 56' 40" E for a distance of 176.63 feet to an Iron Pin; thence N 81° 30' 00" W for a distance of 250.00 feet to an iron pin; thence N 0° 56' 40" W for a distance of 176.63 feet to a Railroad Spike on the centerline of County Road 183; thence N 81° 30' 00" W along the centerline of County Road 183 for a distance of 713.75 feet to an existing Railroad Spike and the place of beginning.

Containing 26.699 acres more or less and subject to legal highways, easements, restrictions and agreements of record. This description prepared from a survey performed by Thomas L. Boblenz, Registered Surveyor 5719, and dated October 12, 1978.

Description of Reserved Waterline Easement Area

Situated in the State of Ohio, County of Delaware, Township of Thompson, being a part of Clark's Virginia Military Survey No. 3021, and being an easement area over and across a 26.699 acre tract described as Tract 2 in a deed to City of Columbus, as recorded in Deed Book 562, Page 559, on file at the Recorder's Office, Delaware County, Ohio, said easement area being more particularly bounded and described as follows:

Beginning at a railroad spike found at the intersection of the centerline of Hoskins Road with the centerline of Mooney Road as it is projected to the south, said point being the northwesterly corner of the said 26.699 acre tract;

Thence South 78°55'45" East, along the centerline of Hoskins Road, along the northerly line of the said 26.699 acre tract, a distance of 201.42 feet to a point;

Thence crossing the said 26.699 acre tract by the following two (2) described courses:
South 46°38'22" West, a distance of 167.86 feet to an angle point;

South 01°38'22" West, along a line parallel to and 80.00 feet easterly from the centerline of the said Mooney Road, a distance of 638.73 feet to a point in the southerly line of the said 26.699 acre tract;

Thence North 88°23'35" West, along the southerly line of the said 26.699 acre tract, a distance of 80.00 feet to the southwesterly corner of the said 26.699 acre tract, said point being located in the centerline of the said Mooney Road;

Thence North 01°38' 22" East, along the centerline of the said Mooney Road, along the westerly line of the said 26.699 acre tract, a distance of 790.48 feet to the Place of Beginning.

The above easement description contains 70,919 square feet (1.628 acres) over Auditor's Parcel No. 10020001091000, of which, 28,374 square feet (0.651 acre) lies in existing right-of-way.

The bearings described herein are referenced to the North American Datum of 1988 and were established using a GPS observation between NGS monuments "16-00003" and "16-00004".

The above description was prepared under the direct supervision of John L. Price, Ohio Registered Professional Surveyor No. 7159, from an actual field survey performed by ms consultants, inc. and from record documents on file at the Recorder's Office, Delaware County, Ohio.

Description of Reserved Waterline Easement Area

Situated in the State of Ohio, County of Delaware, Township of Thompson, being a part of Clark's Virginia Military Survey No. 3021, and being an easement area over and across a 68.291 acre tract as described as Tract 1 in a deed to City of Columbus, as recorded in Deed Book 562, Page 559, all records referenced are on file at the Recorder's Office, Delaware County, Ohio, said easement area being more particularly bounded and described as follows:

Beginning at the southeasterly corner of the said 68.291 acre tract, said point being in the centerline of Hoskins Road;

Thence North 78°55'45" West, along the centerline of Hoskins Road, along the southerly line of the said 68.291 acre tract, a distance of 60.88 feet to a southerly corner of the said 68.291 acre tract, said point being the southeasterly corner of a 1.000 acre tract as described in a deed to Harold E. Curry and Vivian K. Curry, as recorded in Deed Book 425, Page 280;

Thence North 02°17'11" East, along a westerly line of the said 68.291 acre tract, along the easterly line of the said 1.000 acre tract, a distance of 176.31 feet to a southerly corner of the said 68.291 acre

tract, said point being the northeasterly corner of the said 1.000 acre tract;

Thence North 78°55'45" West, along a southerly line of the said 68.291 acre tract, along the northerly line of the said 1.000 acre tract, a distance of 250.00 feet to a southerly corner of the said 68.291 acre tract, said point being the northwesterly corner of the said 1.000 acre tract;

Thence South 02°17'11" West, along an easterly line of the said 68.291 acre tract, along the westerly line of the said 1.000 acre tract, a distance of 176.31 feet to a southerly corner of the said 68.291 acre tract, said point being the southwest corner of the said 1.000 acre tract, said point being located in the centerline of Hoskins Road;

Thence North 78°55'45" West, along the centerline of Hoskins Road, along the southerly line of the said 68.291 acre tract, a distance of 1297.14 feet to the intersection with the centerline of Mooney Road as it is projected North, said point being the southwest corner of the said 68.291 acre tract;

Thence North 02°36'01" East, along the centerline of Mooney Road as it is projected North, along the westerly line of the said 68.291 acre tract, a distance of 80.88 feet to a point;

Thence crossing the said 68.291 acre tract by the following four (4) described courses:

South 78°55'45" East, along a line parallel to and 80.00 feet northerly from the centerline of Hoskins Road, a distance of 1117.18 feet to an angle point;

North 56°04'15" East, a distance of 204.00 feet to an angle point;

South 78°55'45" East, along a line parallel to and 50.00 feet northerly from the northerly line of the said 1.000 acre tract, a distance of 291.42 feet to an angle point;

South 33°55'45" East, a distance of 54.27 feet to a point in the easterly line of the said 68.291 acre tract;

Thence South 02°17'11" West, along the easterly line of the said 68.291 acre tract, a distance of 188.08 feet to the Place of Beginning.

The above easement description contains 143,167 square feet (3.286 acres) over Auditor's Parcel No. 10020001091000, of which, 42,252 square feet (0.969 acre) lies within exiting right-of-way.

The bearings described herein are referenced to the North American Datum of 1988 and were established using a GPS observation between NGS monuments "16-00003" and "16-00004".

The above description was prepared under the direct supervision of John L. Price, Ohio Registered Professional Surveyor No. 7159, from an actual field survey performed by ms consultants, inc. and from record documents on file at the Recorder's Office, Delaware County, Ohio.

Section 2. That the Director of Public Utilities, in conjunction with the City Attorney's Office, be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to deed and convey by quitclaim deed the following described real property that is or will be owned by the City prior to any transfer to Wahneta Jean A. Barnes:

33.01 +/- acres

Situated in the Township of Thompson, County of Delaware, and State of Ohio, and known as being within Jonathan Clark's Virginia Military Survey No. 3021, and being part of Lot Number 32 and 33 in the subdivision of said Survey as made by Joel Wright, and known as being part of the lands conveyed to Kenneth L. Davis, Trustee under his Declaration of Trust dated June 15, 2000 as recorded in Volume 0041 at Page 2404 of the Deed Records of Delaware County;

Commencing at a spike found at the intersection of the centerline of County Road 183 (Hoskins Road) with the centerline of Township Road 185 (Mooney Road);

Thence N02°37'57"E, along the centerline of Mooney Road, for a distance of 3071.17 feet to a spike set;

Thence N02°04'54"E, and continuing along the centerline of Mooney Road, for a distance of 253.62 feet to a spike found at the southwest corner of said Kenneth L. Davis parcel, said spike being the TRUE PLACE OF BEGINNING of the parcel described herein;

Thence N02°33'40"E, continuing along the centerline of Mooney Road, and the westerly line of said Kenneth L. Davis parcel, for a distance of 2039.73 feet to a spike set at the northwesterly corner of said Kenneth L. Davis parcel, said spike being located at the intersection of the centerline of Mooney Road with the centerline of Township Road 184 (Davis-Kirk Road);

Thence S89°56'50"E along the centerline of Davis-Kirk Road, and the northerly line of said

Kenneth L. Davis parcel, for a distance of 705.60 feet to a spike set at the northeasterly corner of this tract being conveyed;

Thence S02°33'40"W, and passing through said Kenneth L. Davis parcel, for a distance of 2039.73 feet to an iron pin set on the southerly line of said Kenneth L. Davis parcel, and passing over an iron pin set at 30.03 feet;

Thence N89°56'50"W along the southerly line of said Kenneth L. Davis parcel, for a distance of 705.60 feet, and passing over an iron pin set at 675.57 feet, to the TRUE PLACE OF BEGINNING, and containing within said bounds 33.010 acres of land more or less.

'NORTH' for the above description is based on the Ohio State Plane Co-Ordinate System, North Zone NAD83.

All iron pins noted in the above description as being set are 5/8" x 30" rebar with a plastic I.D. cap inscribed 'ms cons. Inc.'

The above description was prepared under the direct supervision of Richard John Swan, Ohio Registered Professional Surveyor No. 6574 in March 2009, and is based on an actual field survey performed by ms consultants, inc., and from record documents on file at the Recorder's Office, Delaware County, Ohio.

Section 3. That the City of Columbus hereby accepts the following describe real property being approximately 128 +/- acres from Wahnetta Jean A. Barnes, being Delaware County Tax Parcel No. 10020001089000, in exchange for the above-referenced real property, for purposes relating to the construction of upground reservoirs:

Tract No. 1: Situated in the State of Ohio, County of Delaware, Township of Thompson, and bounded and described as follows: Being part of Lots No. 31 and 32 in Clark's V.M. Survey No.3021 bounded and described as follows, to-wit: Beginning at a stone on post in the center of so-called Hoskins Pike on the West line of Lot No. 14 in said Survey No. 3021; thence N. 0 deg. 24 min. W. along the West line of said Lot No. 14 (the same in the west line of Jacob Hoskins') 77 36/100 poles to a stone on post at the northwest corner of said Hoskins and the southwest corner of land of Levi Wottring; thence along said Wottring's west line N. 0 deg. 8 min. E. 62-8/100 poles to a stone on post; thence S. 89 deg. 3 min. W. along the south line of J.W. Money's 95-72/100 poles to a stone on post; thence along the East line of W.H. Dilsaver S. 0 Deg. 15 min. E. 86-53/100 poles to a stone on post; thence S. 0 deg. 15 min. E. 37 rods to stone on iron post in center of Hoskins Pike; thence along the center line of said Hoskins Pike 3.81 ½ deg. E. 96 rods 18-3/4 links to the place of beginning, containing 78 acres of land, more or less. Being the same premises conveyed to John Miley by W.H. Neumeyer and Amelia Neumeyer, dated January 26th, 1901, and recorded in Delaware County Deed Records, Vol. 114, and Page 440.

Tract No. 2: Situated in Thompson Township, Delaware County, Ohio and in Jonathan Clarks V.M. Survey No. 3021, and bounded and described as follows: Being Fifty (50) acres of land off of the East end of the following described tract of land: Beginning at the N.E. corner of a tract of land formerly owned by John Hoskins now owned by W.H. Dilsaver, (ash, sugar tree and iron wood old bearing trees) at a stone on a post, and brick at point J on the Plat of the resurvey of the lands of said N. & J.W. Money made by Samuel Davidson (See Surveyor's Records of said County Vol. 7, page 54) white ash 27 inches in diameter N. 76½ deg. E. 12 ¼ links; thence S. 88 deg. W. along the North line of said Dilsaver and North line of Miller land, 191 rods, 11-1/3 links to a stone on a post and brick at the N.W. corner of Miller land in center of the County Road leading from Fulton Creek North to the Money County Road known as the Thrashers Road at Point I on said plat; thence N. 1 ½ deg. W. along the center of said Fulton Creek Road, 94 rods 2 ¼ links to a stone on a post in said County Road; thence N. 88 deg. E. 191 rods 11-1/3 links to a stone on post bearing tree white ash 7 inches in diameter, West 10-1/13 links; thence S. 1 ½ deg. East along the West line of Lot 15, 100 rods 15-7/8 links to the place of beginning, containing 116 acres, 80-4/6 rods of land. The amount of land conveyed by this tract being 50 acres. Being the same premises conveyed to John Miley by Henry R. Money and Mary E. Money by deed dated October 28th, 1907, and recorded in Deed Records Delaware County, Vol. 132, Page 70.

Section 4. That the Director of Public Utilities, in conjunction with the City Attorney's Office, be and hereby is

authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to sell, deed and otherwise convey by quitclaim deed the additional following described 40 +/- acres of real property, that is or will be owned by the City prior to any transfer to Wahneta Jean A. Barnes in exchange for approximately \$189,892.00, subject to closing costs and tax pro-rations:

40 +/- Acres

Situated in the Township of Thompson, County of Delaware, and State of Ohio, and known as being within Jonathan Clark's Virginia Military Survey No. 3021, and being part of Lot Number 32 and 33 in the subdivision of said Survey as made by Joel Wright, and known as being part of the lands conveyed to Kenneth L. Davis, Trustee under his Declaration of Trust dated June 15, 2000 as recorded in Volume 0041 at Page 2404 of the Deed Records of Delaware County;

Commencing at a spike found at the intersection of the centerline of County Road 183 (Hoskins Road) with the centerline of Township Road 185 (Mooney Road);

Thence N02°37'57"E, along the centerline of Mooney Road, for a distance of 3071.17 feet to a spike set;

Thence N02°04'54"E, and continuing along the centerline of Mooney Road, for a distance of 253.62 feet to a spike found at the southwesterly corner of said Kenneth L. Davis parcel;

Thence N02°33'40"E, and continuing along the centerline of Mooney Road 2039.73 feet to a spike set at the northwesterly corner of said Kenneth L. Davis parcel, said spike being located at the intersection of the centerline of Mooney Road with the centerline of Township Road 184 (Davis-Kirk Road);

Thence S89°56'50"E along the centerline of Davis-Kirk Road, and the northerly line of said Kenneth L. Davis parcel, for a distance of 705.60 feet to a spike set at the northwesterly corner of this tract being conveyed, said spike being the TRUE PLACE OF BEGINNING of the parcel described herein;

Thence continuing S89°56'50"E along the centerline of Davis-Kirk Road, and the northerly line of said Kenneth L. Davis parcel, for a distance of 855.05 feet to a spike set;

Thence S02°33'40"W, and passing through said Kenneth L. Davis parcel, for a distance of 2039.73 feet to an iron pin set on the southerly line of said Kenneth L. Davis parcel, and passing over an iron pin set at 30.03 feet;

Thence N89°56'50"W along the southerly line of said Kenneth L. Davis parcel, for a distance of 855.05 feet to an iron pin set;

Thence N02°33'40"E, and passing through said Kenneth L. Davis parcel, for a distance of 2039.73 feet, and passing over an iron pin set at 2009.70 feet, to the TRUE PLACE OF BEGINNING, and containing within said bounds 40.000 acres of land more or less.

'NORTH' for the above description is based on the Ohio State Plane Co-Ordinate System, North Zone NAD83.

All iron pins noted in the above description as being set are 5/8" x 30" rebar with a plastic I.D. cap inscribed 'ms cons. Inc.'

The above description was prepared under the direct supervision of Richard John Swan, Ohio Registered Professional Surveyor No. 6574 in March 2009, and is based on an actual field survey performed by ms consultants, inc., and from record documents on file at the Recorder's Office, Delaware County, Ohio.

Section 5. That the City of Columbus hereby accepts the following described waterline deed of easements as additional consideration for the exchange and sale of the aforementioned real properties as described, authorized and referenced above-herein:

Description of a Waterline Easement Area 4P

Situated in the State of Ohio, County of Delaware, Township of Thompson, being a part of Clark's Virginia Military Survey No. 5750, and being an easement area over and across a 108.75 acre tract described as Tract III in a deed to Whaneta J. Barnes, et. al., as recorded in Deed Book 493, Page 62, on file at the Recorder's Office, Delaware County, Ohio, said easement area being more particularly bounded and described as follows:

Beginning at a railroad spike found at an angle point in Mooney Road, said point being an easterly corner of the said 108.75 acre tract;

Thence South 02°33'51" West, along the centerline of Mooney Road, along the easterly line of the said 108.75 acre tract, a distance of 1642.33 feet to the southeasterly corner of the said 108.75 acre tract;

Thence South 77°15'28" West, along the southerly line of the said 108.75 acre tract, a distance of 82.94 feet to a point;

Thence crossing the said 108.75 acre tract by the following two (2) described courses:

North 02°33'51" East, along a line parallel to and 80.00 feet westerly from the centerline of Mooney Road, a distance of 1663.79 feet to an angle point;

North 01°56'19" East, along a line parallel to and 80.00 feet westerly from the centerline of Mooney Road, a distance of 303.02 feet to a point in a northerly line of the said 108.75 acre tract;

Thence North 77°47'56" East, along a northerly line of the said 108.75 acre tract, a distance of 82.50 feet to a point in the centerline of Mooney Road;

Thence South 01°56'19" West, along the centerline of Mooney Road, along the easterly line of the said 108.75 acre tract, a distance of 323.61 feet to the Place of Beginning.

The above easement description contains 157,306 square feet (3.611 acres) over Auditor's Parcel No. 10020001077000, of which, 58978 square feet (1.353 acres) lies within existing right-of-way.

The bearings described herein are referenced to the North American Datum of 1988 and were established using a GPS observation between NGS monuments "16-00003" and "16-00004".

The above description was prepared under the direct supervision of John L. Price, Ohio Registered Professional Surveyor No. 7159, from an actual field survey performed by ms consultants, inc. and from record documents on file at the Recorder's Office, Delaware County, Ohio.

Description of a Waterline Easement Area 5P

Situated in the State of Ohio, County of Delaware, Township of Thompson, being a part of Clark's Virginia Military Survey No. 3021, and being an easement area over and across a 102.157 acre tract described as Tract III in a deed to Whaneta J. Barnes, et. al., as recorded in Deed Book 613, Page 706, on file at the Recorder's Office, Delaware County, Ohio, said easement area being more particularly bounded and described as follows:

Beginning at an iron pin found at a an angle point in Mooney Road, said point being an easterly corner of the said 102.157 acre tract;

Thence South 01°56'19" West, along the centerline of Mooney Road, along the easterly line of the said 102.157 acre tract, a distance of 804.50 feet to a southeasterly corner of the said 102.157 acre tract;

Thence South 77°47'56" West, along a southerly line of the said 102.157 acre tract, a distance of 82.50 feet to a point;

Thence crossing the said 102.157 acre tract by the following two (2) described courses:

North 01°56'19" East, along a line parallel to and 80.00 feet westerly from the centerline of Mooney Road, a distance of 826.37 feet to an angle point;

North 46°56'19" East, a distance of 112.54 feet to a point located in the centerline of Mooney Road;

Thence South 01° 38'22" West, along the centerline of Mooney Road, along the easterly line of the said 102.157 acre tract, a distance of 81.29 feet to the Place of Beginning.

The above easement description contains 68,486 square feet (1.572 acres) over Auditor's Parcel No. 10020001084000, of which, 26,248 square feet (0.602 acre) lies in existing right-of-way.

The bearings described herein are referenced to the North American Datum of 1988 and were established using a GPS obseration between NGS monuments "16-00003" and "16-00004".The above description was prepared under the direct supervision of John L. Price, Ohio Registered Professional Surveyor No. 7159, from an actual field survey performed by ms consultants, inc. and from record documents on file at the Recorder's Office, Delaware County, Ohio.

Break1

Description of a Waterline Easement Area 6P

Situated in the State of Ohio, County of Delaware, Township of Thompson, being a part of Clark's Virginia Military Survey No. 3021, and being an easement area over and across a 50 acre tract described

as Tract VI in a deed to Whaneta J. Barnes, et. al., as recorded in Deed Book 451, Page 768, on file at the Recorder's Office, Delaware County, Ohio, said easement area being more particularly bounded and described as follows:

Beginning at a railroad spike found at the northwesterly corner of the said 50 acre tract, sid point being located in the centerline of Mooney Road;

Thence South 88°23'35" East, along the northerly line of the said 50 acre tract, a distance of 80.00 feet to a point;

Thence crossing the said 50 acre tract by the following two (2) described courses:
South 01°38'22" West, along a line parallel to and 80.00 feet easterly from the centerline of Mooney Road, a distance of 1036.27 feet to an angle point;

South 46°38'22" West, a distance of 113.14 feet to a point in the westerly line of the said 50 acre tract, said point being located in the centerline of Mooney Road;

Thence North 01°38'22" East, along the centerline of Mooney Road, along the westerly line of the said 50 acre tract, a distance of 1116.23 feet to the Place of Beginning.

The above easement description contains 86,102 square feet (1.976 acres) over Auditor's Parcel Number 10020001086000, of which, 33,039 square feet (0.758 acre) lies in existing right-of-way.

The bearings described herein are referenced to the North American Datum of 1988 and were established using a GPS observation between NGS monuments "16-00003" and "16-00004".

The above description was prepared under the direct supervision of John L. Price, Ohio Registered Professional Surveyor No. 7159, from an actual field survey performed by ms consultants, inc. and from record documents on file at the Recorder's Office, Delaware County, Ohio.

Section 6. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of Columbus City Codes (1959) Revised, Chapter 328 (Land Review Commission) and Section 329.29 (competitive bidding) to the extent that they may apply to this transaction with regards to this ordinance only.

Section 7. That funds from the proceeds of this transaction shall be deposited to the Waterworks Enlargement Voted 1991 Bonds Fund, Fund No. 606, Department of Public Utilities, Division of Water, Dept./Division No. 60-09, Object Level Three 6601; within the following: Project No. 690370 - Upground Reservoir - OCA Code 642900.

Section 8. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0575-2009

Drafting Date: 04/09/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Preventive and Corrective Maintenance and Corrective Repair Services for HVAC Units in the Arlingate and Hammond Center Facilities. The term of the proposed option contract will be through March 31, 2011 with the option to extend this contract for Two (2) additional years on a year by year basis. The Purchasing Office opened formal bids on March 12, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003222). Fifty Six (56) Bids were solicited (M1A:3, F1:2). Five (5) Bids were received.

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

American Mechanical Group, Inc. CC#371480212 (expires 2-7-2010)

Total Estimated Annual Expenditure: \$50,000.00

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 Mail, Print Services and UTC Fund. The Department of Technology 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 for the option to purchase Preventive and Corrective Maintenance and Corrective Repair Services for HVAC Units in the Arlingate and Hammond Center Facilities with American Mechanical Group, Inc, to authorize the expenditure of One dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids March 12, 2009 and selected the lowest responsive, and responsible bidder; 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 Department of Technology to obtain Preventive and Corrective Maintenance and Corrective Repair Services for HVAC Units in the Arlingate and Hammond Center Facilities; and

WHEREAS, these Preventive and Corrective Maintenance and Corrective Repair Services for HVAC Units in the Arlingate and Hammond Center Facilities are necessary to allow the Department of Technology to 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 Department of Technology, in that it is immediately necessary to enter into a contract for an option to purchase Preventive and Corrective Maintenance and Corrective Repair Services for HVAC Units in the Arlingate and Hammond Center Facilities, 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 Preventive and Corrective Maintenance and Corrective Repair Services for HVAC Units in the Arlingate and Hammond Center Facilities for the term ending March 31, 2011 with the option to extend for two (2) additional years in accordance with Solicitation SA003222 as follows:

American Mechanical Group, Inc.: Amount \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, 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: 0576-2009

Drafting Date: 04/09/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: There is a need to transfer and appropriate funds within the Area Commission Fund to provide 2009 funding for the Area Commissions. Historically the City has provided funds to the Area Commissions, who through their daily operational functions incur eligible expenses that require cash expenditures during the program year. These funds allow each Area Commission the flexibility and individuality in decision making as they fulfill their functions and responsibilities as outlined in their bylaws and Columbus City Codes. Each Area Commission will receive \$1,000 in 2009. This is a reduction of \$1,000 per Area Commission from previous years.

Fiscal Impact: The legislation transfers \$5,793 between projects within the Area Commission Fund to provide monies in the proper projects for the 2009 funding of Area Commissions. This legislation also appropriates \$21,000 for operating expenses of the Area Commissions. No General Fund transfer will be necessary.

Emergency action is requested so that payments to the Area Commissions can be made immediately, thereby avoiding interruptions in services.

Title

To authorize and direct the City Auditor to transfer \$5,793 between projects within the Area Commission Fund; to authorize the appropriation of \$21,000 from the Area Commission Fund to the Department of Development for operating expenses of the Area Commissions; and to declare an emergency. (\$21,000.00)

Body

Whereas, it is necessary to transfer and appropriate funds within the Area Commission Fund to provide 2009 funding for the Area Commissions; and

Whereas, these funds are needed to fund minor operating expenses for the various Area Commissions; and

Whereas, historically the City has provided funds to the Area Commissions, who through their daily operational functions, incur eligible expenses that require cash expenditures during the program year; and

Whereas, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the transfer and appropriation of said funds so that payments to the Area Commissions can be made immediately, thereby avoiding interruptions in services, all 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 transfer cash in the amount of \$5,793 as follows within the Area Commission Fund, Fund 221:

FROM:

Commission / Subfund / Amount

Franklinton Area Commission / 004 / \$1,900

Italian Village Commission / 007 / \$2,300

Victorian Village Commission / 012 / \$1,593

TO:

Commission / Subfund / Amount

Clintonville Area Commission / 002 / \$411
Northeast Area Commission / 009 / \$842
South Linden Area Commission / 010 / \$1,000
North Central Area Commission / 016 / \$420
Historic Resources Commission / 019 / \$120
Columbus Southside Area Commission / 023 / \$1,000
Livingston Avenue Area Commission / 024 / \$1,000
Far South Columbus Area Commission / 025 / \$1,000

Section 2. That from the unappropriated monies in the Area Commission Fund, Fund 221, 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, 2009 the sum of \$21,000 is appropriated to the Department of Development, Division No. 44-01, Object Level One 03, Object Level Three 3337 as follows:

Commission / Subfund / OCA Code / Amount

Clintonville Area Commission / 002 / 422102 / \$1,000
Franklinton Area Commission / 004 / 422104 / \$1,000
German Village Commission / 005 / 422105 / \$1,000
Greater Hilltop Area Commission / 006 / 422106 / \$1,000
Italian Village Commission / 007 / 422107 / \$1,000
Near East Area Commission / 008 / 422108 / \$1,000
Northeast Area Commission / 009 / 422109 / \$1,000
South Linden Area Commission / 010 / 422110 / \$1,000
University Area Commission / 011 / 422111 / \$1,000
Victorian Village Commission / 012 / 422112 / \$1,000
North Linden Area Commission / 013 / 422113 / \$1,000
Westland Area Commission / 015 / 422115 / \$1,000
North Central Area Commission / 016 / 422116 / \$1,000
Milo Grogan Area Commission / 017 / 422117 / \$1,000
Brewery District Commission / 018 / 422118 / \$1,000
Historic Resources Commission / 019 / 422119 / \$1,000
Southwest Area Commission / 020 / 422120 / \$1,000
5th by Northwest Area Commission / 022 / 422122 / \$1,000
Columbus Southside Area Commission / 023 / 422123 / \$1,000
Livingston Avenue Area Commission / 024 / 422124 / \$1,000
Far South Columbus Area Commission / 025 / 422125 / \$1,000

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

Legislation Number: 0587-2009

Drafting Date: 04/11/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: An additional appropriation of \$410,000.00 is needed from the unappropriated balance of the Federal and State Law Enforcement Contraband/Seizure Funds for the Division of Police. Funds were received from seized and forfeited property and must be used solely for law enforcement purposes as specified in Ordinance 1850-85. These funds are needed to purchase covert vehicles; (2) trucks and one cargo van. Funds are also needed to cover the cost of some of

the Division's travel and training needs.

CONTRACT COMPLIANCE NUMBER: N/A

EMERGENCY DESIGNATION: Emergency legislation is requested in order to process purchase orders to obtain a cargo van and a truck from an existing universal term contract. Need to issue purchase order so vehicles can be ordered before any manufacturer shut off dates.

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

Title

To authorize an additional appropriation of \$410,000.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police; to purchase covert vehicles and trucks, and to fund travel and training needs; and to declare an emergency. (\$410,000.00)

Body

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

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

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to appropriate funds in the Law Enforcement Contraband Seizure Funds in order to purchase covert vehicles and trucks, to fund travel and training needs for the Division of Police for the preservation of public health, peace, property, safety and welfare;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That from the unappropriated monies in the Law Enforcement Contraband Seizure Fund, Fund 219, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009 the sum of \$410,000.00 is appropriated to the Division of Police, #30-03, as follows:

OBJ LVL 1	OBJ LEVEL 3	OCA	SUBFUND	AMOUNT
03	3330	301838	002	15,000.00
03	3331	301838	002	10,000.00
06	6650	301838	002	300,000.00
06	6652	301838	002	85,000.00
TOTAL				\$410,000.00

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

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

Legislation Number: 0590-2009

Drafting Date: 04/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the appropriation and expenditure of \$283,302 from the General Government Grant Fund for the Department of Development to contract with the Community Shelter Board (CSB) for the purpose of continuing the city's support for homeless emergency shelters. The funds are from an Emergency Shelter Grant (ESG) received from the U.S. Department of Housing and Urban Development (HUD) for the provision of homeless services. This ordinance is in accordance with Ordinance 1604-2008 passed November 10, 2008, authorizing the adoption and filing of the Consolidated Plan and application with HUD.

The CSB will disburse the funds to various providers of services to homeless individuals and families, and will monitor those provider activities. The CSB has been selected because of their history with the city and the homeless service community in the coordination of emergency shelter services, as well as, the CSB's established administrative procedures to effectively and efficiently implement such services.

Emergency action is necessary to allow program services to continue without interruption.

FISCAL IMPACT: Funds for the contract are allocated from the General Government Grant Fund in the amount of \$283,302.00 for the Emergency Shelter Grant (ESG) Program. The City also provides funding to the Community Shelter Board from the General Fund and Community Development Block Grant budgets.

Title

To authorize the appropriation of \$283,302.00 from the General Government Grant Fund to the Department of Development; to authorize the Director of the Department of Development to enter into contract with the Community Shelter Board for the purpose of continuing the city's support for homeless emergency shelters; to authorize the expenditure of \$283,302.00 from the General Government Grant Fund; and to declare an emergency. (\$283,302.00)

Body

WHEREAS, the City has received \$283,302.00 in Emergency Shelter Grant funds from HUD under the Stewart-McKinney Act-Emergency Shelter Grant Program for the provision of support services to the homeless; and

WHEREAS, the Director of the Department of Development desires to enter into a contract with the Community Shelter Board; and

WHEREAS, the city continues to support the Community Shelter Board's work with emergency shelters for homeless individuals and families; and

WHEREAS, these programs have effectively and efficiently enabled our community to help individuals and families who are homeless resolve their housing crisis; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into contract with Community Shelter Board so that necessary services will not be interrupted, all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE,**

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

Section 1. That 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 and unappropriated for any other

purpose during the year ending December 31, 2009, the sum of \$283,302.00 is hereby appropriated to the Department of Development, Department No. 44-10, Fund 220, Object Level One 03, Object Level Three 3337, OCA Code 458284, Grant No. 458084.

- Section 2.** That the Director of the Department of Development is hereby authorized to contract with the Community Shelter Board for the purpose of continuing the city's support for emergency shelters for homeless individuals and families.
- Section 3.** That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959, as amended
- Section 4.** That for the purpose as stated in Section 2, the expenditure of \$283,302.00 or so much thereof as may be necessary and be and is hereby authorized to be expended from the General Government Grant Fund, Department of Development, Department No. 44-10, Fund 220, Object Level One 03, Object Level Three 3337, OCA Code 458284, Grant No. 458084.
- Section 5.** That for the reasons stated in the preamble hereto, which hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0591-2009

Drafting Date: 04/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into a contract with Deaf Services Center. The contract will provide \$40,000 from the 2009 Community Development Block Grant (CDBG) for the administrative and equipment costs necessary to eliminate environmental barriers in the residences of low and moderate-income individuals who are deaf or hard of hearing. The Deaf Modification Program will provide communication and adaptive equipment necessary to increase the independence and safety of deaf or hard of hearing individuals in the City of Columbus.

Examples of the equipment to be provided include amplified telephones, communication devices, answering machines, motion detectors, strobes, smoke alarms, bed vibrator, baby monitors, individual alert receivers, carbon monoxide detectors and alarm clocks. The Deaf Services Center will provide equipment to approximately 30 eligible applicants citywide.

Emergency action is requested to allow this vital program to continue without interruption.

FISCAL IMPACT: \$40,000 is allocated from the 2009 Community Development Block Grant Fund for this expenditure.

Title

To authorize the Director of the Department of Development to enter into a contract with the Deaf Services Center to support the Deaf Modification Program; to authorize the expenditure of \$40,000 from the 2009 Community Development Block Grant Fund; and to declare an emergency. (\$40,000)

Body

WHEREAS, the Department of Development, Housing Division, desires to enter into a contract with Deaf Services Center (DSC); and

WHEREAS, this contract will allow the continued operation of the Deaf Modification Program; and

WHEREAS, the Deaf Modification Program will provide communication and adaptive equipment necessary to increase the independence and safety of deaf or hard of hearing individuals in the City of Columbus; 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 a contract with the Deaf Services Center to allow vital program services to continue without interruption, 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 a contract with the Deaf Services Center (DSC) to support the Deaf Modification Program.
- Section 2.** That for the purpose stated in Section 1, the expenditure of \$40,000.00 or so much thereof as may be necessary, be and is hereby authorized to be expended from the Department of Development, Housing Division, Department No. 44-10, Fund 248, Object Level One 03, Object Level Three 3336, OCA Code 449524.
- Section 3.** That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959, as amended.
- 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: 0595-2009

Drafting Date: 04/14/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded a grant from the Ohio Department of Health. This ordinance is needed to accept and appropriate \$78,500 in grant money to fund the Federal HIV Care grant program.

The Federal HIV Care grant program enables the Columbus Health Department to plan and evaluate activities related to improving local care services and to provide comprehensive case management services to persons living with HIV/AIDS and their support persons in central Ohio.

This grant is for the period April 1, 2009 through March 31, 2010.

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

FISCAL IMPACT: This program is entirely funded by the Ohio Department of Health and does not generate revenue nor require a City match.

Title

To authorize the Columbus Health Department to accept a grant from the Ohio Department of Health in the amount of \$78,500; to authorize the appropriation of \$78,500 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$78,500)

Body

WHEREAS, \$78,500 in grant funds have been made available through the Ohio Department of Health for the Federal HIV Care grant program; and,

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

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to accept and appropriate these grant funds for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in providing program services; Now, therefore,

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

SECTION 1. That the Columbus Health Department is hereby authorized and directed to accept a grant award of \$78,500 from the Ohio Department of Health for the Federal HIV Care grant program, for the period of April 1, 2009 through March 31, 2010.

SECTION 2. That from the monies in the Fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources during the 12 months ending March 31, 2010, the sum of \$78,500 is hereby appropriated to the Health Department, Department No. 50-01, as follows:

OCA: 509059; Grant: 509059; Object Level 1: 01; Amount: \$74,044
OCA: 509059; Grant: 509059; Object Level 1: 02; Amount: \$ 1,800
OCA: 509059; Grant: 509059; Object Level 1: 03; Amount: \$ 2,656

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

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

Legislation Number: 0597-2009

Drafting Date: 04/14/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has been awarded the 2009 grant service contract for the Alcohol and Drug Abuse Outpatient Program, Adult Prevention Services, Women's Project, C&A Prevention and the AOD/HIV Prevention Program totaling \$973,740 from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board (ADAMH). These grants enable the Health Department to continue to provide treatment, counseling and prevention services to men, women, children and families and the homeless population.

Emergency action is requested for the following reasons: to allow the financial transaction to be posted in the City's accounting system as soon as possible, up to date financial posting promotes accurate accounting and financial management, and to maintain the clients' continuity of care.

FISCAL IMPACT: The Alcohol and Drug Abuse Program grant service contract is primarily funded through the Franklin County ADAMH Board. The Alcohol and Drug Abuse Program will generate the following revenue: client fees in the amount of \$39,000, Medicaid in the amount of \$191,000 grant resources of \$38,000, incentive funds in the amount of \$170,000.

To authorize and direct the Board of Health to accept the grant service contract from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board in the amount of \$973,740, to authorize the total appropriation of \$1,411,740, which includes program revenues, from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,411,740)

Body

WHEREAS, \$973,740 in grant funds have been made available through the Franklin County Alcohol, Drug Addiction and Mental Health Services Board for the Alcohol and Drug Abuse grant program; and,

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

WHEREAS, an emergency exists in the usually daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant service contract from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board and to appropriate these funds to the Health Department for continuation of client care and for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore:

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept funding for the 2009 grant service contract in the amount of \$973,740 from the Franklin County Alcohol, Drug Addiction and Mental Health Services Board for the continuation on the Alcohol and Drug Abuse Program for the grant period January 1, 2009 through December 31, 2009.

SECTION 2. That the monies in the Fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources during the twelve months ending December 31, 2009, the sum of \$1,411,740 is hereby appropriated to the Health Department, Division 50-01, as follows:

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509029, Obj. Level 1: 01, OCA: 509029, Amount: \$ 228,836
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509029, Obj. Level 1: 02, OCA: 509029, Amount: \$ 9,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509029, Obj. Level 1: 03, OCA: 509029, Amount: \$ 8,000

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509030, Obj. Level 1: 01, OCA: 509030, Amount: \$ 231,971
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509030, Obj. Level 1: 02, OCA: 509030, Amount: \$ 13,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509030, Obj. Level 1: 03, OCA: 509030, Amount: \$ 9,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509030, Obj. Level 1: 05, OCA: 509030, Amount: \$ 3,000

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509031, Obj. Level 1: 01, OCA: 509031, Amount: \$ 532,472

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509031, Obj. Level 1: 02, OCA: 509031, Amount: \$ 15,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509031, Obj. Level 1: 03, OCA: 509031, Amount: \$ 25,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509031, Obj. Level 1: 05, OCA: 509031, Amount: \$ 3,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509031, Obj. Level 1: 06, OCA: 509031, Amount: \$ 3,000

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509068, Obj. Level 1: 01, OCA: 509068, Amount: \$ 80,463
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509068, Obj. Level 1: 02, OCA: 509068, Amount: \$ 6,000
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509068, Obj. Level 1: 03, OCA: 509068, Amount: \$ 3,000

Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509129, Obj. Level 1: 01, OCA: 509129, Amount: \$ 225,200
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509129, Obj. Level 1: 02, OCA: 509129, Amount: \$ 6,798
Fund: Health Grants, Div.: 50-01, Fund: 251, Project: 509129, Obj. Level 1: 03, OCA: 509129, Amount: \$ 9,000

TOTAL APPROPRIATION :

\$1,411,740

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

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

Legislation Number: 0598-2009

Drafting Date: 04/14/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department contracts with Franklin County to provide a comprehensive Rabies Immunization and Control Program, which benefits all citizens of Franklin County. This ordinance authorizes the Board of Health to enter into a contract with the Franklin County Board of Health in the amount of \$37,474 for the period January 1, 2009 through December 31, 2009. Under this contract, in recognition of the benefits provided to citizens of the City of Columbus, the Health Department reimburses Franklin County for one half of the expenses incurred from the purchase of rabies tags and from the subsequent entry of certificates into the rabies vaccination database by the County's independent contractor, Sage.

Emergency action is requested to avoid delays in payment for these services.

FISCAL IMPACT: Funding for this contract is made available in the 2009 budget for the Health Special Revenue Fund.

Title

To authorize the Board of Health to enter into a contract with the Franklin County Board of Health to provide support for the Rabies Immunization and Control Program, to authorize the expenditure of \$37,474 from the Health Special Revenue Fund; and to declare an emergency. (\$37,474)

Body

WHEREAS, the Board of Health has a need to enter into a contract with the Franklin County Board of Health, for the provision of a comprehensive Rabies Immunization and Control Program; and

WHEREAS, under the terms of the contract, the Health Department reimburses Franklin County for one half of the costs for the Rabies Program; and

WHEREAS, emergency action is requested to avoid delays in payment to the County for their portion of the expenses for this program; and

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to contract with the Franklin County Board of Health for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a contract with the Franklin County Board of Health for the provision of support for the Rabies Immunization and Control Program for the period January 1, 2009 through December 31, 2009, in an amount not to exceed \$37,474.

SECTION 2. That to pay the costs of said contract, the expenditure of \$37,474 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Division No. 50-01, Object Level One 03, Object Level Three 3337, OCA Code 501288.

SECTION 3. That this contract is awarded in accordance with Section 329.15 of the Columbus City Code.

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

Legislation Number: 0599-2009

Drafting Date: 04/14/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Article 32.3 of the Collective Bargaining Contract with the American Federation of State, County, and Municipal Employees (AFSCME), Ohio Council 8, Local 1632 requires that any modifications to the contract be agreed between the parties. Memorandum of Understanding #2009-01 has been executed by the parties in an effort to avoid further layoffs as a result of the \$13 million 2009 budget deficit.

The passage of this ordinance indicates City Council's acceptance of Memorandum of Understanding #2009-01, a copy of which is attached hereto.

Emergency action is recommended in order to timely implement the provisions of the Memorandum of Understanding #2009-01.

Title

To accept Memorandum of Understanding #2009-01 executed between representatives of the City of Columbus and American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1632, which amends the Collective Bargaining Contract, April 1, 2008 through March 31, 2011; and to declare an emergency.

Body

WHEREAS, the City wishes to avoid further layoffs as a result of the \$13 million 2009 budget deficit; and

WHEREAS, the City and AFSCME, Ohio Council 8, Local 1632 agree, in lieu of a five (5) day layoff which the City could impose, to forfeit forty (40) hours of unpaid holidays; and

WHEREAS, the employees listed in Memorandum of Understanding #2009-01, a copy of which is attached hereto, will be required to observe the holidays listed without pay, not to exceed forty (40) hours of unpaid time.

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, by accepting Memorandum of Understanding #2009-01, 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 Memorandum of Understanding #2009-01 amends the Collective Bargaining Contract between the City and AFSCME, Ohio Council 8, Local 1632, April 1, 2008 through March 31, 2011.

Section 2. That City Council, in the best interest of the City, hereby recognizes and accepts Memorandum of Understanding #2009-01, a copy of which is attached hereto, executed between representatives of the City and AFSCME, Ohio Council 8, Local 1632, to be effective with passage of this ordinance.

Section 3. For the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0608-2009

Drafting Date: 04/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Uniforms, Shoes & Accessories for the Police Division. The term of the proposed option contract would be two (2) years, with the option to extend the contract for two additional one-year periods. The Contract is through March 31, 2011. The Purchasing Office opened formal bids on March 12, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003196. One-hundred thirty-six bids were solicited (M1A: 2; F1: 2). One (1) bid was received.

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

Roy Tailors Uniform Company of Columbus, Inc., CC#311261664 (Expires November 12, 2010).

Total Estimated Annual Expenditure: \$1,000,000.00

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 Mail, Print Services and UTC Fund. The Police Division will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Police Uniforms, Shoes & Accessories with Roy Tailors Uniform Company of Columbus, Inc., to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on March 12, 2009 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 these Police Uniforms, Shoes & Accessories are used to outfit, identify and protect the Police Division during the course of their daily employment, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Police Division in that it is immediately necessary to enter into a contract for an option to purchase Uniforms, Shoes & Accessories, 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 Police Uniforms, Shoes & Accessories for the term ending March 31, 2011, with the option to extend the contract for two (2) additional one-year periods, in accordance with Solicitation No. SA003196 as follows:

Roy Tailors Uniform Company of Columbus, Inc., All items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, 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: 0609-2009

Drafting Date: 04/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department has maintained a revenue contract with the Franklin County Children Services (FCCS) Family Ties Program for over a decade. The Maternal and Child Health Division of the Columbus Health Department desires to continue this relationship and their efforts to prevent child abuse and neglect. This ordinance authorizes a contract modification and appropriation for \$70,000 for the period ending March 31, 2010.

In 2008 the terms of the revenue contract were revised such that Columbus Health Department services are now targeted only to Franklin County Children Services referrals. To that end this funding source is now being treated as a grant and additional appropriation in the amount of \$70,000 is necessary.

Emergency action is requested to avoid delays in the receipt of funds from Franklin County Children Services for home visiting services provided by the Columbus Health Department.

FISCAL IMPACT: Under this contract Franklin County Children Services will purchase home visiting services in an

amount not to exceed \$70,000.00 in 2009 and \$135,000 for the period ending March 31, 2010. Monies received from these contracts will be deposited into the Health Department Grants Fund, Fund 251.

Title

To authorize the Board of Health to modify an existing revenue contract with the Franklin County Children Services for the provision of home visiting services for their Family Ties Program, in an amount not to exceed \$70,000.00, to authorize the appropriation of \$70,000 from the Health Department Grants Fund; and to declare an emergency. (\$70,000.00)

Body

WHEREAS, the Franklin County Children Services has a need for home health services for their Family Ties Program; and,

WHEREAS, the Maternal and Child Health Division wish to continue their efforts to prevent child abuse and neglect; and,

WHEREAS, this ordinance is necessary to appropriate \$70,000.00 in grant funds that have been made available through Franklin County Children Services; and,

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

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to modify an existing revenue contract with Franklin County Children Services and appropriate these funds to the Health Department for the preservation of the public health, peace, property, safety, and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized to modify an existing revenue contract with the Franklin County Children Services for their Family Ties Program in an amount not to exceed \$70,000.00 for the period ending March 31, 2010.

SECTION 2. That from the unappropriated monies in the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said Fund from any and all sources during the twelve months ending March 31, 2010, the sum of \$70,000 is hereby appropriated to the Health Department, Division No. 50, as follows:

Family Ties

OCA: 508132 Grant No.: 508132 Obj. Level 01: 01 Amount \$70,000.00

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

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

Legislation Number: 0616-2009

Drafting Date: 04/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance amends the 2008 Capital Improvements Budget and authorizes the transfer of \$42,982 between projects within the Safety Voted Bond Fund. This ordinance also authorizes the modification of a contract for the Office of Construction Management with Gutknecht Construction Company for the construction of Fire Station No. 10, 1080 West Broad Street. The original contract was authorized by Ordinance No. 0577-2007, passed April 16, 2007. Due to unforeseen issues encountered during the construction of Fire Station No. 10, the Broad Street underground City fiber and traffic controls were rerouted. In addition, further excavation of unfit soil was required. This work completes the Fire Station No. 10 project.

EMERGENCY ACTION is requested to reimburse the contractor for unforeseen costs incurred during the construction of Fire Station No. 10.

Gutknecht Construction Company Contract Compliance No. 31-0935568 Expiration date August 10, 2009.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$42,982.00 from existing cash in the Safety Voted Bond Fund. The original cost of this contract was \$4,454,208.00, bringing the total cost after this modification to \$4,497,190.00. This modification will represent the final payment for the Fire Station No. 10 project.

Title

To amend the 2008 Capital Improvements Budget; to authorize the City Auditor to transfer \$42,982.00 between projects in the Safety Voted Bond Fund; to authorize the Finance and Management Director to modify a contract with Gutknecht Construction Company for unforeseen issues encountered during the construction of Fire Station No.10; to authorize the expenditure of \$42,982.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$42,982.00)

Body

WHEREAS, it is necessary to amend the 2008 Capital Improvements Budget and transfer cash between projects within the Safety Voted Bond Fund; and

WHEREAS, it is necessary to modify a contract with Gutknecht Construction due to unforeseen issues encountered during the construction of Fire Station No. 10; 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 modify a contract with Gutknecht Construction Company for reimbursement of unforeseen issues encountered during the construction of Fire Station No. 10, 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 2008 Capital Improvements Budget is hereby amended as follows:

<u>Project/Project # CIB</u>	<u>CIB Amount</u>	<u>Revised</u>
Fire Facility Renovation 340103-100000 (Carryover)	\$893,804	\$850,822
Fire Station #10 West Broad Street 340112-100000 (Carryover)	\$65,427	\$108,409

SECTION 2. That the City Auditor is hereby authorized and directed to transfer funds within the Safety Voted Bond Fund as follows:

FROM:

Dept/Div: 30-04 | Fund: 701 | Project Number 340103 |Project Name - Fire Facility Renovation |OCA Code: 644559 | Amount: \$42,982.00

TO:

Dept/Div: 30-04 | Fund: 701 | Project Number: 340112| Project Name - Fire Station #10 West Broad Street |OCA Code: 644559 | Amount: \$42,982.00

SECTION 3. That the Finance and Management Director is hereby authorized to modify a contract with Gutknecht Construction Company for reimbursement of unforeseen issues encountered during the construction of Fire Station No. 10.

SECTION 4 That the expenditure of \$42,982.00 or so much thereof as may be necessary in regard to the action authorized in SECTION 3, be and is hereby authorized and approved as follows:

Division: 30-04
Fund: 701
Project: 340112
OCA: 644559
Object Level 1: 06
Object Level 3: 6620
Amount: \$42,982.00

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. 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: 0618-2009

Drafting Date: 04/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Ordinance No. 0371-2009 authorized the City Attorney to settle the case of John Buck, et al.v. City of Columbus, et al and to pay the plaintiffs and associated agents a financial settlement to resolve this claim. Unfortunately, it was discovered after passage that this legislation contained a typographical error in which \$1,013,490 was authorized to be paid to the plaintiffs and agents rather than the correct amount of \$1,013,940, a deficiency of \$450. As a result, this legislation is necessary to ratify the payment of the correct dollar amount to the parties and to amend Ord. No. 0371-2009 to reflect the proper information and to make an additional appropriation to cover the shortfall.

TitleTo ratify the payment of One Million Thirteen Thousand Nine Hundred Forty Dollars (\$1,013,940) made to the

plaintiffs and associated agents to settle the case known as John Buck, et al.v. City of Columbus, et al authorized by Ord. No. 0371-2009; to amend Section 1 and 2 of Ord. No. 0371-2009 to correct the amount of the expenditure authorized in the settlement; to authorize the additional appropriation of Four Hundred Fifty Dollars within the Sanitary Sewer Reserve Fund; and to declare an emergency.

Body

WHEREAS, Ord. No. 0371-2009 authorized the City Attorney to settle the case of John Buck, et al.v. City of Columbus, et al; and

WHEREAS, this legislation contained a typographical error which resulted in the approval of \$1,013, 490, rather than the proper amount of \$1,013,940; and

WHEREAS, the City Auditor has paid the proper amount by covering the deficiency with City funds; and

WHEREAS, this payment must be ratified by City Council; and

WHEREAS, Ord. No. 0371-2009 must be amended to reflect the correct information and an additional appropriation of \$450 must be made to balance the books; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to ratify the payment of \$1,013,940 to the plaintiffs and associated agents and to make the needed amendments to Ord. No. 0371-2009 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, OHIO

Section 1. That the payment of \$1,013, 940 to the plaintiffs and associated agents to settle the case of John Buck, et al.v. City of Columbus, et al. is hereby ratified.

Section 2. That Section 1. of Ord. No. 0371-2009 is hereby amended as follows:

That the City Attorney be and hereby is authorized and directed to settle the lawsuit of John Buck, et al.v. City of Columbus, et al., Case No. 08CVC10-15243 in the Franklin County Court of Common Pleas, by the payment of \$1,013, 940 as a reasonable and fair amount in the best interests of the City of Columbus.

Section 3. That Section 2 of Ord. No. 0371-2009 is hereby amended as follows:

That for the purposes of paying this settlement, there be and is authorized to be appropriated and expended by the City of Columbus, Department of Public Utilities, Division of Sewage and Drainage, Division Number 6005, Fund Number 654, OCA Code 655225, Object Level One 05, Object Level Three 5539, Amount \$1,013, 940.

Section 4. That for the purpose of maintaining accuracy and balance in the City's accounting records, the following additional appropriation is authorized from the City of Columbus, Department of Public Utilities, Division of Sewage and Drainage, Division Number 6005, Fund Number 654, OCA Code 655225, Object Level One 05, Object Level Three 5539, Amount \$450.

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

Legislation Number: 0625-2009

Drafting Date: 04/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

This ordinance authorizes the Franklin County Municipal Court Administrative and Presiding Judge to enter into a contract for security guard services in the Municipal Court building with Willo Security, Inc..... (Willo). Since 2003 Franklin County Municipal Court has been contracting with Willo Security for security guard services in the Municipal Court Building. The continuation of security services in the Municipal Court Building located at 375 S. High Street is absolutely necessary for the safety and well being of the employees and the general public. The Franklin County Municipal Court requests to extend the contract for three months to allow for the bid process to be completed.

Contract Compliance Number: Willo Security, Inc..... 34-1808997

EMERGENCY ACTION is requested in order to continue uninterrupted services.

FISCAL IMPACT: This expenditure is contingent on passage of the 2009 budget. The amount for the expenditure is budgeted and available within the Court's 2009 security fund budget.

Title

To authorize the Franklin County Municipal Court Judges, through the Administrative and Presiding Judge, to modify and extend the contract with Willo Security, Inc. for the provision of security guard services in the Municipal Court building; to authorize the expenditure of \$80,000 from the Municipal Court special projects fund; and to declare an emergency. (\$80,000.00)

Body

WHEREAS, the continuation of security services in the Municipal Court building is imperative for the safety and well-being of the building employees and the general public; and

WHEREAS, the Franklin County Municipal Court Judges desire to engage in a contract with Willo Security, Inc..... for security guard services in the Municipal Court building; and

WHEREAS, it is necessary to authorize the Administrative and Presiding Judge to modify and extend the contract for security services with Willo Security, Inc..... effective May 1, 2009 ending July 31, 2009, so as to continue the daily operation of the court, and for other tenants within the court building; and

WHEREAS, an emergency exists in the usual daily operation of the Franklin County Municipal Court Judges in that it is immediately necessary to modify this contract and authorize expenditures with Willo Security, Inc....., so as to continue uninterrupted services in the provision of contractual security guard services within the Municipal Court building, for the preservation of the public health, peace, safety, and welfare; now therefore,

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

SECTION 1. That the Franklin County Municipal Court Judges, through the Administrative and Presiding Judge, be and is hereby authorized to modify and extend the contract with Willo Security, Inc....., for security guard services in the Municipal Court building from the period of May 1, 2009 ending July 31, 2009.

SECTION 2. That the expenditure of \$80,000.00, or so much thereof as may be necessary, is authorized to be expended from the Municipal Court special revenue fund, fund number 226, subfund number 001, department number 2501, oca code 226100, object level 1 - 03, object level 3 -3398, to pay the costs thereof.

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

Legislation Number: 0628-2009

Drafting Date: 04/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Finance & Management Director to issue purchase orders to Sprint Solutions, Inc. for wireless service for the Development Department.

Emergency action is necessary so that the purchase order for wireless services can be issued as soon as possible to avoid an interruption of services.

Sprint Solutions, Inc. Contract Compliance No. 47-0882463 Expiration 2-1-2010

FISCAL IMPACT: Funding is available through the Department's General Fund and Community Development Block Grant Fund budgets.

Title

To authorize the Finance and Management Director to establish purchase orders for the Department of Development with Sprint Solutions, Inc. for wireless services per the terms and conditions of the citywide contract; to authorize the expenditure of \$80,567.00 from the General Fund; to authorize the expenditure of \$8,150 from the Community Development Block Grant Fund; and to declare an emergency. (\$88,717.00)

Body

WHEREAS, the operations of the Department of Development require wireless services; and

WHEREAS, the Department of Finance and Management has established a citywide Universal Term Contract for these services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the Finance and Management Director to issue purchase orders for wireless services to avoid an interruption of 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 Director of Finance and Management be and is hereby authorized and directed to issue purchase orders to Sprint Solutions, Inc. for wireless services for the Department of Development, in accordance with the established citywide Universal Term Contract, Contract No. FL003029.

Section 2. That the expenditure of \$80,567.00, or so much thereof as may be necessary, be and is hereby authorized from funds available within the Development Department, Department No. 44, General Fund, Fund 010, as follows:

Division 44-01/ OCA Code 440307/ Object Level Three 3295/ Amount: \$14,000.00
Division 44-02/ OCA Code 440314/ Object Level Three 3295/ Amount: \$ 2,700.00
Division 44-03/ OCA Code 446930/ Object Level Three 3295/ Amount: \$10,000.00
Division 44-03/ OCA Code 446930/ Object Level Three 3367/ Amount: \$49,000.00
Division 44-06/ OCA Code 440334/ Object Level Three 3295/ Amount: \$ 2,895.00
Division 44-10/ OCA Code 440278/ Object Level Three 3295/ Amount: \$ 1,972.00

Section 3. That the expenditure of \$8,150.00, or so much thereof as may be necessary, be and is hereby authorized from funds available within the Development Department, Department No. 44, CDBG Fund, Fund 248, as follows:

Division 44-02/ OCA Code 499016/ Object Level Three 3295/ Amount: \$ 750.00
Division 44-02/ OCA Code 499017/ Object Level Three 3295/ Amount: \$ 600.00
Division 44-10/ OCA Code 449523/ Object Level Three 3295/ Amount: \$ 300.00
Division 44-10/ OCA Code 449528/ Object Level Three 3295/ Amount: \$ 500.00
Division 44-10/ OCA Code 449529/ Object Level Three 3295/ Amount: \$ 6,000.00

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

Legislation Number: 0632-2009

Drafting Date: 04/20/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from Andrew I. Klein asking that the City sell the unimproved north/south alley east of Say Avenue, from the first alley south of Fourth Avenue to a point approximately 115 south thereof, to him. Transfer of this undeveloped alley will allow Mr. Klein to construct an addition to his adjacent residence. Per current practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within this right-of-way the City will not be adversely affected by the transfer of this unimproved alley. The Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for this right-of-way. A value of \$9,321.90 was established for this right-of-way. After review of the request, the Land Review Commission voted to recommend that the above referenced unimproved right-of-way be transferred to Andrew I. Klein for \$9,321.90.

2. FISCAL IMPACT

The City will receive a total of \$9,321.90 that will be deposited in Fund 748, Project 537650, as consideration for the transfer of the requested unimproved right-of-way.

Title

To authorize the Director of the Department of Public Service to execute those documents required to transfer the unimproved north/south alley east of Say Avenue, from the first alley south of Fourth Avenue to a point approximately 115 south thereof, to Andrew I. Klein and to waive the competitive bidding provisions of Columbus City Codes as they may apply to this transfer; **and to declare an emergency.**

Body

WHEREAS, the City of Columbus, Department of Public Service, received a request from Andrew I. Klein asking that the City the unimproved north/south alley east of Say Avenue, from the first alley south of Fourth Avenue to a point approximately 115 south thereof, to him; and

WHEREAS, acquisition of the unimproved right-of-way will allow Mr. Klein to construct an addition to his adjacent

residence; and

WHEREAS, per current practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions, before it was determined that, subject to the retention of a general utility easement for those utilities currently located within this right-of-way the City will not be adversely affected by the transfer of this unimproved right-of-way to Mr. Klein; and

WHEREAS, the Department of Public Service submitted a request to the Department of Law, Real Estate Division, asking that they establish a value for this right-of-way; and

WHEREAS, a value of \$9,321.90 was established for this right-of-way; and

WHEREAS, the Land Review Commission voted to recommend that the above referenced unimproved right-of-way be transferred to Andrew I. Klein for \$9,321.90; and ~~now, therefore~~

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service and Transportation in that it is immediately necessary to pass this ordinance as an emergency measure because of the need for the applicant to be able to move forward with the proposed work to his property during Ohio's brief construction season; 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 Public Service be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Andrew I. Klein; to-wit:

Situate in the State of Ohio, County of Franklin, City of Columbus, being part of an alley lying between Lots 7, 8, 9, 10 and 11 of SOPHIA GEARY'S HEIRS SUBDIVISION, of record in Plat Book 2, Page 30, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Begin for reference at a point at the intersection of the southerly line of Ottar Alley (15.00 feet in width) and the easterly line of Say Avenue (30 feet in width), at the northwesterly corner of Lot 11 of said SOPHIA GEARY'S HEIRS SUBDIVISION;

Thence North 90°00'00" East, a distance of 120.00 feet, to a ¾" iron pin found at the northerly common corner of said Lot 11 and said alley at the northeast corner of the tract conveyed to Andrew I. Klein, of record in Instrument Number 200804250063776, said point being the **Point of True Beginning** for the herein described tract;

Thence North 90°00'00" East, a distance of 14.00 feet, continuing along the southerly line of said Ottar Alley, to a ¾" iron pin bound at the northerly common corner of said alley and Lot 7 at the northwesterly corner of the tract of land conveyed to New Victorians, of record in Official Record 25737, Page F19;

Thence South 11°18'40" East, a distance of 115.71 feet, along the easterly line of said alley and the westerly line of said Lots 7, 8, and 9, along said New Victorians tract and along a second tract conveyed to New Victorians, of record in Official Record 25737, Page F17, to an iron pin set at the northeasterly corner of a portion of said alley vacated by City of Columbus Ordinance No. 2640-87 as conveyed to Andrew I. Klein, of record in Official Record 11178, Page H13 and the southwest corner of said New Victorians tract (O.R. 25737, Pg. F17); a northerly common corner of the tract conveyed to and a tract conveyed to A. Irving Klein, of record in Official Record 8998, Page G04;

Thence North 90°00'00" West, a distance of 14.00 feet, along the northerly line of said vacated alley, to a point in the easterly line of said Lot 10 at the northwesterly corner of said vacated alley and the southeasterly corner of said Andrew I. Klein tract (Instrument Number 200804250063776);

Thence North 11°18'40" West, a distance of 115.71 feet, along the westerly line of said alley and the easterly line of said Lots 10 and 11 and Andrew I. Klein tract (Instrument Number 200804250063776), to the **Point of True Beginning**, containing 0.036 acres, more or less.

The bearings in the above description are based on the assumed bearing of N 90°00'00" East for the southerly line of Ottar Alley and are used to denote lot angles only.

All iron pins set are ¾" I.D. iron pipes 30" long, with red plastic cap stamped Landmark Survey.

The above description is based on an actual field survey in January of 2009.

Landmark Survey Group, Inc.
Scott D. Grundei, P.S.
Registered Surveyor No. 8047

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deed to the grantee thereof.

Section 3. That a general utility easement in, on, over, across and through the above described right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said right-of-way.

Section 4. That upon notification and verification of the relocation of all utilities located within the retained general utility easement area the Director of the Department of Public Service is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

Section 5. That the \$9,321.90 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

Section 6. That this Council has determined it is in the best interest of the City of Columbus to allow this right-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.29 with regards to the transfer of this right-of-way.

Section 7. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reason 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: 0635-2009

Drafting Date: 04/21/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

..Explanation

Background: The City of Columbus, Ohio holds certain easements to real property, located in the vicinity of East Livingston Avenue and Parson Avenue, by virtue of recorded deeds of easement. Nationwide Children's Hospital, an Ohio non profit corporation, has requested the City release its easements, in part, for the purpose of constructing permanent underground foundations, footers, buttresses and shoring of the hospital's underground parking garage. After investigation, it has been determined that the proposed release of the City's easements is in the best interest of the City and should be allowed. The following legislation authorizes the Director of the Department of Public Utilities to execute those documents necessary to release certain City's easements, as more fully described within the body of this legislation.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the construction of the permanent underground foundations, footers, buttresses and shoring of the hospital's underground parking garage for the preservation of the public's health, property and safety.

To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release certain easements, located in the vicinity of Livingston and Parson Avenue, at the request of the Nationwide Children's Hospital, an Ohio non profit corporation, for the purpose of constructing permanent underground foundations, footers, buttresses and shoring of the hospital's underground parking garage, and to declare an emergency.

Body

WHEREAS, the City of Columbus, Ohio holds certain easements to real property, located in the vicinity of East Livingston Avenue and Parson Avenue, by virtue of recorded deeds of easement; and

WHEREAS, Nationwide Children's Hospital has requested the City release certain easements, in part, for the purpose of constructing permanent underground foundations, footers, buttresses and shoring of the hospitals underground parking garage; and

WHEREAS, after investigation, it has been determined that the proposed release of easement is in the best interest of the City and should be allowed; and

WHEREAS, an emergency exists in the usual daily operation of The Department of Public Utilities, Division of Sewerage and Drainage, that it is immediately necessary to authorize the Director of Public Utilities to execute those documents necessary to release the subject easements, as described in the body of this legislation, for the preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, as prepared by the Department of Law, Real Estate Division, necessary to release the following described easements at the request of Nationwide Children's Hospital, an Ohio non profit corporation, for the purpose of constructing permanent underground foundations, footers, buttresses and shoring of the hospitals underground parking garage:

Foundation, Footer, Buttress and Shoring Encroachment
0.062 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 22, Township 5, Range 22, Refugee Lands, being across Parcel 2B, Parcel 3 and Parcel 5A of that plat entitled "Children's Hospital Urban Renewal Area Plat A", of record in Plat Book 43, Page 17, conveyed to Nationwide Children's Hospital by deeds of record in Instrument Number 200607270147359, Instrument Number 200807140107794 and Instrument Number 200807140107795 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at an angle point in the northerly right-of-way line of Livingston Avenue, at the northwesterly corner of that 0.072 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200712310221612, being the northeasterly line of that 0.005 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200703230050310;

thence South 68° 56' 45" East, with the northerly line of said 0.072 acre tract and the northerly right-of-way line of said Livingston Avenue, a distance of 57.62 feet to a point;

thence North 21° 03' 15" East, across said Parcel 5A, a distance of 20.06 feet to the TRUE POINT OF BEGINNING;

thence across said Parcels 5A, 3, and 2B, the following courses and distances:

South 86° 21' 51" East, a distance of 21.77 feet to a point;

South 68° 59' 20" East, a distance of 618.42 feet to a point;

North 20° 43' 40" East, a distance of 33.28 feet to a point;

South 69° 14' 46" East, a distance of 3.00 feet to a point;

South 20° 43' 40" West, a distance of 36.29 feet to a point;

North 68° 59' 20" West, a distance of 429.44 feet to a point;

South 21° 00' 40" West, a distance of 3.50 feet to a point;

North 68° 59' 20" West, a distance of 212.77 feet to the TRUE POINT OF BEGINNING and containing 0.062 acre of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

Heather L. King, Registered Surveyor No. 8307

Shoring Encroachment

0.038 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 22, Township 5, Range 22, Refugee Lands, being across Parcel 2B, Parcel 3 and Parcel 5A of that plat entitled "Children's Hospital Urban Renewal Area Plat A", of record in Plat Book 43, Page 17, conveyed to Nationwide Children's Hospital by deeds of record in Instrument Number 200607270147359, Instrument Number 200807140107794 and Instrument Number 200807140107795 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at an angle point in the northerly right-of-way line of Livingston Avenue, at the northwesterly corner of that 0.072 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200712310221612, being the northeasterly line of that 0.005 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200703230050310;

thence South 68° 56' 45" East, with the northerly line of said 0.072 acre tract and the northerly right-of-way line of said Livingston Avenue, a distance of 270.39 feet to a point;

thence North 21° 03' 15" East, across said Parcel 5A, a distance of 20.22 feet to the TRUE POINT OF BEGINNING;

thence across said Parcels 5A, 3, and 2B, the following courses and distances:

North 21° 00' 40" East, a distance of 3.50 feet to a point;

South 68° 59' 20" East, a distance of 429.44 feet to a point;

North 20° 43' 40" East, a distance of 36.29 feet to a point;

South 69° 14' 46" East, a distance of 3.50 feet to a point;

South 20° 43' 40" West, a distance of 39.81 feet to a point; and

North 68° 59' 20" West, a distance of 432.95 feet to the TRUE POINT OF BEGINNING and containing 0.038 acre of land, more or less.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

Heather L. King, Registered Surveyor No. 8307

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

Legislation Number: 0637-2009

Drafting Date: 04/21/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Finance & Management Director to issue purchase orders to AT&T, per the terms and conditions of the citywide Universal Term Contract, for telephone services for various divisions of the Department of Development.

Emergency action is necessary so that the purchase order for telephone services can be issued as soon as possible to avoid an interruption of services.

AT&T Contract Compliance No. 36-3258076 Expiration 12/31/09

FISCAL IMPACT: Funds for telephone services are included in the General Fund, Home Fund, and the Community Development Block Grant Fund budgets.

Title

To authorize the Finance and Management Director to establish purchase orders for various divisions within the Department of Development with AT&T for telephone services, per the terms and conditions of the citywide Universal Term Contract; to authorize the expenditure of \$65,800.00 from the General Fund; to authorize the expenditure of \$4,000 from the Home Fund; to authorize the expenditure of \$4,600 from the Community Development Block Grant Fund; and to declare an emergency. (\$74,400.00)

Body

WHEREAS, the operations of the Department of Development require telephone services; and

WHEREAS, the Department of Finance and Management has established a citywide Universal Term Contract with AT&T for telephone services; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the Finance and Management Director to issue purchase orders for telephone services to avoid an interruption of 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 Director of Finance and Management be and is hereby authorized and directed to issue purchase orders to AT&T for telephone services for the Department of Development in accordance with the established citywide Universal Term Contract.

Section 2. That the expenditure of \$65,800.00, or so much thereof as may be necessary, be and is hereby authorized from funds available within the Development Department, General Fund, Fund 010, as follows:

Administration Division; Department No. 44-01; OCA Code 499037; OL3 Code 3320; Amount \$20,000.00

Building Services Division; Department No. 44-03; OCA Code 446930; OL3 Code 3320; Amount \$45,000.00

Housing Division, Department No. 44-10; OCA Code 440278; OL3 Code 3320; Amount \$800.00

Section 3. That the expenditure of \$4,000.00, or so much thereof as may be necessary, be and is hereby authorized from funds available within the Housing Division; Department No. 44-10; Fund 201; OCA Code 449130; OL3 Code 3320, Grant No. 458001.

Section 4. That the expenditure of \$4,600.00, or so much thereof as may be necessary, be and is hereby authorized from funds available within the Housing Division, Department No. 44-10; Fund 248; OL3 Code 3320, as follows:

OCA 449529 \$2,000
OCA 449523 \$ 600
OCA 449528 \$2,000

Total: \$4,600

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: 0644-2009

Drafting Date: 04/22/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance accepts a 3.515 acre tract of land previously held by the Columbus Urban Growth Corporation into the City Land Bank and managed in accordance with the policies and procedures of the Land Reutilization Program. The Land Bank will maintain and market the property for future redevelopment. The parcel is located within the West Edge Business Center.

FISCAL IMPACT: No funding is required for this legislation. The maintenance of the parcel will be provided by contracts managed by the Land Redevelopment Office.

EMERGENCY JUSTIFICATION: Emergency action is requested to place the property into the Columbus Land Bank as soon as possible in order to facilitate the maintenance and redevelopment of the same.

Title

To authorize the acceptance of a 3.515 acre tract of land to be held in the Land Bank inventory and managed in accordance with the policies and procedures of the Land Reutilization Program; and to declare an emergency.

Body

WHEREAS, the acceptance of a 3.515 acre tract of land which have been acquired pursuant to Section 5722.06 for this program and meets the Land Reutilization Program's Policies and Guiding Principles; and

WHEREAS, Columbus Urban Growth transferred the parcel to City of Columbus, this ordinance will accept the parcels into the Land Reutilization Program; and

WHEREAS, the property will be held in the Land Bank Program and managed in accordance with the Land Reutilization Program's policies and procedures; and

WHEREAS, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; and

Whereas, the matter herein constitutes an emergency in that it is immediately necessary to place the properties into the Columbus Land Bank in order to facilitate the maintenance and redevelopment of the same, all for the immediate preservation of the public health, peace, property, safety, and welfare; **Now, Therefore;**

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

Section 1. That the City of Columbus hereby accepts the property described herein as:

Parcel numbers: 010-284122-80 and 010-284122-90

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Eaton's Farm (Plat Book 1, Page 68) in Virginia Military Survey No. 422, part of the Columbus Urban Growth Corporation tract (Instrument No. 200104190083400), part of Reserve "A" and all of Lot 1 of Wacker Place (Pint Book 14, Page 32), Recorder's Office, Franklin County, Ohio (all references made are of said Recorder's office, unless otherwise noted) and being more particularly described as follows:

Beginning at a concrete monument found at the intersection of the north line of Renick Avenue (49.50) feet wide) with the east line of Mt. Calvary Avenue (66 feet wide), at the southwest corner of said Reserve "A";

Thence, along the east line of said Mt. Calvary Avenue, part of the west line of said Reserve "A", N 11° 16' 00" W 164.08 feet to an iron pipe set at the southwest corner of the 0.080 Acre Right of Way Take as shown on the "West Edge Business Center" dedication and vacation pint (PB. 99, Pg. 60 and City of Columbus Ordinance No. 663-02);

Thence, along the south line of said 0.080 Acre tract, N 69° 03' 00" E, 291.34' to an iron pipe set at the southeast corner of said 0.080 Acre tract;

Thence, along the east line of said 0.080 Acre tract, N 20° 57' 00" W, 12.00 feet to an iron pipe found at the northeast corner of said 0.080 Acre tract, in the south line of Van Buren Drive (35 feet wide as established by D.B. 1208, Pg. 564, parcel 2);

Thence, along the south line of said Van Buren Drive, along an arc to the left, having a radius of 109.00 feet and a delta angle of 68° 34' 00", with a chord bearing and distance of N 34° 46' 00" E, 122.80 feet to an iron pipe found at the southwest corner of the 0.065 Acre Right of Way Take us shown on said "West Edge Business Center" plat;

Thence, along the south line of said 0.065 Acre tract, S 89° 31' 00" E, 12.00 feet to an iron pipe found at the southeast corner of said 0.065 Acre tract;

Thence, along the east line of said 0.065 Acre tract, N 00° 29' 00" E, 235.89 feet to an iron pipe set at the northeast corner of said 0.065 Acre tract, in the south line of Pierce Drive (35 feet wide as established by D.B. 1208, Pg. 564, parcel 3);

Thence, along the south line of said Pierce Drive, along an arc to the left, having a radius of 299.00 feet and a delta angle of 21° 57' 57", with a chord bearing and distance of N 85° 48' 58" E, 113.93 feet to art iron pipe found;

Thence, continuing along the south line of said Pierce Drive, N 74° 50' 00" E, 107.11 feet to a point in the west line of Souder Avenue vacated as shown on said "West Edge Business Center" plat;

Thence, along the west line of said vacated Souder Avenue, S 15° 10' 00", 187.42 feet (passing an iron pipe set for reference at 5.00 feet and concrete monument found at the northeast corner of said Lot 1) to an iron pin found at the southeast corner of said Lot 1, the northeast corner of Lot 2 of said Wacker Place and the southwest corner of said vacated Sender Avenue;

Thence, along the south line of said Lot 1, the north line of said Lot 2, S 70° 58' 04" W, 160.04 feet (passing an iron pipe set for reference at 157.04 feet) to the southwest corner of said Lot 1, the northwest corner of said Lot 2 and in the east line of said Reserve "A";

Thence, along the west line of said Lot 2, part of the east line of said Reserve "A" and the west lines of Lots 3, 4, & 6 of said Wacker Place, S 15° 08' 00" E, 252.33 feet to a concrete monument found at the southeast corner of said Reserve "A", the southwest corner of said Lot 6 and in the north line of said Renick Avenue;

Thence, along the south line of said Reserve 'A' and the north line of said Renick Avenue, S 70° 58' 00" W,

529.31 feet to the place of beginning CONTAINJNG 3.515 ACRES, subject however to all legal highways, leases, agreements, easements, restrictions of record and of records in the respective utility offices, The following description was prepared from an actual survey made by Myers Surveying Company, Inc. in May 2002 in accordance with Chapter 4733-37 Ohio Administrative Code. Iron pipes set are 30" x 1" O.D. with an orange plastic cap inscribed "P.S. 6579". Basis of bearings is the center line of Mt. Calvary Avenue held as North 11° 16' 00" West as per Instrument No. 200104190083400.

Section 2. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Acceptance Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

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: 0651-2009

Drafting Date: 04/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The Finance and Management Department, Fleet Management Division, is eligible to participate in a grant opportunity in partnership with Clean Fuels Ohio for a grant with the United States Department of Energy. The funding opportunity is titled "Clean Cities FY09 Petroleum Reduction Technologies Projects for the Transportation Sector" and was created through the American Recovery and Reinvestment Act of 2009 to fund cost-shared projects that expand the use of alternative fueled vehicles and advanced technology vehicles as well as the installation or acquisition of infrastructure necessary to directly support an alternative fueled vehicle or advanced technology vehicle. Operation and maintenance of vehicles, infrastructure and other associated equipment acquired through the program are also allowable within specified limits. The purpose of the project is to fund activities that will help decrease the nation's dependence on petroleum by increasing the use of alternative fuels that will lessen petroleum consumption and also reduce vehicle emissions. Local governments must be in partnership with an active designated Clean Cities Coalition in order to be eligible to apply for funds. Clean Fuels Ohio is the Columbus Clean Cities Coalition designee.

Clean Fuels Ohio is planning to partner with local governments, school districts, airport authorities, counties and non-profits around the State for the purpose of requesting these funds. Clean Fuels Ohio anticipates requesting the maximum award of \$15 million. Columbus' portion of the funding request will be focused on Compressed Natural Gas (CNG). Fleet Management anticipates requesting funding for the design and construction of a CNG fueling station (possibly to be located at the current Fleet Management main facility at 4211 Groves Road), several CNG vehicles and several hybrid vehicles possibly to be used by the Department of Public Utilities and the Department of Public Service.

Clean Fuels Ohio will be the grant applicant as well as the fiduciary for grant funds. The City of Columbus will be a partner in the application and will be responsible for the administration of its portion of grant funds received, should the grant request be awarded. The federal grant application deadline is May 29, 2009. The grant period is up to four years but vehicle deployment and infrastructure development must be completed within the first two years.

This project supports the efforts and recommendations of the Mayor's "Green Team", which created a subcommittee focused on reducing emissions from City-owned vehicles. Projects included in this grant application are a result of plans formulated by this Committee, Fleet Management, and Clean Fuels Ohio.

Fiscal Impact: If awarded, the grant requires a 50% match for all projects. The match would come from the operating and capital budgets of the various divisions involved in the grant, and likely primarily Public Utilities. Vehicles for the project will be selected from ones identified as funded in the capital plan to minimize the need for additional funds. Otherwise commitments for data reporting for up to four years after project onset, Department of Energy merit reviews, performance audits, and knowledge transfer.

Emergency action is requested so that the May 29, 2009 federal grant application deadline can be met.

Title

To authorize the Director of Finance and Management to enter into partnership with Clean Fuels Ohio for the purpose of applying for federal funds through the United States Department of Energy for the Clean Cities Solicitation to fund Columbus' alternative fueled vehicle projects and infrastructure; and to declare an emergency.

Body

WHEREAS, the Fleet Management Division, in partnership with Clean Fuels Ohio, is eligible to apply for a grant through the United States Department of Energy titled "Clean Cities FY09 Petroleum Reduction Technologies Projects for the Transportation Sector", Area of Interest 4; and

WHEREAS, the grant requires that local governments must be in partnership with an active designated Clean Cities Coalition in order to apply for funding; and

WHEREAS, Clean Fuels Ohio is an active designated Clean Cities Coalition designee; and

WHEREAS, funding through the Clean Cities grant would fund Columbus' alternative fueled vehicles and CNG infrastructure projects; and

WHEREAS, the proposed projects would reduce the consumption of petroleum and reduce vehicle emissions; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department in that it is immediately necessary to authorize the Finance and Management Director to enter into partnership with Clean Fuels Ohio so that the federal grant application deadline of May 29, 2009 can be met 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 hereby is authorized to enter into partnership with Clean Fuels Ohio, for the purpose of applying for the Clean Cities grant through the United States Department of Energy to fund alternative fueled vehicles and infrastructure projects to reduce reliance on petroleum and reduce emissions from City vehicles.

SECTION 2. That this ordinance authorizes a partnership and is not a commitment to expend City funds.

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: 1098-2008

Drafting Date: 06/19/2008

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z08-009

APPLICANT: Marathon Petroleum Company LLC; c/o Jeffrey L. Brown, Attorney; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: Convenience store with fuel sales.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on May 8, 2008.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The 1.65± acre site is developed with a convenience store and fuel pumps and zoned in the CPD, Commercial Planned Development and C-4, Commercial Districts. The applicant is requesting the CPD, Commercial Planned Development District to expand the site and replace the store with a new convenience store and additional fuel pumps. The proposed CPD commits to landscaping, lighting and outdoor display controls. The request includes variances for building and parking setbacks. The site is located within the boundaries of the *Brice/Tussing Area Plan* (1990) which recommends commercial development on the site. The proposed CPD, Commercial Planned Development District, with the development standards in the text, permits an enlarged convenience store with fuel pumps. The request is consistent with the area plan and compatible with development in the area.

Title

To rezone **6803 REFUGEE ROAD (43110)**, being 1.54± acres located at the southwest corner of Refugee and Gender Roads, **From:** CPD, Commercial Planned Development and C-4, Commercial Districts, **To:** CPD, Commercial Planned Development District (Rezoning # Z08-009).

Body

WHEREAS, application #Z08-009 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.54± acres from the CPD, Commercial Planned Development and C-4, Commercial Districts to CPD, Commercial Planned Development District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposed development is consistent with the area plan and compatible with development in the area, now, therefore:

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

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

6803 REFUGEE ROAD (43110), being 1.54± acres located at the southwest corner of Refugee and Gender Roads, and being more particularly described as follows:

DESCRIPTION OF 1.5479 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 1, Township 11, Range 21, Congress Lands, being all of that 0.6599 acre tract, as described in a deed to Emro Marketing Company, of record in Official Record Volume 16908, Page H07, and 0.888 acre of that 5.791 acre tract as described in a deed to P. Ronald Sabatino, of record in Official Record Volume 15953, Page F10, all references herein being to the records located in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning FOR REFERENCE at the centerline intersection of Gender Road (width varies) and Refugee Road (width varies); thence North 78°41'19" West, along the centerline of Refugee Road, a distance of 100.00 feet to a point in the easterly line of that 0.643 acre tract as described in a deed to the County of Franklin, of record in Deed Book 3206, Page 1; thence South 11°18'41" West, along said easterly line, a distance of 55.00 feet to an iron pin set at the intersection of the southerly right-of-way line of Refugee Road and the westerly right-of-way line of Gender Road and at the TRUE PLACE OF BEGINNING;

Thence South 49°28'49" East, along said westerly right-of-way line, a distance of 50.54 feet to an iron pin set;

Thence South 05°24'29" West, continuing along said westerly right-of-way line, a distance of

226.03 feet to an iron pin set;

Thence through said 5.791 acre tract with a new division line the following courses:

1. North 86°07'50" West, a distance of 50.00 feet to an iron pin set;
2. North 62°22'52" West, a distance of 27.31 feet to an iron pin set;
3. North 86°07'50" West, a distance of 183.80 feet to an iron pin set;
4. North 05°24'29" East, a distance of 195.27 feet to an iron pin set;
5. North 18°20'29" West, a distance of 27.31 feet to an iron pin set;
6. North 05°24'29" East, a distance of 56.00 feet to an iron pin set in the southerly right-of-way line of Refugee Road and the southerly line of that 0.365 acre tract (Parcel 7 WD) as described in a deed to the City of Columbus, Ohio, of record in Instrument No. 200004180075416;

Thence South 75°42'10" East, along said southerly right-of-way line and said southerly line, a distance of 30.08 feet to an 1" O.D. pipe found (uncapped) at the southeasterly corner of said 0.365 acre tract and at a angle point in the southerly perimeter of the aforementioned 0.643 acre tract;

Thence South 78°41'19" East, along said southerly right-of-way line and said southerly perimeter, a distance of 200.00 feet to the TRUE PLACE OF BEGINNING and containing 1.5479 acres of land.

Iron pins set consist of a 1" (O.D.) pipe, 30" long with a plastic cap inscribed "M-E COMPANIES/S-6872".

Bearings herein are based on South 5°24'29" West for the westerly right-of-way line of Gender Road as referenced in Official Record Volume 15953, Page F10.

To Rezone From: CPD, Commercial Planned Development and C-4, Commercial 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 plans being titled, "**RE-ZONING PLAN**," "**LANDSCAPE PLAN**," and "**PERMIT & ZONING DRAWING**," and text titled, "**CPD TEXT**," all signed by David L. Hodge, attorney for the Applicant, and dated May 29, 2008, and the text reading as follows:

CPD TEXT

CPD, COMMERCIAL PLANNED DEVELOPMENT

EXISTING DISTRICT: CPD, Commercial Planned Development District and C-4, Commercial

PROPOSED DISTRICT: CPD, Commercial Planned Development District

PROPERTY ADDRESS: 6803 Refugee Road, Columbus, Ohio 43240

OWNER: EMRO Marketing, c/o Speedway Superamerica LLC, et al.

APPLICANT: Marathon Petroleum Company, LLC

DATE OF TEXT: 5/29/08

APPLICATION NUMBER: Z08-009

1. **INTRODUCTION:** The existing site is currently zoned CPD (Ordinance 457-91, Z90-145). The applicant proposes to

raze the existing building and construct a new facility at this location. In addition the applicant is acquiring a ninety-five (95) foot strip of land along the rights-of-way that tapers to eighty-four (84) feet along the south and west sides of the existing site, which is currently zoned C-4. The site is 1.54+/- acres and is located on the southwest corner of Refugee Road and Gender Road.

2. PERMITTED USES: A convenience store with gasoline sales and outdoor display areas.

3. DEVELOPMENT STANDARDS: Except as otherwise listed herein, the development standards established by the C-4 Commercial District shall apply.

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

1. The building setback shall be as follows: forty-five (45) foot setback from Gender Road and from Refugee Road. The canopy setback shall be forty (40) feet.
2. The parking setback line shall be as follows: twenty (20) feet from the property line along Gender Road and five (5) feet from the property line along Refugee Road.

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

1. The access points are shown on the submitted site plan.
2. All circulation, curb cuts and access points shall be subject to the review and approval of the City's Division of Transportation.
3. The existing pedestrian sidewalk along the Refugee Road frontage shall remain. A sidewalk or pedestrian path shall be constructed along the Gender Road frontage, to be coordinated with the City's Division of Transportation.
4. The total right-of-way requirement for the City of Columbus is sixty (60) feet from the centerline of Refugee Road and sixty (60) feet from the centerline of Gender Road. The applicant shall dedicate to the City of Columbus the necessary additional right-of-way to reach these requirements, dedication to occur in conjunction with the application for zoning clearance.

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

1. The subject site shall be landscaped in accordance with the submitted landscape plan.
2. Landscaping shall be maintained in a healthy state. Dead items shall be replaced at the next planting season or within six (6) months, whichever occurs sooner. Unless otherwise specified, minimum size of all trees at installation shall be 2 1/2 inches in caliper for deciduous shade trees, five (5) feet high for evergreen trees and 1 1/2 inches in caliper for ornamental trees.

D. Building Design and/or Interior/Exterior Commitments:

1. All heating, ventilating, air conditioning and other building mechanical systems and equipment shall be fully screened from view from all public streets. As an exception to the foregoing, equipment requiring ventilation may be located within architectural elements having an opacity of at least eighty percent (80%).
2. Exterior building materials of the store building shall be split face concrete block in accordance with the Permit & Zoning Drawing.
3. The canopy shall be constructed in accordance with the Permit & Zoning Drawing with a maximum height of twenty-three (23) feet.

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

1. The light standards shall not exceed fourteen (14) feet in height, shall be dark gray in color, and shall be cut-off style fixtures.
2. Outdoor product display shall be permitted as indicated on the Site Plan. Outdoor display areas shall contain only those items normally and customarily sold by a convenience store and other seasonal items and products, including but not limited to, fire wood, mulch, flowers, Christmas Wreaths, etc. The height of the display areas shall not exceed five (5) feet. No items shall be sold out of a trailer on the subject property.
3. Propane display and ice machine shall be permitted along the elevation of the building and shall not be subject to the five (5) foot height limitation outlined in 3E(2) above.

F. Graphics Commitments.

1. All signage and graphics shall be as permitted for the C-4 District. Any variances to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous.

1. Site Plan: The subject site shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of Development or his designee upon the submission of the appropriate data regarding the proposed adjustment.
2. Building/Canopy Elevations: The building and canopy shall be developed in accordance with the submitted elevation drawings. The elevation drawings may be slightly adjusted to reflect architectural, engineering, and topographical or other site data developed at the time that architectural, development and engineering plans are completed. Any slight adjustment to the elevation shall be reviewed and may be approved by the Director of Development or his designee upon the submission of the appropriate data regarding the proposed adjustment.
3. Abandonment: The motor vehicle fuel use shall be considered abandoned if it has ceased operation or is closed to the public for a minimum of six (6) months in any twelve (12) month period. The owner or lessee of the motor vehicle fuel use and/or related structures shall, within seven (7) days of the beginning of the closure period referred to herein:
 - a. Install wheel blocks, firmly attached, across the driveway entrance to the fuel area to prohibit unauthorized vehicle parking or abandonment of motor vehicles;
 - b. Shall remove all signs and pumps;
 - c. Shall board up all windows, doors and entrances to prevent the breakage of glass and the unauthorized entrance therein;
 - d. Take appropriate action as required by the City of Columbus Fire Code to treat abandoned underground tanks; and;
 - e. Shall during the closure period cut all grass, remove all rubbish and weeds and continue maintenance as may be necessary to prevent the building or structure from deteriorating into a state of disrepair.

H. CPD Requirements:

1. Natural Environmental and Existing Land Uses: The property is developed as a convenience store with fuel sales and is generally flat.
2. Existing Lane Use: The property is currently developed and operated as a convenience store with fuel sales.

3. Transportation and Circulation: The curb cuts and internal circulation patterns are shown on the submitted Site Plan.
4. Visual Form of the Environment: Consideration has been given to the visibility and safety of the motorists and pedestrians in the development of the property.
5. Proposed Development: Convenience store with fuel sales.
6. Behavior Pattern: Existing development in the area has established behavior patterns for the motorists.
7. Emissions: No adverse effects from emissions shall result from the proposed development.

I. Variances:

1. The approval of this CPD includes a variance to Section 3341.18 along Refugee Road where a five (5) foot parking setback is proposed. (10 to 5 feet)
2. The approval of this CPD includes a variance to Section 3356.11.A.2 to allow a setback from the right-of-way of Refugee Road and Gender Road of less than sixty (60) feet for the canopy over the fuel dispensers. (60 to 40 feet)

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

Legislation Number: 1941-2008

Drafting Date: 11/24/2008

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Council Variance Application: CV08-024

APPLICANT: The Olen Corporation; c/o James B. Harris, Atty.; Harris, McClellan, Binau & Cox; 37 West Broad Street; Columbus, OH 43215.

PROPOSED USE: Quarry and aggregate processing in the floodway and floodway fringe.

FAR SOUTH COLUMBUS AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. This Council variance request is required to implement an agreement between the City of Columbus Department of Public Utilities and the property owners of the subject site (ORD # 0991-2007). The agreement details the long term transition of the respective property from its current state, allowing continuous use as a water supply during mineral extraction, eventually resulting in a large quarry increasing the water resources of the City to provide for future growth. The site is used for quarrying and aggregate processing and is zoned in the EQ, Excavation and Quarrying, M, Manufacturing, and R, Rural Districts. The applicant requests a Council variance to remove the conditions of CV79-138 (ORD # 1562-80) which allowed quarrying in the floodway. A distance separation variance was granted in 1988 (CV88-1948, ORD # 1557-88) to allow a sand and gravel processing plant in the M District within 600 feet of the strip of R-Rural land between the EQ and M Districts. The applicant is requesting a distance separation variance with this request so that a second processing plant can be constructed to the south of the existing plant. The R District is not used residentially and is not completely in the control of the applicant, so rezoning it is not an option at this time. The site is located within the boundaries of *The South Central Accord (2007)*, which recommends excavation and quarrying uses. The request is consistent with the land use recommendation of *The Scioto Southland Plan*, and approval of this request will not introduce an incompatible use to the area.

Title

To grant a Variance from the provisions of Sections 3332.02, R Rural District; 3385.07, Activities, developments and uses in the floodway; 3311.28, Requirements; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted;

3363.19(C), Location requirements; 3385.08, Standards and requirements for activities, developments and uses in the floodway; 3385.09, Standards and requirements for activities, developments and uses in the floodway fringe; 3385.10, Fill and grading in the in the floodway fringe of the Columbus City Codes; for the property located at **4755 SOUTH HIGH STREET (43207)**, to allow quarrying and aggregate processing uses in the floodway and floodway fringe with reduced development standards in the EQ, Excavation and Quarrying, M, Manufacturing, and R, Rural Districts and to repeal Ordinances #344-80, passed February 25, 1980, and #1562-80 passed July 21, 1980 (Council Variance # CV08-024).

Body

WHEREAS, by application No. CV08-024, the owner of property at **4755 SOUTH HIGH STREET (43207)**, is requesting a Council Variance to allow quarrying and aggregate processing uses in the floodway and floodway fringe with reduced development standards in the EQ, Excavation and Quarrying, M, Manufacturing, and R, Rural Districts; and

WHEREAS, Section 3332.02, R, Rural District, prohibits quarrying and excavation uses, while the applicant proposes equipment and vehicles to traverse the former feeder canal that is zoned in the R, Rural District; and

WHEREAS, Section 3385.07, Activities, developments and uses in the floodway, permits only certain uses in the floodway, while the applicant proposes to continue excavation and quarrying in the floodway and to construct necessary equipment and structures related to the quarrying and excavation uses; and

WHEREAS, Section 3311.28, Requirements, requires that uses or activities associated with excavation and quarrying are to be conducted entirely within the EQ, Excavation and Quarrying District, while the applicant proposes locating a processing plant for an EQ use in the adjacent M, Manufacturing District; and

WHEREAS, Section 3332.25, Maximum side yard required, requires the sum of the widths of each side yard to equal twenty (20) percent of the lot width, while the applicant proposes no side yards where equipment and vehicles traverse the former feeder canal that is zoned in the R, Rural District; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard of no less than seven and one-half (7 ½) feet, while the applicant proposes no side yards where equipment and vehicles traverse the former feeder canal that is zoned in the R, Rural District; and

WHEREAS, Section 3363.19(C), Location requirements, requires more objectionable uses to be located a minimum of six-hundred (600) feet from any residential or apartment residential district, while the applicant proposes stone, gravel and sand processing plant within six-hundred feet of residentially-zoned property; and

WHEREAS, Section 3385.08, Standards and requirements for activities, developments and uses in the floodway, establishes requirements for properties in the floodway, while the applicant requests relief from these standards and requirements for excavation and quarrying in the floodway and to construct necessary equipment and structures related to the quarrying and excavation uses which could affect the base flood elevation; and

WHEREAS, Section 3385.09, Standards and requirements for activities, developments and uses in the floodway fringe, establishes requirements for properties in the floodway fringe, while the applicant requests relief from these standards and requirements for excavation and quarrying in the floodway fringe and to construct necessary equipment and structures related to the quarrying and excavation uses; and

WHEREAS, Section 3385.10, Fill and grading in the in the floodway fringe, establishes requirements for fill and grading in the floodway fringe, while the applicant requests relief from these requirements for excavation and quarrying in the floodway fringe and to construct necessary equipment and structures related to the quarrying and excavation uses; and

WHEREAS, the Far South Columbus Area Commission recommends approval; and

WHEREAS, City Departments recommend approval because the requested Council variance is required to implement an agreement between the City of Columbus Department of Public Utilities and the property owners of the subject site (ORD # 0991-2007). The agreement details the long term transition of the respective property from its current state, allowing

continuous use as a water supply during mineral extraction, eventually resulting in a large quarry increasing the water resources of the City to provide for future growth. The site is used for quarrying and aggregate processing and is zoned in the EQ, Excavation and Quarrying, M, Manufacturing, and R, Rural Districts. The applicant requests a Council variance to remove the conditions of CV79-138 (ORD # 1562-80) which allowed quarrying in the floodway. A distance separation variance was granted in 1988 (CV88-1948, ORD # 1557-88) to allow a sand and gravel processing plant in the M District within 600 feet of the strip of R-Rural land between the EQ and M Districts. The applicant is requesting a distance separation variance with this request so that a second processing plant can be constructed to the south of the existing plant. The R District is not used residentially and is not completely in the control of the applicant, so rezoning it is not an option at this time. The site is located within the boundaries of *The South Central Accord* (2007), which recommends excavation and quarrying uses. The request is consistent with the land use recommendation of *The Scioto Southland Plan*, and approval of this request will not introduce an incompatible use to the area; and

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

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **4755 SOUTH HIGH STREET (43207)**, in using said property as desired; now, therefore:

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

SECTION 1. That variances from the provisions of Sections 3332.02, R Rural District; 3385.07, Activities, developments and uses in the floodway; 3311.28, Requirements; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3363.19(C), Location requirements; Section 3385.08, Standards and requirements for activities, developments and uses in the floodway; 3385.09, Standards and requirements for activities, developments and uses in the floodway fringe; 3385.10, Fill and grading in the in the floodway fringe of the Columbus City Codes; are hereby granted for the property located at **4755 SOUTH HIGH STREET (43207)**, insofar as said sections prohibit quarrying and aggregate processing uses in the floodway and floodway fringe, with no side yards in the R, Rural District, no distance separation for processing plants adjacent to the R, Rural District, and relief from the standards and requirements for properties in the floodway and floodway fringe; said property being more particularly described as follows:

4755 SOUTH HIGH STREET (43207), being 1151.6± acres generally located 600± feet west of South High Street between I-270 and Cottage Street, and being more particularly described as follows:

**TRACT A & B COMBINED
PROPOSED NEW AND EXISTING PLANT SITES**

Situated in the State of Ohio, County of Franklin, Hamilton Township, and being part of Sections 20, 21, 28 & 29, Township 4, Range 22, Congress Lands, and a part of an original 410.688 acre tract of land as described as Tract Two as recorded in a Quit Claim Deed from Patricia F. Kulha Trust of September 3, 2000 to PFK Company I, LLC, as recorded in Instrument # 200403030046558, (Auditors Parcel # 510-181564) and being more particularly described as follows:

Commencing at Franklin County Engineers Monument FCGC #5273, said monument being in the centerline of U.S. Route 23 (O.D.O.T. Fra. 23 (0.00-5.37)) as recorded in Plat Book 17, page 400, and in the centerline of Rathmell Road, County Road 121, and in the south line of Section21;

Thence, along U.S. Route 23 centerline, South 07°49'50" East, 1160.10 feet to a point;

Thence, leaving said centerline through said 410.688 acre tract, South 82°31'19" West, 770.34 feet to a point,

being the TRUE POINT OF BEGINNING;

Thence through said 410.688 acre tract the following five courses:

South 07°49'25" East, 1086.75 feet to a point;

Thence with a curve to the left having a radius of 1600.00 feet, a central angle of 18°25'35", the chord which bears South 17°02'13" East, 512.35 feet to a point of reverse curvature;

Thence with a curve to the right having a radius of 1600.00 feet, a central angle of 18°00'00", the chord which bears South 17°15'00" East, 500.59 feet to a point of tangency;

South 08°15'00" East, 418.32 feet to a point;

South 82°10'34" West, 796.04 feet to a point on the easterly line of the now abandoned Columbus Feeder of The Ohio & Erie Canal deeded to the Columbus & Southern Ohio Electric Company as recorded in Deed Book 3268, Page 641, 42.936 acres;

Thence northerly along the western line of said 410.688 acre tract and eastern line of said 42.936 acre tract the following 18 courses:

North 16°53'30" West, 189.48 feet to a point;

North 13°44'29" West, 626.65 feet to a point;

North 00°50'02" East, 421.01 feet to a point;

North 19°56'25" West, 302.37 feet to a point;

North 08°04'05" West, 1056.46 feet to a point;

North 07°54'33" West, 149.14 feet to a point;

North 12°04'25" West, 404.33 feet to a point;

North 17°55'36" West, 205.16 feet to a point;

North 15°05'14" West, 601.44 feet to a point;

North 21°40'02" West, 378.55 feet to a point;

North 01°04'35" West, 181.60 feet to a point;

North 06°47'54" East, 400.08 feet to a point;

North 11°14'02" East, 400.20 feet to a point;

North 10°13'57" East, 795.70 feet to a point;

North 22°13'07" East, 204.63 feet to a point;

North 08°39'25" East, 400.24 feet to a point;

North 22°51'21" East, 307.70 feet to a point;

North 01°52'49" East, 402.23 feet to a point;

Thence leaving the easterly line of said canal and through said 410.688 acre tract the following three courses:

North 88°35'42" East, 389.13 feet to a point;

South 05°23'26" West, 1602.57 feet to a point;

South 07°49'25" East, 3113.25 feet to the TRUE POINT OF BEGINNING, containing 118.367 acres of land, more or less, as surveyed and described in June of 2008, by William M. Clifford, Registered Land Surveyor No. 8010.

Subject, however, to the right-of-way for U.S. Route 23, all legal right-of-way, restrictions and easements of previous record.

Basis of Bearings: The southerly right-of-way line of Interstate Route 270 (AKA Fra.-200-9.46) as delineated in Plat Book 32, Page 84.

TRACT C
EQ, EXCAVATING AND QUARRYING DISTRICT

Situated in the State of Ohio, County of Franklin, Township of Hamilton, and being part of Sections 17, 20, 29 and 33, Township 4, Range 22, Congress Lands, and being part of the Samuel Hartman Farm, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the intersection of the westerly line of that tract as conveyed to the Columbus and Southern Ohio Electric Company of record in Deed Book 3269, Page 138, and the southerly limited Access Right-of-Way line of Interstate Route 270;

Thence the following twenty-eight (28) courses and distances along the westerly line of the aforesaid C&SOE tract:

1. Thence S 10°13'53"W, a distance of 383.42 feet to a point;
2. Thence S 10°05'18"W, a distance of 600.78 feet to a point;
3. Thence S 10°15'07"W, a distance of 700.20 feet to a point;
4. Thence S 10°05'18"W, a distance of 700.21 feet to a point;
5. Thence S 10°56'51"W, a distance of 200.08 feet to a point;
6. Thence S 11°01'28"W, a distance of 795.81 feet to a point;
7. Thence S 08°47'59"W, a distance of 400.22 feet to a point;
8. Thence S 05°36'45"W, a distance of 401.34 feet to a point;
9. Thence S 02°47'14"W, a distance of 202.07 feet to a point;
10. Thence S 15°22'22"E, a distance of 400.84 feet to a point;
11. Thence S 17°33'53"E, a distance of 600.44 feet to a point;
12. Thence S 19°06'38"E, a distance of 199.26 feet to a point;
13. Thence S 12°29'05"E, a distance of 398.47 feet to a point;
14. Thence S 13°44'56"E, a distance of 145.61 feet to a point;
15. Thence S 07°11'47"E, a distance of 1053.07 feet to a point;
16. Thence S 08°41'10"E, a distance of 301.15 feet to a point;
17. Thence S 08°04'15"E, a distance of 418.44 feet to a point;
18. Thence S 12°17'46"E, a distance of 631.11 feet to a point;
19. Thence S 20°11'09"E, a distance of 542.99 feet to a point;
20. Thence S 10°21'54"E, a distance of 501.55 feet to a point;
21. Thence S 12°28'30"E, a distance of 600.69 feet to a point;
22. Thence S 16°14'14"E, a distance of 397.16 feet to a point;

23. Thence S 23°44'28"E, a distance of 602.64 feet to a point;
24. Thence S 08°57'33"E, a distance of 1996.17 feet to a point;
25. Thence S 17°09'15"E, a distance of 896.19 feet to a point;
26. Thence S 04°08'30"E, a distance of 292.48 feet to a point;
27. Thence S 00°42'00"E, a distance of 458.43 feet to a point;
28. Thence S 10°08'52"W, a distance of 611.82 feet to a point;

Thence N 87°44'32"W, a distance of 1038.83 feet to a point in the easterly bank of the Scioto River.

Thence the following fifty-five (55) courses and distances along the easterly bank of the Scioto River and the meanders thereof:

1. Thence N 26°54'24"W, a distance of 532.25 feet to a point;
2. Thence N 13°54'37"W, a distance of 355.44 feet to a point;
3. Thence N 22°10'30"W, a distance of 57.84 feet to a point;
4. Thence N 40°16'13"W, a distance of 132.58 feet to a point;
5. Thence N 46°32'57"W, a distance of 116.91 feet to a point;
6. Thence N 27°20'18"W, a distance of 97.42 feet to a point;
7. Thence N 00°06'39"E, a distance of 480.36 feet to a point;
8. Thence N 10°46'57"E, a distance of 712.96 feet to a point;
9. Thence N 06°55'56"E, a distance of 521.47 feet to a point;
10. Thence N 22°07'20"E, a distance of 566.28 feet to a point;
11. Thence N 05°19'23"E, a distance of 378.03 feet to a point;
12. Thence N 20°08'01"W, a distance of 216.47 feet to a point;
13. Thence N 40°04'56"W, a distance of 625.57 feet to a point;
14. Thence N 81°50'06"W, a distance of 320.44 feet to a point;
15. Thence S 68°23'23"W, a distance of 383.80 feet to a point;
16. Thence S 42°41'04"W, a distance of 640.05 feet to a point;
17. Thence S 40°47'14"W, a distance of 221.77 feet to a point;
18. Thence S 59°54'00"W, a distance of 325.30 feet to a point;
19. Thence S 76°54'32"W, a distance of 333.33 feet to a point;
20. Thence N 69°46'55"W, a distance of 282.93 feet to a point;
21. Thence N 40°40'46"W, a distance of 237.93 feet to a point;
22. Thence N 26°41'33"W, a distance of 402.13 feet to a point;
23. Thence N 15°20'40"W, a distance of 744.01 feet to a point;
24. Thence N 00°22'19"E, a distance of 685.29 feet to a point;
25. Thence N 09°31'21"W, a distance of 603.75 feet to a point;
26. Thence N 11°22'53"E, a distance of 314.28 feet to a point;
27. Thence N 16°46'57"E, a distance of 741.88 feet to a point;
28. Thence N 03°42'37"E, a distance of 277.69 feet to a point;
29. Thence N 23°47'50"E, a distance of 369.42 feet to a point;
30. Thence N 23°21'16"E, a distance of 204.33 feet to a point;
31. Thence N 23°32'13"E, a distance of 324.58 feet to a point;
32. Thence N 31°14'36"E, a distance of 163.07 feet to a point;
33. Thence N 21°04'18"E, a distance of 238.25 feet to a point;
34. Thence N 07°40'32"W, a distance of 328.16 feet to a point;
35. Thence N 44°07'45"W, a distance of 189.32 feet to a point;
36. Thence N 68°59'24"W, a distance of 672.55 feet to a point;
37. Thence N 61°20'32"W, a distance of 387.01 feet to a point;
38. Thence N 47°49'42"W, a distance of 267.25 feet to a point;
39. Thence N 52°37'37"W, a distance of 377.96 feet to a point;
40. Thence N 32°44'47"W, a distance of 358.85 feet to a point;
41. Thence N 09°57'49"W, a distance of 203.27 feet to a point;
42. Thence N 07°45'34"E, a distance of 273.16 feet to a point;

43. Thence N 10°13'30"E, a distance of 346.28 feet to a point;
44. Thence N 19°03'51"W, a distance of 209.63 feet to a point;
45. Thence N 67°13'56"W, a distance of 315.22 feet to a point;
46. Thence N 00°34'38"E, a distance of 281.93 feet to a point;
47. Thence N 05°58'11"W, a distance of 306.24 feet to a point;
48. Thence N 11°59'59"W, a distance of 567.76 feet to a point;
49. Thence N 05°45'20"E, a distance of 661.03 feet to a point;
50. Thence N 09°38'07"W, a distance of 541.12 feet to a point;
51. Thence N 03°39'15"W, a distance of 545.53 feet to a point;
52. Thence N 56°58'05"E, a distance of 648.94 feet to a point;
53. Thence N 45°35'53"E, a distance of 922.57 feet to a point;
54. Thence N 27°18'06"E, a distance of 516.20 feet to a point;
55. Thence N 21°39'07"E, a distance of 1024.49 feet to a point in the southerly limited Access Right-of-Way line of Interstate Route 270;

Thence the following seven (7) courses and distances along the southerly limited Access Right-of-Way line of Interstate Route 270:

1. Thence S 57°36'42"E, a distance of 208.22 feet to a point;
2. Thence S 54°57'59"E, a distance of 133.61 feet to a point of curvature;
3. Thence with a curve to the left having a radius of 11,579.16 feet, a central angle of 05°25'01" the chord to which bears S 57°40'30"E, a distance of 1094.32 feet to a point of tangency;
4. Thence S 58°25'44"E, a distance of 1535.05 feet to a point of curvature;
5. Thence with a curve to the left having a radius of 5,793.58 feet, a central angle of 06°47'42" the chord to which bears S 63°00'37"E, a distance of 686.69 feet to a point of tangency;
6. Thence S 67°15'23"E, a distance of 411.86 feet to a point;
7. Thence S 61°43'54"E, a distance of 51.87 feet to the point of beginning and containing 1018.287 acres, more or less, being subject to all easements, restrictions, and rights-of-way of record.

**TRACT D
R, RURAL DISTRICT**

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Sections 20 and 29, Township 4N, Range 22W, Congress Lands, being a part of the same land as conveyed by the State of Ohio to Columbus and Southern Ohio Electric Company in a Governor's Deed, described as Parcel No. O&E-FRA-305.4373-C.F. and recorded in Deed Book 3269, Page 138 of the records of the Recorder's Office, Franklin County, Ohio, and more particularly bounded and described as follows:

Commencing at the intersection of the centerline of U.S. Route 23, as the same was surveyed in 1954 and shown on plans FRA-23-(0.00-5.37), on file in the office of the Ohio Department of Transportation, Delaware, Ohio and the centerline of Rathmell Road, 60 feet wide; thence, with the centerline of U.S. Route 23, S 07° 49' 25" E, 1168.07 feet to a point; thence, along the southern boundary line of a 1498.36 acre tract leased to the Olen Corporation, S 82° 31' 19" W, 1498.40 feet to a point in the easterly boundary line of the abandoned Columbus Feeder of the Ohio and Erie Canal, as the same was surveyed by The Jennings-Lawrence Co. in 1927, said point being THE TRUE point of beginning;

Thence, crossing said canal S 82° 31' 19" W, 83.34 feet, passing the centerline of said canal at 63.35 feet, to a point in the westerly boundary line of said canal; thence, with said westerly boundary line the following courses and distances:

- N 07° 11' 47" W, 72.88 feet to a point;
- N 13° 44' 56" W, 145.61 feet to a point;
- N 12° 29' 05" W, 398.47 feet to a point;
- N 19° 06' 30" W, 199.26 feet to a point;
- N 17° 33' 53" W, 600.44 feet to a point;

N 15° 22' 22" W, 400.84 feet, crossing the boundary line between Section 29 and 20 at 79.40 feet to a point;
N 02° 47' 14" E, 202.07 feet to a point;
N 05° 36' 45" E, 401.34 feet to a point;
N 08° 47' 59" E, 400.22 feet to a point;
N 11° 01' 28" E, 795.81 feet to a point;
N 10° 56' 51" E, 200.08 feet to a point;
N 10° 05' 18" E, 400.12 feet to a point;
N 10° 15' 07" E, 700.20 feet to a point;
N 10° 05' 18" E, 600.78 feet to a point;
N 10° 13' 53" E, 301.13 feet to a point;
S 51° 16' 34" E, 102.71 feet, crossing the centerline of said canal at 53.74 feet to a point in said easterly boundary line of said canal;

Thence, along said easterly boundary line the following courses and distances:

S 10° 56' 51" W, 251.94 feet to a point;
S 10° 05' 18" W, 600.78 feet to a point;
S 01° 52' 49" W, 707.45 feet to a point;
S 22° 51' 21" W, 307.70 feet to a point;
S 08° 39' 25" W, 400.24 feet to a point;
S 22° 13' 07" W, 204.63 feet to a point;
S 10° 13' 57" W, 795.70 feet to a point;
S 11° 14' 02" W, 400.20 feet to a point;
S 06° 47' 54" W, 400.08 feet to a point;
S 01° 04' 35" E, 181.60 feet to a point;
S 21° 40' 02" E, 378.55 feet, crossing said boundary line between Section 20 and 29 at 347.51 feet to a point;
S 15° 05' 14" E, 601.44 feet to a point;
S 17° 55' 36" E, 205.16 feet to a point;
S 12° 04' 25" E, 404.33 feet to a point;
S 07° 54' 33" E, 149.14 feet to a point;
S 08° 04' 05" E, 76.46 feet to THE TRUE point of beginning, containing 14.943 acres, more or less, of which 11.334 acres are in Section 20 and 3.609 acres are in Section 29

Subject to an easement granted to the Columbus Southern Power Co. and located at the north end of the above described tract, containing 0.265 acre, more or less, and subject to other easements and restrictions of record.

Parcel No: 510-214607

Description Verified: Dean C. Ringle, P.E.P.S; 03Mar04

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for quarrying and aggregate processing uses or those uses permitted in the EQ, Excavation and Quarrying, R, Rural, or M, Manufacturing Districts.

SECTION 3. That this ordinance is further conditioned on the Subject Site being in general conformance with the plan titled "**EXHIBIT 'D' LIMESTONE MINING PLAN CELL LAYOUT,**" signed by James B. Harris, Attorney for the Applicant, dated February 18, 2009. The plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

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

SECTION 5. That Ordinances #344-80, passed February 25, 1980, and #1562-80 passed July 21, 1980, be and are hereby repealed.

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

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED 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 - May 13, 2009 3:00 pm

SA003239 - Janitorial Services

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time on Wednesday May 13, 2009, and publicly read at that hour in Department of Public Utilities Complex 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215 for the following project:

JANITORIAL SERVICES FOR SEWERAGE AND DRAINAGE FACILITIES

The City of Columbus' contact person for this project is Mark Hedrick, Facilities Equipment Maintenance Projects Coordinator of the Division of Sewerage and Drainage, (614) 645-7363. The work, for which Proposals are invited, consists in general of providing janitorial services for a number of City facilities, as follows:

Complete cleaning services will be provided for five Division of Sewerage and Drainage Facilities, or parts thereof. These facilities consist of the Jackson Pike Wastewater Treatment Plant, the Southerly Wastewater Treatment Plant, the Sewer Maintenance Operations Center, the Trucked Waste Disposal Site and the Compost Facility.

PROPOSAL SUBMITTAL: Proposals shall be submitted on the Proposal forms contained in Volume I, Bid Submittal Document, of the Contract Documents and the said Volume shall be submitted IN ITS ENTIRETY in a sealed envelope marked:

"BID FOR: JANITORIAL SERVICES FOR SEWERAGE AND DRAINAGE FACILITIES"

BASIS OF BIDS: Bids shall be on a Unit Price basis as shown in the Proposal (Section 00 40 00 of the Contract Documents).

BID SUBMITTAL DOCUMENTS: Copies of the Contract Documents as defined in the Instructions to Bidders (Section 00 20 00) and the Special Provisions (Section 00 70 00) are or will be on file and may be examined at the following location:

Division of Sewerage and Drainage
Treatment Engineering Section
1250 Fairwood Avenue, Room 0020
Columbus OH 43206-3372
(614/645-7363)

One copy of the Contract Documents is available at no charge to prospective Bidders upon application to the Maintenance Management Program Section.

PRE-BID CONFERENCE: There will be a Pre-bid Conference held at 1250 Fairwood Avenue, Lower Level, Room 0004, on Tuesday, April 28, 2009, beginning at 9:00 AM. Following the pre-bid meeting, a tour will be conducted by City Personnel to allow prospective Bidders to inspect typical project areas and existing facilities. Transportation on the tour, and safety during the tour, shall be the Bidders' responsibility. The tour will conclude at approximately 2:00 PM. Bidders are strongly advised to attend this conference

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BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

and tour, in addition to any personal examinations of the work sites they may make separately.

BIDDER'S QUALIFICATIONS: Bidders shall provide proof of their qualifications to perform the Work as described in the Instructions to Bidders (Section 00 20 00).

CONTRACT PERIOD: The duration of a contract for this work is expected to be two years with the option to renew for an additional two years upon mutual agreement between the parties and approval by the Columbus City Council. Funding of this contract will be on an incremental basis, as described in the Instructions to Bidders (Section 00 20 00).

PROPOSAL GUARANTY: Each Bidder is required to submit a Proposal Guaranty, consisting of either a Proposal Bond, in the form provided in the Bid Submittal Document with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten percent of the bid. All bonds signed by an agent of a surety must be accompanied by a certified copy of the agent's authority to act.

CONTRACT PERFORMANCE AND PAYMENT BOND: A Contract Performance and Payment Bond of 100 percent of the amount of the Contract, with a satisfactory surety or sureties, as described in Section 00 70 00, will be required to assure the faithful performance of the Work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS (CMSC): Certain numbered paragraphs to which reference may be made in the Contract Documents refer to the City of Columbus, Ohio Construction and Materials Specifications (CMSC), latest edition, and are part of the terms and conditions of any contract to be awarded pursuant to this bidding. Said Specifications are hereby made a part of the Contract Documents to the extent to which reference to specific parts of the CMSC is made in the Contract Documents. Section 100 of the CMSC is included in the Contract Documents only to the extent delineated in the Special Provisions (Section 00 70 00). Copies of the CMSC may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, OH 43215 (614/645-8290); at the office of the Division of Transportation, 1800 E. 17th Avenue, Columbus, OH 43219 (614/645-3182); or at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, OH 43215 (615/645-6141).

CONTRACT COMPLIANCE CERTIFICATION REQUIREMENTS: Each responsive bidder shall submit, with its Bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS: The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio to cancel this Advertisement for Bids, to reject any and/or all Bids, to waive technicalities, to hold Bids for a period of 180 days after the bid opening, and/or to advertise for new Proposals, when such action is deemed by the Director to be in the best interests of the City.

LICENSING OF CORPORATIONS: Particular attention by Bidders is called to the statutory requirements of the State of Ohio relative to licensing of entities incorporated under the laws of any other state.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

"CITY BULLETIN" PUBLICATION DATES:

1. April 11, 2009
2. April 18, 2009

["Bids Wanted - Other Divisions" Header Provisions of the "City Bulletin" - also part of this Advertisement, follow:]

Each Proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if the Bidder is a corporation, the name and address of the President and Secretary thereof.

EQUAL OPPORTUNITY CLAUSE:

- (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.
- (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.
- (3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.
- (4) The contractor shall permit access to any relevant and pertinent reports and documents by the Executive Director of the Equal Business Opportunity Commission Office for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Executive Director by the contractor shall be considered confidential.
- (5) The contractor will not obstruct or hinder the Executive Director or the Executive Director's deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.
- (6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.
- (7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.
- (8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City,

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

such contract must contain the provisions found in Section 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with the City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purposes of awarding a contract not exceeding \$ 20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$ 20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with the Secretary of State, State of Ohio; or (b) holds a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

ENVIRONMENTALLY PREFERRED PURCHASING: In evaluation of this bid pursuant to the City of Columbus Code (329.31 Environmentally Preferable Purchasing) preference shall be given to an environmentally preferable bidder. The bidder that will be considered environmentally preferred will have (but not limited to) products with one or more of the following certifications: Green Seal, ISO14001, Energy Star, SCS or other Eco-Friendly certification determined by the City as relevant. Vendor is encouraged to provide products, information, training and/or programs that will help the City comply with its' environmental initiative

CAMPAIGN CONTRIBUTIONS: Contractor hereby certifies that all applicable parties listed in Division (I)(3) or (J)(3) of O.R.C. Section 3517.13 are in full compliance with Divisions (I)(1) and (J)(1) of O.R.C. Section 3517.13.

ORIGINAL PUBLISHING DATE: April 04, 2009

BID OPENING DATE - May 14, 2009 11:00 am

SA003249 - GAS CHROMATOGRAPH/MASS SPECTROMETER

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope

It is the intent of The City of Columbus, Department of Public Safety, Division of Police to obtain formal bids to establish a contract for the immediate purchase of a Gas Chromatograph/Mass Spectrometer (GC/MS) system to be used for the identification of controlled substances at the Police Crime Laboratory.

1.2 Classification

The contractor will be responsible for supplying the GC/MS system including, Gas Chromatograph, Mass Spectrometer, Personal Computer with Data Analysis software, Printer, Installation of system, On Site Training, Warranty Maintenance Contract and Product Support. Each bidder is to provide the names, addresses and telephone numbers of three crime laboratories currently using quoted instrumentation with the bid package.

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: April 17, 2009

SA003250 - REMOTE RACKING SYSTEM FOR DIV OF POWER

1.1 Scope. It is the intent of the City of Columbus, Division of Power and Water (Power Section) to obtain bids for a one time purchase of a Remote Racking System and all related components that will be used to install and remove circuit breakers and other related equipment "remotely" while the operator is physically located outside the arc flash boundary.

1.2 Classification. The successful bidder(s) will supply CBS ArcSafe RRS-1, or equal, remote racking system and all related components. All items furnished shall be new.

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: April 17, 2009

SA003256 - Pole Line Hardware UTC/Electricity

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1. Scope. It is the intent of this bid proposal to provide the City of Columbus Department of Public Utilities, Division of Power and Water a "firm" offer for sale" blanket type contract that will allow the purchase of Pole Line Hardware items that will be used for new installations and maintenance for our day-to-day operation. The proposed contract will be through June 30, 2010. The annual estimated expenditure for these items is \$150,000.00.

1.2. Classification. The successful bidder(s) will supply various Pole Line Hardware items. The Division intends to purchase Bolts, Hooks, Nuts, Screws, Washers, Braces, Brackets, Clevis, Pins, Racks, Adapters, Anchors, Grips, Connectors, Sleeves, Terminators, Clamps, Spacers, Insulators, Links, Braids, Staples, Arresters, Cutouts, Switches, Fuses, Elbows, Grounding Devices, Junctions, Inserts, Splice Kits, Tape, Conduit, Couplings, Duct, Elbows, Pull Boxes, Lids and Caps. These items will be purchased throughout the term of the contract.

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: April 21, 2009

SA003265 - FLEET/AUTO & TRUCK SPRING REPAIR

1.1 Scope: It is the intent of the City of Columbus, Fleet Management, to obtain proposals to establish UTC contract(s) to supply Automobile / Truck Spring Repairs up to and including October 31, 2011.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option of purchasing Automobile / Truck Spring Repairs 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: May 01, 2009

SA003259 - SYLVAN CULVERT

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service, is receiving proposals until 3:00 P.M., May 14, 2009, for SYLVAN CULVERT, CIP NO. 530301 - 100008, 2589 Drawer E. Proposals are being received at the Department of Public Service, Office of Support Services, 90 W. Broad St., Room 301, Columbus, OH, 43215. The scope of the project shall consist of a bridge replacement with a conspan culvert and such other work as may be necessary to complete the contract in accordance with the specifications. The contract duration is 90 days. The City will issue a Notice to Proceed on or about August 17, 2009.

1.2 Classification: Prevailing wage rates apply. The bidder is required to submit a proposal bond in the form provided in the Bid Submittal documents. The amount of the guaranty shall be expressed in dollars and cents or as a percentage of the bid amount, and shall not be less than ten (10) percent of the bid, including all alternates submitted which increases the bid. Each offeror shall submit with its proposal an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. Plans can be purchased at 109 N. Front St., Room 301 for \$10.00 for half sized plans and \$25.00 for full sized plans. There will not be a pre-bid meeting for this project. All questions concerning the project are to be sent to capitalprojects@columbus.gov. The last day to submit questions is May 5, 2009. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm who purchased plans. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: April 24, 2009

BID OPENING DATE - May 19, 2009 2:00 pm

SA003260 - R&P Griggs Boathouse

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 1111 E. Broad Street., until 2:00 p.m. on Tuesday, May 19, 2009, and publicly opened and read immediately thereafter for:

GRIGGS RESERVOIR BOATHOUSE

The work for which proposals are invited consists of the construction of a 22,000 square foot facility to house boats, showers, lockers, offices and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on April 21, 2009 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149, www.atlasblueprint.com upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost. Payment shall be made to Atlas Blueprint. Note: this project is a re-bid. All of the drawings and specifications have been updated and revised. NO NOT ATTEMPT TO BID FROM OLD DOCUMENTS!!!!

Questions about the project should be directed by fax to Ms. Melissa Shanks, architect @ 614-628-0311.

The estimate of cost for this project is \$4,270,000.

Proposals must be submitted on the proper forms, P-1 through P-36, contained in the Project Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "Bid for Griggs Reservoir Boathouse."

ORIGINAL PUBLISHING DATE: April 24, 2009

SA003267 - R&P Quarry Wetland

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ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the Recreation and Parks Commission of the City of Columbus, Ohio, at its office at 1111 East Broad Street, Suite 101, until 2:00 p.m. on Tuesday, May 19, 2009, and publicly opened and read immediately thereafter for:

WRRSP Quarry Wetland Project

The work for which proposals are invited consists of the removal of pathway mounds, demolition and removal of six docks, and removal of three walks; one wooden boardwalk to be hand removed and saved, one stone walk to be hand removed, and one stone walk to be removed. Alternate #1 includes the hand installation of approximately 1400 l.f. of vinyl-coated chain link fence to be laid out in the field.

Alternate #2 includes the planting of trees in designated locations.

Copies of the Project Manual/Specifications and the plans are on file and available to prospective bidders on 5/1/09 at Atlas Blueprint, 374 W. Spring St., Columbus, Ohio 43215, (614) 224-5149,

www.atlasblueprint.com upon a non-refundable payment per bid set. Contact Atlas Blueprint for the cost.

Payment shall be made payable to Atlas Blueprint.

Questions about the project should be directed to Elayna Grody (645-3304) or Justin Loesch (724-3004).

Proposals must be submitted on the proper forms, P-1 through P-37, contained in the Project

Manual/Specifications. The Proposal section in its entirety must be submitted in a sealed envelope marked "WRRSP Quarry Wetland Project."

ORIGINAL PUBLISHING DATE: May 06, 2009

BID OPENING DATE - May 20, 2009 3:00 pm

SA003263 - MOUND-HARRISBURG PIKE WATER MAIN

SCOPE: The City of Columbus, Department of Public Utilities, Division of Power and Water is receiving proposals for the Mound/Harrisburg Pike 24" Water Main. The work for which proposals are invited consists of the installation of 24 inch and 8 inch water lines and appurtenances and service transfers and such other work as may be necessary to complete the contract in accordance with the plans (C-915) and specifications. All work shall be completed within 365 days from date of the Notice to Proceed.

CLASSIFICATIONS: There is not a 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 after May 4, 2009. The Bid Date for the project is May 20, 2009.

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: April 30, 2009

BID OPENING DATE - May 21, 2009 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003182 - S&D/SM/UTC - EROSION CONTROL MATERIALS

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 (UTC) contract for Erosion Control Materials. Material will be used for various ditch and drainage control projects. It is estimated that the Division of Sewerage and Drainage will spend approximately \$40,000.00 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: Erosion Control Materials shall be specifically manufactured for their intended purpose. Materials will be ordered on an as needed basis. Delivery may be required within 24 hours after ordering and may be picked-up by the City or the City's representative on an emergency basis. Product standards will be in accordance with the latest edition A.S.T.M. specifications where applicable and 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: May 01, 2009

SA003247 - ISCO EQUIPMENT & SERVICES UTC

1.1 Scope: The City of Columbus, Division of Sewerage and Drainage, Pre-Treatment Section is obtaining bids to establish a contract for the purchase of Teledyne Isco Wastewater Monitoring Equipment, Service and Consumables for use in the monitoring of industrial wastewater. It is estimated that \$45,000.00 will be spent annually on this contract. The proposed contract shall be in effect from the date of execution by the City to and including September 30, 2011.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of Teledyne Isco Wastewater Bubbler Flow Meters, Model 4230; Teledyne Isco Wastewater Samplers, Model 3700; Nickel Cadmium Battery for Teledyne Isco Samplers 60-1684-040, Model 934; five station battery charger for use with Teledyne Isco Samplers 68-3000-965, Model 965, on as needed basis. Bidders are asked to quote on service per hour rate, equipment and percentage discount off list price for consumables. Furthermore, bidders are asked to submit a price list for consumables with prices that include any percentage discount already calculated into the price.

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: April 15, 2009

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003253 - FLEET/VEHICLE PREVENTIVE MAINTENANCE

1.1 Scope: It is the intent of the City of Columbus to obtain proposals to establish a Universal Term Contract(s) (UTC) to supply Vehicle Preventive Maintenance (PM) Services for various City vehicles up to and including November 30, 2011.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option of preventive maintenance (pm) services per bid document. Bidder(s) shall have locations in Quadrant 1 Northwest - North of Broad Street, West of High Street; Quadrant 2 Northeast - North of Broad Street, East of High Street; Quadrant 3 Southeast - South of Broad Street, East of High Street; Quadrant 4 Southwest - South of Broad Street, West of High Street. Bidder's primary business must be Vehicle Preventive Maintenance (PM) Services (oil changes) to furnish the City's requirements.

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: May 07, 2009

SA003261 - CISCO VoIP ENGINEERING SERVICES UTC

Scope: This proposal is to provide the City of Columbus, Department of Technology (DoT) with a Universal Term Contract (UTC) for Cisco VoIP engineering services and other related telecommunication needs. It is the intention of the Department of Technology to convert approximately more than two thousand (2,000) phones at ten (10) locations to VoIP over the term of this contract. The proposed contract is for services through May 30, 2012.

Classification: This contract will provide for Cisco VoIP engineering services including but not limited to: software installation services, design, analysis, project management and maintenance of various items as specified herein. Bidders are required to show experience in providing these types of services and installations as well as meeting or exceeding the personnel requirements as detailed in these 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: May 06, 2009

BID OPENING DATE - May 27, 2009 3:00 pm

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003257 - CAPACITY AND ENERGY

SCOPE: The City of Columbus, Ohio Department of Public Utilities is soliciting Request for Proposal (RFP) waiving the provisions to Columbus City Code 329.14 in order to negotiate with several wholesale electric power generators, marketers, brokers, and suppliers to provide capacity and energy for the City's Division of Power and Water (DOPW). Qualified firms are invited to submit their proposal for consideration during the review and selection process. Sealed proposals shall be entitled Proposal for Supply of Wholesale Electricity and will be received by Tatyana Arsh, P.E., Director of Public Utilities, City of Columbus, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215 by 3:00 p.m. on Wednesday, May 27, 2009 with an electronic copy to both: The Prime Group: Marty Blake at martyblake@insightbb.com and McNees Wallace & Nurick LLC: sbruce@mwn.com. The Division is seeking an energy supplier capable of providing reliable, low-cost energy to supply its energy and capacity needs as specified in the proposal.

Classification: All suppliers are required to obtain a copy of the proposal package. Proposal packages for this submittal will be available via the City of Columbus Vendor Services website listed below, or by email at no cost beginning Monday, April 27, 2009 from the Prime Group, Louisville, KY. The contact person for this is Marty Blake and he can be reached at martyblake@insightbb.com or (502) 425-7882. A CD containing historical load data is available upon request from Mr. Blake at no cost, for interested bidders.

All suppliers are also required to submit a NOTICE OF INTENT TO BID FORM, provided in the proposal package, via e-mail no later than 3:00 pm on Monday May 11, 2009.

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: April 23, 2009

BID OPENING DATE - May 28, 2009 11:00 am

SA003258 - Waste, Clean-up, Disposal RFP/UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of this Request for Proposal (RFP) to solicit proposals that will result in a "firm" offer for sale blanket type contract that will allow city agencies to purchase services for identification, clean-up, and disposal of hazardous and solid waste; and for emergency spill response for sludge, petroleum, and chemicals. The term of the agreement will be through October 31, 2012. The city estimates it will spend \$250,000 annually.

1.2 Classification: The selected contractor will provide services for the identification, clean-up, removal, and disposal of hazardous waste, solid waste, used petroleum products, and petroleum contaminated material from city owned facilities; and emergency spill response services. The following services are to be provided:

1. Waste Testing and Characterization
 2. Solid and Hazardous Waste Disposal
 3. Packaging, removal, and proper disposal of contaminated materials (including absorbents and adsorbents); lab packs; and/or drums, containers of solid or liquid waste
 4. Clean-up of spills (including but not limited to: lime sludge, chemical and petroleum products) on the surface and subsurface and may include banks and stream or river bottoms affected by the spill
 5. Soil Remediation
 6. Soil boring, sampling and analysis, and reporting
 7. Analysis and reporting for Phase II environmental assessments
 8. Asbestos surveys, including field sampling and laboratory analysis to determine the need for abatement and to estimate amounts of asbestos to be abated.
- Asbestos removal services will not be included in the contract.

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: April 23, 2009

BID OPENING DATE - June 1, 2009 4:00 pm

SA003266 - Enterprise Application Integration (EAI)

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus, Ohio is soliciting Request for Proposal (RFP) pursuant to Columbus City Code 329.14 from experienced professional consulting firms to provide the Department of Public Utilities with Enterprise Application Integration (EAI). The final date for submission is 4:00 p.m. (EST) on Monday June 1, 2009. Proposals shall be submitted in a sealed envelope (or envelopes) to, Department of Public Utilities, 910 Dublin Road 4th Floor Columbus, OH 43215

Copies of the Request for Proposal will be available beginning Friday May 1, 2009. Proposal packages can be obtained at the Department of Public Utilities 910 Dublin Road, 4th Floor, Columbus, OH 43215. Contact: Keena Smith.

The City of Columbus is the largest city in the State of Ohio. The Department of Public Utilities is an agency within the City Of Columbus providing water, sewer, electricity, and stormwater management services for Columbus and surrounding areas.

The Department of Public Utilities desires to select a consultant to study, recommend, and implement Enterprise Application Integration (EAI), as recommended in the Department's Technology Master Plan. This work will be divided into two phases. The first phase shall include the study and recommendations for the EAI. The second phase shall implement the EAI. The City reserves the right to not proceed with the second phase. The EAI shall integrate data used in applications which are both in place and planned within the Department's divisions of Power and Water, and Sewerage and Drainage. This work shall include a review of the Department's current business systems in order to implement EAI to improve operational efficiency and decision making at all levels of the Department.

The Department is comprised of 2 separate Divisions - Power and Water, and Sewerage and Drainage which are supported by four separate enterprise funds. The Department is responsible for providing an ample supply of safe drinking water to over one million people throughout the Columbus metropolitan area. Additionally, the Department operates a sanitary sewer system that serves the approximate same population. Both customer bases continue to grow. Further, a stormwater section is housed in the Department and is responsible for creating and managing projects that minimize flooding and mitigate water quality impacts of run-off in Columbus. The Department's Power division is charged with providing streetlights to city residents through the sale of electricity to its more than 13,000 customers

CLASSIFICATION: A Pre-Proposal meeting is scheduled for May 8, 2009 10:30 AM (EST) at the Department of Public Utilities Complex 910 Dublin Road Columbus OH 43215. Potential bidders are encouraged to attend. Failure to attend will not disqualify a bidder, however, the bidder is responsible for obtaining all information that was discussed at the pre-proposal meeting. There are no bond requirements for this RFP.

QUESTIONS: All questions regarding the details and specifications of the RFP shall be in writing to Ms. Keena Smith, EAI Project Manager, Department of Public Utilities 910 Dublin Road, 4th Floor, Columbus, OH 43215 or by fax (614) 645-1840 or by Email kmsmith@columbus.gov

For additional information concerning this request, including procedures for obtaining a copy of the of the RFP, 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: May 02, 2009

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - June 3, 2009 3:00 pm

SA003264 - Elevator Maintenance Services

SCOPE: Sealed proposals will be received by the Director of Public Utilities of the City of Columbus at the office of the Director of Public Utilities, 910 Dublin Road, Room 4002, Columbus, Ohio 43215 until 3:00 p.m., Local Time on Wednesday June 3, 2009, and publicly read at that hour in Department of Public Utilities Complex 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215 for the following project: ELEVATOR MAINTENANCE SERVICES.

The City of Columbus Department of Public Utilities is soliciting bid proposals for Elevator Maintenance Services. It is the intent of this proposal to establish a contract to provide routine maintenance, preventive maintenance and breakdown maintenance services for the passenger and freight elevators. This contract addresses twelve (12) existing elevators at Division of Sewerage and Drainage facilities. It is estimated the City will spend \$40,000.00 annually. This contract will be in effect for one (1) year which will be in effect from the date of execution by the City to and including December 31, 2010

CLASSIFICATION: All bidders must demonstrate (by means of providing the information requested herein) the ability and means to respond to the specifications within the response times stated. Bidders are required to submit documentation stating their experience in contracts with similar scope of service. Furthermore, bidders are being asked to price Monthly Preventative Maintenance, Service Technician Labor Rate, Helper Labor Rate, Emergency Service Labor Rate, Service Call Fee, and Material Supplies Percentage Mark Up

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. Bids can be downloaded at the Vendor Services website or by contacting Sue McQuirt at 614-645-7079 or samcquirt@columbus.gov

ORIGINAL PUBLISHING DATE: May 02, 2009

BID OPENING DATE - June 12, 2009 4:00 pm

SA003252 - Pretreatment Information Mgmt System

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus, Ohio is soliciting Request for Proposal (RFP) pursuant to Columbus City Code 329.14 from experienced software firms to assist the Department of Public Utilities with replacing the City's existing Pretreatment Information Management System (PIMS) used by the Division of Sewerage and Drainage and various MS Access and MS Excel solutions with a new commercial off-the-shelf (COTS) software solution.

The selected vendor will develop and document a plan to accomplish the above described replacement. The selected vendor will be required to provide training to end users and support staff and provide on-going support of the PIMS.

SUBMISSION DATE: Final date for submission is 4:00 p.m. (EST) Friday, June 12, 2009. Six (6) hard copies of the proposal documents and a CD with a PDF version shall be submitted. Proposals are to be in a sealed envelope(s) and mailed on or before the submission date to Jeffrey L. Bertacchi, Pre-Treatment Program Manager, 1250 Fairwood Avenue, Columbus OH 43206. Late submittals will not be accepted.

CLASSIFICATION: There is not a pre-bid conference for this RFP. Questions can be directed to Jeffrey L. Bertacchi by fax (614) 645-0227 or by E-mail jlb@columbus.gov

All questions must be received no later than Friday May 22, 2009 1:00 PM (EST). Answers to all questions received and any addendums will be posted on the City's Vendor Services website <http://vendorservices.columbus.gov> on Tuesday, May 29, 2009 4:00 PM (EST)

For additional information concerning this request, including procedures for obtaining a copy of the of the RFP, 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: May 05, 2009

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: PN0002-2009

Drafting Date: 12/26/2008

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: PN0034-2009

Drafting Date: 10/02/2008

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2009 Meeting Schedule - City of Columbus Records Commission

Contact Name: Toya Johnson, Records Commission Coordinator

Contact Telephone Number: 645-7293

Contact Email Address: tjjohnson@columbus.gov

Body

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2009 are scheduled as follows:

Monday, February 2, 2009

Monday, May 4, 2009

Monday, September 21, 2009

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room (226). They will begin promptly at 10:00 am.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-7380.

Legislation Number: PN0059-2009

Drafting Date: 03/02/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2009 Recreation and Parks Committee/Administration Committee Meeting Notice

Contact Name: Carl Williams

Contact Telephone Number: (614) 645-2932

Contact Email Address: CGWilliams@columbus.gov

Body

Council Member Priscilla R. Tyson will host a Recreation and Parks Committee Meeting on the dates listed below. Unless otherwise noted, the meetings will begin at 5:30 P.M. in City Council Chambers, located on the second floor of City Hall, 90 West Broad Street, Columbus, Ohio.

A valid picture ID is needed to enter City Hall. Members of the general public wishing to address the meeting must fill out a speaker slip. These speaker forms will be made available in Council Chambers from 5:30 until 6:00 P.M. on the day of the meeting.

- Thursday, April 16, 2009
- Thursday, May 21, 2009
- Thursday, June 18, 2009
- Thursday, July 16, 2009
- Thursday, September 17, 2009
- Thursday, October 15, 2009
- Thursday, November 19, 2009

Meeting dates and times subject to change

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: PN0101-2009

Drafting Date: 04/22/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Addition of Collection Fees

Contact Name: Sheri-Lynn Caffey

Contact Telephone Number: 614.645.3330

Contact Email Address: slcaffey@columbus.gov

BodyIn accordance with Ordinance No. 0130-2009, any Department Director, elected Official, or their designee, who is charged with the responsibility of collecting monies owed the City of Columbus, may refer that debt to an outside collection agency and impose the cost of said collection agency services to the delinquent debtor. As the Director charged with the responsibility of collecting debt for the Department of Recreation and Parks, I intend to impose said fees on delinquent debtors. This rule will become effective as of May 18, 2009.

Legislation Number: PN0108-2009

Drafting Date: 04/28/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: King-Lincoln Redevelopment Opportunity: 879 and 905 East Long Street

Contact Name: John Turner

Contact Telephone Number: (614) 645-2551

Contact Email Address: jmtturner@columbus.gov

Body

See attached 879 and 905 East Long Street Request for Proposals

Legislation Number: PN0109-2009

Drafting Date: 04/29/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Property Maintenance Appeals Board Meeting

Contact Name: Toni Gillum Boehm

Contact Telephone Number: 614-645-5884

Contact Email Address: tgboehm@columbus.gov

Body

**PROPERTY MAINTENANCE APPEALS BOARD
Monday, May 11, 2009**

1:00 PM - 757 Carolyn Avenue
Hearing Room

1. Approval of prior meeting minutes

2. Case Number PMA-169

Appellant: Trent Edmunds
Property: 4848 Richland Road
Inspector: Mike Schwab
Order #: 08475-07192

3. Case Number PMA-170

Appellant: Robert and Nancy Duffy
Property: 600 N. Nelson
Inspector: Annie Gease
Order #: 09450-00242

4. Case Number PMA-171

Appellant: Margo Sullivan
Property: 1618 Granville
Inspector: Annie Gease
Order #: 09450-00182

5. Case Number PMA-172

Appellant: Mia McGhee
Property: 2007 Dunune Avenue
Inspector: Jeffrey G. Hann
Order #: 09475-01577

6. Case Number PMA-173

Appellant: Sean French
Property: 807 Linwood Avenue
Inspector: Krista McAfee
Order #: 09441-00397

NOTE: A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Regulations Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call Toni Gillum at 645-5884 or TDD 645-3293.

Legislation Number: PN0110-2009

Drafting Date: 04/29/2009

Version: 1

Title

Notice/Advertisement Title: Scrap Metal Regulation Public Hearing

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Contact Name: Kenneth Paul, Legislative Aide, Councilmember Andrew Ginther

Contact Telephone Number: 614-645-2931

Contact Email Address: kc paul@columbus.gov

Body

Columbus City Councilmember Andrew J. Ginther, Chair of the Public Safety Committee, will conduct a public hearing to discuss proposed amendments to the recently enacted city ordinance which strengthened the regulation of scrap metal dealers and similar establishments citywide. Some technical amendments are necessary as a result of changes to state law, and additional changes are being considered to further deter scrap metal theft. The committee will also discuss progress made since enactment of the City's scrap metal ordinance, including implementation of the city's electronic reporting system for scrap metal dealers.

What: Scrap Metal Regulation Public Hearing

Who: Councilmember Andrew J. Ginther, Chair, Public Safety Committee

When: Thursday, May 14, 2009
5:00-7:00 pm

Where: City Hall
Columbus City Council Chambers
90 West Broad Street
Columbus, OH 43215

Public testimony will be accepted. Those wishing to testify should fill out a speaker slip on the day of the hearing between the hours of 8:00 am - 5:00 pm in the lobby entrance located on the Front Street side of City Hall. Free parking is available in the Gay Street parking lot on the north side of City Hall after 5:00 pm.

Legislation Number: PN0111-2009

Drafting Date: 04/29/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 05/11/2009

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695

Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 22

CITY COUNCIL (ZONING)

MAY 11, 2009

6:30 P.M.

COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL

0205-2009

To rezone 22-28 WEST POPLAR AVENUE (43205), being 0.19± acres located at the southeast corner of Park Street and

West Poplar Avenue, From: AR-2, Apartment Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z08-025).

1562-2008

To rezone 965 BETHEL ROAD (43214), being 0.45± acres located on the south side of Bethel Road, 250± feet west of Jasonway Avenue, From: R, Rural District, To: CPD, Commercial Planned Development District (Rezoning # Z07-034).
TABLED (05/04/2009)

Legislation Number: PN0112-2009

Drafting Date: 04/30/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Graphics Commission Meeting - 5/19/2009

Contact Name: David Reiss

Contact Telephone Number: 614-645-7973

Contact Email Address: djreiss@columbus.gov

Body

**GRAPHICS COMMISSION
CITY OF COLUMBUS, OHIO
MAY 19, 2009**

The Columbus Graphics Commission will hold a public hearing on the following applications on **TUESDAY, MAY 19, 2009 at 4:15 p.m.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Graphics Commission hears requests for Variances, Special Permits, Appeals, Graphics Plans and certain Miscellaneous Graphics, as provided by the Columbus Graphics Code, Title 33, Article 15, of the Columbus City Code. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING. It is the rule of the Commission to withdraw an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

1. Application No.: 09320-00062

Location: **867 PARSONS AVENUE (43205)**, located on the west side of Parsons Ave., in the area bounded by Kossuth St., on the south, an alley on the west and north and Parsons Ave., on the east.

Area Comm./Civic: Columbus South Side Area Commission

Existing Zoning: C-4, Commercial District

Request: Variance(s) to Section(s):
3377.17, Setback regulations for permanent on-premises ground signs.
To reduce the required setback for a ground sign from 15 ft. to 6.3 ft. (8.7 ft.).

Proposal: A setback variance for a ground sign at a retail store.

Applicant(s): Nationwide Children's Hospital
700 Children's Dr.
Columbus, Ohio 43205

Property Owner(s): Columbus Jewish Foundation and Robert N. Shamansky, co-trustees of the 2008 Robert N. Shamansky -- Nationwide Children's Hospital Charitable Remainder

Annuity Trust
Columbus Jewish Foundation; 1175 College Ave.; Columbus, Ohio 43209 and Robert
N. Shamansky; 1 Miranova Pl.; Apt. 605; Columbus, Ohio 43215

Attorney/Agent: Daniel H. Schoedinger; c/o Vorys, Sater, Seymour & Pease
52 E. Gay St., P.O. Box 1008
Columbus, Ohio 43216

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov<http://DJReiss@Columbus.gov>
<<mailto:DJReiss@Columbus.gov><http://DJReiss@Columbus.gov>>

2. Application No.: 09320-00096

Location: **3841 SOUTH HAMILTON ROAD (43232)**, located at the terminus of Hamilton
Square Blvd. at Hamilton Rd.

Area Comm./Civic: Southeast Community Coalition

Existing Zoning: C.P.D., Commercial Planned Development District

Request: Graphics Plan(s) to Section(s):
3375.12, Graphics requiring Graphics Commission approval.
To amend an existing graphics plan.

Proposal: An amendment to an existing graphics plan.

Applicant(s): Giant Eagle, Inc.
261 Kappa Drive
Pittsburgh, PA 15238

Property Owner(s): Echo/Continental Hamilton 33 L.L.C.
261 Kappa Drive
Pittsburgh, PA 15238

Attorney/Agent: David L. Hodge; c/o Smith & Hale,
37 W. Broad Street, Suite 725
Columbus, Ohio 43215

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov<http://JFFreise@columbus.gov/>

Legislation Number: PN0114-2009

Drafting Date: 05/06/2009

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 Monday, June 1, 2009: Birchwood Foods, 1821 Dividend Drive, Columbus, Ohio 43228

The Draft Permit will be available for review, Monday through Friday, between the hours of 7:30 A.M. and 4:30 P.M., May 11, 2009 through May 29, 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: PN0115-2009

Drafting Date: 05/06/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Building Commission Meeting - 5/19/09

Contact Name: Pam Dawley

Contact Telephone Number: 614-645-2204

Contact Email Address: pjdawley@columbus.gov

Body

**AGENDA
COLUMBUS BUILDING COMMISSION
MAY 19, 2009 - 1:00 p.m.
757 CAROLYN AVENUE
HEARING ROOM - LOWER LEVEL**

1. **ROLL CALL**
2. **APPROVAL OF APRIL 21, 2009 MEETING MINUTES**
3. **MICHAEL BAUMAN
EASTON ROOFING
APPEAL DECISION OF HOME IMPROVEMENT BOARD**
4. **WILLIAM BRIDGE III
NATIONS CONSTRUCTION
APPEAL DECISION OF HOME IMPROVEMENT BOARD**
5. **ITEMS FROM THE FLOOR (as approved by the Board)**

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

Legislation Number: PN0116-2009

Drafting Date: 05/06/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Art Commission Meetings

Contact Name: Linda Poulton

Contact Telephone Number: 614-645-8036

Contact Email Address: ljoulton@columbus.gov

Body

Public Hearings -- Columbus Art Commission

The Columbus Art Commission is scheduled to hold two meetings in May 2009:

- Business Meeting (no applications heard)
8:30 to 10:30 a.m. on Wednesday, May 13, 2009
At the King Arts Complex, 867 Mt. Vernon Ave., Columbus OH
- Regular Commission Meeting
6:00 to 8:00 p.m. on Thursday, May 28, 2009
At the Columbus Health Department room 119-C, 240 Parson's Avenue, Columbus OH

For more information contact: Linda Poulton at 645-8036 or ljpoulton@columbus.gov

A sign language interpreter will be made available provided the Planning Division has at least 48 hours notice before the meeting. Call 645-8036 to make arrangements.

Legislation Number: PN0117-2009

Drafting Date: 05/06/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 05/18/2009

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695

Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 24

CITY COUNCIL (ZONING)

MAY 18, 2009

6:30 P.M.

COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: TYSON, CHR. CRAIG GINTHER MILLER PALEY TAVARES MENTEL

0611-2009

To rezone 4820 CENTRAL COLLEGE ROAD (43081), being 57.07± acres located north of the intersection of Central College Road and Caplinger Avenue, From: NE, Neighborhood Edge, and NG, Neighborhood General Districts, To: NE, Neighborhood Edge District (Rezoning # Z09-004).

0613-2009

To rezone 3034 EAST LIVINGSTON AVENUE (43227), being 0.53± acres located at the northeast corner of East Livingston Avenue and James Road, From: C-4, Commercial, and R-3, Residential Districts, To: CPD, Commercial

Planned Development District (Rezoning # Z08-064).

0664-2009

To rezone 739 WEST THIRD AVENUE (43212), being 5.13± acres located at the southwest corner West Third Avenue and Olentangy River Road, From: R-1, Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z09-002).

Legislation Number: PN0307-2008

Drafting Date: 12/22/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2009 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 14, 2009 -1111 East Broad Street, 43205

Wednesday, February 11, 2009 -1111 East Broad Street, 43205

Wednesday, March 11, 2009 -- 1111 East Broad Street, 43205

Wednesday, April 8, 2009 -- 1111 East Broad Street, 43205

Wednesday, May 13, 2009 - 1111 East Broad Street, 43205

Wednesday, June 10, 2009 - Gillie Recreation Center, 4625 Morse Centre Drive, 43229

Wednesday, July 8, 2009 - Westgate Shelterhouse, 3271 Wicklow Road, 43204

August Recess - No meeting

Wednesday, September 9, 2009 - Schiller Recreation Center, 1069 Jaeger Street, 43206

Wednesday, October 14, 2009 - Mentel Golf Course, 6005 Alkire Road, Galloway, 43119

Wednesday, November 11, 2009 - 1111 East Broad Street, 43205

Wednesday, December 9, 2009 - 1111 East Broad Street, 43205

KING-LINCOLN DISTRICT REDEVELOPMENT OPPORTUNITY

879 and 905 East Long Street

Request for Proposals
City Owned Real Estate



879 E. Long Street "The Edna"



905 E. Long Street "The Charles"

**City of Columbus
Department of Development
Land Redevelopment Office
109 N. Front Street
Columbus, OH 43215
(614) 645-5263**

Application deadline:

June 5, 2009 at 12:00 p.m.

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The City of Columbus Department of Development

NOTICE

Seeking Redevelopment Proposals
879 E. Long Street
905 E. Long Street
Columbus, Ohio 43203

In order to implement the development objectives of the *King-Lincoln District Plan*, The City of Columbus is looking for creative ideas from qualified developers. Only the highest quality applicant(s) will be selected to partner with the City to redevelop one or two City-owned structures on East Long Street.

This notice invites developers with innovative ideas and concepts that have the proven skills, resources, and commitment needed to successfully redevelop these sites.

A Request for Qualifications can be downloaded from the City of Columbus website at:

<http://td.ci.columbus.oh.us/Bizdevelopment/BuyCityProperty/Index.asp>.

Please call (614) 645-LAND (5263) for more information

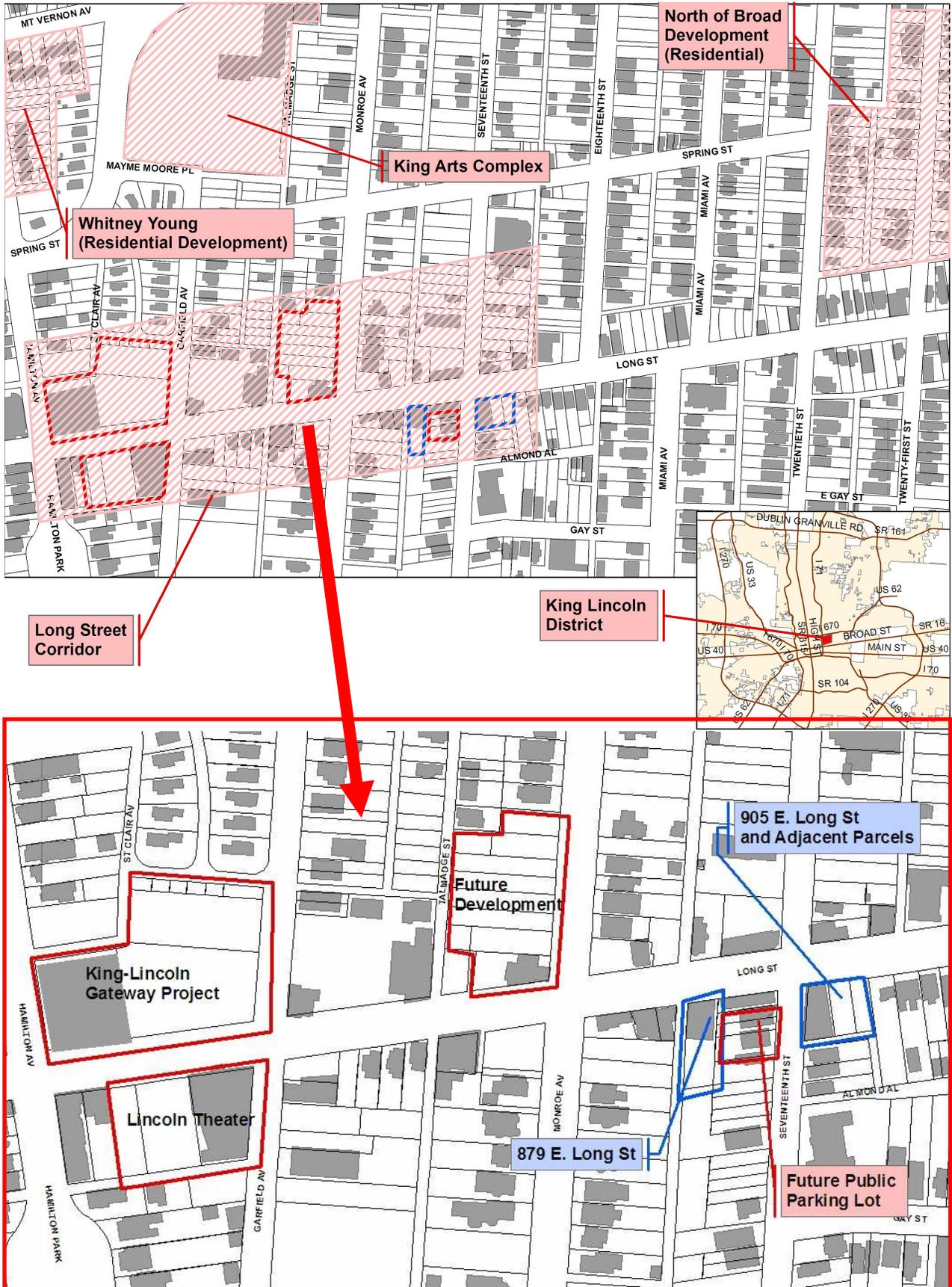
KEY DATES

Notice ReleasedSaturday, March 14, 2009
Pre-submittal Meeting..... Wednesday, April 1, 2009 at 5:30 p.m.
Proposals Due.....Friday, June 5, 2009 at 12:00 p.m.

Submit proposals by deadline to:
City of Columbus - Department of Development
Land Redevelopment Office
109 N. Front Street
Columbus, Ohio 43215

Interior inspection/walk-thru may be scheduled by appointment only.

LOCATION MAPS AND PHOTOS



PROPERTY PHOTOS





879 E. LONG STREET “THE EDNA”

Parcel #: 010-052142

Property Address: 879-881 E. Long Street

Building Description: 3 Story Brick, Metal fire escape

Construction Date: Pre-1920

Lot Size: Irregular 50' x 145'

Building Sq. Ft.: 8,694 Sq Feet

Zoning: R2F

Area Commission: Near East Area Commission

General Condition: Poor

Price: Negotiable

Notes:

1. The interior is in a deteriorated state due to significant interior water damage and may need a complete replacement of floor joists, mechanical systems, and finishes.
2. The City of Columbus removed and completely rebuilt the roof, including replacement of all structural components and rubber.
3. The City of Columbus performed an asbestos remediation of the interior, most surfaces removed completely.
4. A public 15-space parking lot is planned for the adjacent parcels, to the east of the site.

DISCLAIMER: The City of Columbus, by and through its representatives, believes the information provided herein to be accurate; however, applicants shall not rely on such information without independent verification. The City of Columbus has compiled this information and provides the same in a good faith effort to assist applicants; however, the City of Columbus shall not be held responsible for inaccuracies, omissions, or errors in substance or content.



905 E. LONG STREET “THE CHARLES”

Parcel #: 010-049313 (plus, the adjacent lots 010-038048 and 010-035014)

Property Address: 905 E. Long Street

Building Description: 3 Story Brick

Construction Date: 1930

Lot Size: Irregular 32.5' x 93', .085 acres, (3,736) sq/ft

Building Sq. Ft.: 10,785 Sq Feet

Zoning: R2F

Area Commission: Near East Area Commission

General Condition: Poor

Price: Negotiable

Notes:

1. The interior is gutted to the studs, the building will need a complete replacement of all interior components.
2. The building is two structures joined by an interior stairwell.
3. Previous to City ownership, the building was used as an 11-unit apartment building. Both residential and/or commercial uses will be considered.
4. The City owns the two adjacent parcels to the east which could be included in the proposal as parking, a building expansion, or complementary new construction.

DISCLAIMER: The City of Columbus, by and through its representatives, believes the information provided herein to be accurate; however, applicants shall not rely on such information without independent verification. The City of Columbus has compiled this information and provides the same in a good faith effort to assist applicants; however, the City of Columbus shall not be held responsible for inaccuracies, omissions, or errors in substance or content.

SUBMISSION PROCEDURES

The following is a list of information and development proposal requirements needed from the responding applicant.

A. Experience

Summary of qualification: Include information on project lead(s), team members and past projects including scope and project cost.

B. Plans

- Detailed site plans showing open space, pedestrian entrances and circulation, auto access points/entrances, amenities, floor plans, orientation of building footprints, streets, etc.
- Detailed design graphics, elevations floor plans and/or sample models to represent the intent of the developer.
- Submit at least one (1) color foam core board (minimum 48" x 36") of the detailed site plan

C. Financial Proposition

- Offer Price.
- Estimate of total project costs, broken out into hard and soft cost line items.
- Cash flow, pro-forma spreadsheet statements for at least a 10-year period (Detailing costs, financing, revenues, and expense analysis, and all relevant assumptions upon which these calculations are based.).
- Method of financing, including sources of debt supportable and equity funds available to finance the project.
- Specific information on how the proposed development is to be financed, and on the formulas and assumptions used to derive debt and equity (and these amounts).
- Statement from bank or other financial institution demonstrating the developer has obtained such financing in the past.
- Statement of expected public (city and other) participation included in methods of financing. Recognizing that City resources are limited, the City will consider limited assistance on the projects in response to a specific proposal.
- Statement of LLC statutory agent (if applicable)
- Incorporation papers.
- Contingent commitment letters from any and all development, building or financing partners.

D. Development Schedule

- Specifying the point when the following items will occur:
 1. Design completion
 2. Commitment of permanent and construction financing
 3. Scheduled dates of public approvals
 4. Construction timetable dates
 5. Construction start
 6. Number of construction phases
 7. Duration of construction phases
 8. Final project completion and Mayor's ribbon-cutting ceremony

E. Community Relations

Submit a detailed plan of community relations activities that includes presentations to neighborhood groups and business associations as well as periodic community updates for the duration of the project.

F. Marketing Plan

Include goals, activities and budget (include source)

Five (5) copies of the application must be submitted.

One or both structures may be included in a proposal

GENERAL DEVELOPMENT OBJECTIVES AND DESIGN STANDARDS

(Please refer to the adopted *King-Lincoln District Plan* and *Near East Area Plan* for more details. Copies can be obtained at the Columbus Planning Office, or on-line at: <http://td.ci.columbus.oh.us/Bizdevelopment/PlanList/index.asp>)

Overall Goals:

- Establish and promote strong, distinct, and vibrant neighborhoods and an enhanced quality of life for residents.
- Provide and encourage an atmosphere that encourages job creation and economic growth by providing a vibrant economy offering all persons an opportunity to share in its prosperity.
- Inspire a spirit of cooperation, pride and responsibility among residents, business persons, stakeholders and visitors alike.
- Provide high-quality, efficient, and flexible participation in the realization of these goals.

Residential Goals and Strategies related to infill housing from *King-Lincoln District Plan*

- Preserve historic architectural features of the District.
- Develop new housing.
- Increase and support homeownership, including condominiums.
- Encourage an appropriate mix of housing opportunities for all income levels.
- Encourage the investment of financial and non-profit institutions in the improvement and maintenance of the housing stock.
- Encourage mixed-use development, including residential uses, in appropriate locations.
- Target homeownership development resources to the development of infill housing to owner-occupied and mixed-use developments.

SELECTION CRITERIA

Experience: 25%

- Demonstrates a thorough understanding of the development and construction processes.
- Has successfully completed similar projects in a timely manner.

Project Concept: 25%

- Clearly state how ideas match the general goals and design of the standard district.
- State how development ideas are feasible and what amenities set the ideas apart from other applicants.
- Overall development project's (square footage, number of units, etc.) level of consistency with city objectives and guidelines.

Financial: 30 %

Prospective financial statements submitted by the developer must be analyzed by city staff and outside experts.

The procedures for analyzing the pro-forma will include the examination of the following general areas:

- Overall financial plan.
- Accuracy (the math is clear/correct/coherent).
- Completeness (financial elements are clear and comprehensive).
- Reasonableness (Testing the major assumptions used to generate the pro-forma; measuring the developer's risk and return against the City's risk and return).
- Flexibility in key financial variables.

Development Schedule 10%

Development schedules should be timely and reasonable.

- Reasonable schedules.
- Evidence of permanent and construction financing.
- Reasonable construction starts, number of construction phases, and duration of construction phases.

Community Relations and Marketing 10%

Plan should demonstrate knowledge of the King-Lincoln District neighborhood and residents

- Includes all major commissions, civics and business associations
- Demonstrates commitment to community involvement

- Demonstrates capacity for responsiveness to community
- Evidence of consistent communication with community Plan should demonstrate knowledge of target audience and capacity for implementation
- Goals are measurable
- Activities are diverse and specific
- Financial commitment is reasonable

SELECTION PROCESS

A Review Committee will review and score the proposals. An oral presentation before the Review Committee may be required of some or all respondents. Scheduling of these presentations is at the City's discretion and may impact the panel's final recommendation. The Review Panel will make a recommendation to the City's Development Director. The Development Director will make the final decision. Prior to legislative action awarding the contract, the selected developer is required to make a presentation to the Near East Area Commission general meeting at the earliest possible date. Failure to do so in a timely manner may result in retraction of the award. The Request for Proposals or the Review Committee's recommendation shall not obligate the City of Columbus to award, transfer or convey subject real property. The City of Columbus hereby reserves the absolute right to accept or reject any and all land use/development proposals submitted in response to this Request for Proposal before, or during the selection process.

Five (5) complete copies of the proposal must be included in the submission, with each copy of the proposal presented in a single, clearly marked packet. Submissions must be received at the offices of the Department of Development by 12:00 p.m. June 5, 2009, addressed to:

**City of Columbus
Land Redevelopment Office
RE: Response to RFP King-Lincoln District
109 N. Front Street
Columbus, Ohio 43215**