

# **Columbus City Bulletin**



**Bulletin #29**  
**July 18, 2009**

# Proceedings of City Council

Saturday July 18, 2009



## SIGNING OF LEGISLATION

All Legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *July 13, 2009*; by Mayor Michael B. Coleman on Tuesday, *July 14, 2009*; and attested by the City Clerk, prior to Bulletin publishing.

### **The City Bulletin Official Publication of the City of Columbus**

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

# Council Journal (minutes)



# City of Columbus

## Journal - Final

### Columbus City Council

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

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

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Monday, July 13, 2009

5:00 PM

Columbus City Council

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Columbus City Council

Journal

July 13, 2009

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**REGULAR MEETING NO. 35 OF COLUMBUS CITY COUNCIL, JULY 13, 2009 at 5:00 P.M. IN COUNCIL CHAMBERS.**

**ROLL CALL**

Absent: 1 - Craig

Present: 6 - Ginther, Ms. Tavares, Tyson, President Mentel, Miller and Paley

**READING AND DISPOSAL OF THE JOURNAL**

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

Absent: 1 - Craig

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

**C0019-2009**

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY, JULY 8, 2009:

New Type: D1  
To: Daniel L Pizzurro  
DBA Rich Street Pub  
1109 W Rich St  
Columbus OH 43223  
Permit # 69524490090

New Type: D5  
To: Tommys Diner LLC  
DBA Tommys Diner  
914 W Broad St  
Columbus OH 43222  
Permit # 8980061

New Type: D5  
To: Wink Properties LLC  
314 N Hague Av Unit 2  
Columbus OH 43204

Permit # 96947120005

Transfer Type: D2, D2X, D3, D3A, D6

To: Fifty Seven Fifty LLC

1081 Gemini Pl

Columbus, OH 43240

From: Pudas Inc

894 W Broad St & Patio

Columbus OH 43222

Permit # 2714627

Transfer Type: D5

To: Mary J Seel

DBA Colombinis

177 S Cypress Ave

Columbus OH 43223

From: Daniel L Pizzurro

DBA Westside Bar

2422 W Broad St 1st Fl Only

Columbus OH 43204

Permit # 7954983

Stock Type: C1, C2

To: Speedy Mart Mobil Inc

3377 E Livingston Ave

Columbus OH 43227

Permit # 8419010

Advertise: 07/18/2009

Return: 07/28/2009

**Read and Filed**

## **ADDITIONS OR CORRECTIONS TO THE AGENDA**

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

A MOTION WAS MADE BY COUNCILMEMBER PALEY, SECONDED BY COUNCILMEMBER TYSON TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE: AFFIRMATIVE: 6 NEGATIVE: 0

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

**0948-2009**      **FR** To authorize the Director of Public Service to execute a quitclaim deed, prepared by the City Attorney's Office, which will transfer and release any interest the City may still have in any land falling within the original limits of Railroad Street as shown on the plat of Park Addition as more fully described in the body of this legislation; and to the extent that they may apply to waive the competitive bidding and Land Review Commission provisions of Columbus City Code.

**Read for the First Time**

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

- 0900-2009 FR To authorize and direct the City Auditor to enter into an agreement with Clark, Schaefer, Hackett & Co., Certified Public Accountants, for professional auditing services for calendar year 2009 and to authorize the expenditure of \$338,000 from the General Fund (\$338,000)

**Read for the First Time**

**UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- 0864-2009 FR To authorize the Director of Public Utilities to reimburse Nisource/Columbia Gas for relocation of gas utility lines, in connection with the Moler Road Stormwater System Improvements Project; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$71,628.66 from the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage. (\$71,628.66)

**Read for the First Time**

- 0920-2009 FR To authorize the Director of Public Utilities to enter into an agreement for software upgrades, software support and software license fees, with Inflection Point Solutions, LLC, for the Pretreatment Information Management System (PIMS), to waive the provisions of competitive bids of the Columbus City Code, and to authorize the expenditure of \$63,000.00 from the Sewerage System Operating Fund. (\$63,000.00)

**Read for the First Time**

- 0933-2009 FR To authorize the Director of Finance and Management to enter into a purchase order with Utility Truck Equipment, Inc. for the purchase of a Heavy Duty, Tandem Axle Multi Reel Cable Trailer for the Division of Power and Water and to authorize the expenditure of \$24,990.00 from the Electricity Operating Fund. (\$24,990.00)

**Read for the First Time**

- 0941-2009 FR To authorize the Director of Finance and Management to establish Blanket Purchase Orders, for water treatment chemicals, from established Universal Term Contracts with Pain Enterprises, MeadWestvaco, and Bonded Chemicals for the Division of Power and Water, to authorize the expenditure of \$955,137.60 from Water Systems Operating Fund. (\$955,137.60)

**Read for the First Time**

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

- 0987-2009 FR To authorize and direct the Director of Recreation and Parks to grant consent to Capital Crossroads Special Improvement District to apply for permission to sell alcoholic beverages at the following 2009 event: Independent's Day - September 19, 2009. (\$0.00)

**Read for the First Time**

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

- 0907-2009 FR To rezone 4393 WINCHESTER PIKE (43232), being 17.76± acres located on the south side of Winchester Pike, 2480± feet west of South Hamilton Road, From: R-1, Residential District, To: L-AR-4, Limited Apartment Residential District (Rezoning # Z09-008).

**Read for the First Time**

- 0924-2009** FR To rezone 280 EAST WHITTIER STREET (43230), being 2.5± acres located at the northeast corner of East Whittier and Jaeger Streets, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z09-005)  
**Read for the First Time**
- 0940-2009** FR To rezone 1382 GRANDVIEW AVENUE (43212), being 0.81± acres located on the east side of Grandview Avenue, 125± feet north of West Third Avenue, From: C-4, Commercial and L-P-1, Limited Parking Districts, To: CPD, Commercial Planned Development District (Rezoning # Z09-012).  
**Read for the First Time**
- 0984-2009** FR To grant a Variance from the provisions of Sections 3363.01, M-manufacturing district, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 974 SOUTH FRONT STREET (43206), to permit an existing single-family dwelling with no parking spaces in the M, Manufacturing District (Council Variance # CV09-015).  
**Read for the First Time**
- 0859-2009** FR To 5923 CHESTNUT HILL DRIVE (43230), being 4.3± acres located on the south side of Chestnut Hill Drive, 400± feet east of North Hamilton Road, From: L-C-4, Limited Commercial District, To: L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts (Rezoning # Z09-006).  
**Read for the First Time**
- 0860-2009** FR To grant a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; and 3333.255, Perimeter yard, of the City codes, for the property located at 5923 CHESTNUT HILL DRIVE (43230), to permit two-family dwellings within a multi-family residential development with a reduced perimeter yard in the L-AR-12, Limited Apartment Residential District (Council Variance # CV09-004).  
**Read for the First Time**
- 0508-2008** FR To grant a Variance from the provisions of Sections 3332.02, R, Rural District and 3332.38, Private garage, for the property located at 2005 DYER ROAD (43123), to permit two single-family dwellings with a garage which exceeds 720 square feet, on a lot zoned in the R, Rural District. (Council Variance #CV06-065)  
**Read for the First Time**

## CONSENT ACTIONS

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

- 0969-2009** CA To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements for existing retaining walls within those public rights-of-way needed for the Parsons/Livingston Avenue Roadway Improvements Project and to declare an emergency.

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

### SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- 0915-2009** CA To authorize the Director of Finance and Management to enter into a contract for the acquisition of Radiological Detection and Bomb Disposal Products and Training for the Division of Fire from W L Bar, LLC, utilizing Homeland Security Grant funds in accordance with Sole Source Procurement Provisions of the Columbus City Codes; and to declare an emergency. (\$0.00)  
**This Matter was Approved on the Consent Agenda.**
- 0929-2009** CA To authorize and direct the Safety Director to enter into a maintenance contract with Sagem Morpho, Inc. for the Division of Police's Automated Fingerprint Identification System (AFIS) in accordance with sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of \$516,615.17 from the General Fund and the Safety Grant Fund; and to declare an emergency. (\$516,615.17)  
**This Matter was Approved on the Consent Agenda.**
- 0957-2009** CA To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Tyevco, Inc. for the renovation of the louvered wall, ninth floor, 120 Marconi Boulevard; to authorize the City Auditor to appropriate \$718,442.45 within the Safety Voted Bond Fund; to authorize the expenditure of \$37,460.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$37,460.00)  
**This Matter was Approved on the Consent Agenda.**

**DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

- 0992-2009** CA To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one vacant parcel of real property (861-863 E. 5th Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.  
**This Matter was Approved on the Consent Agenda.**
- 0996-2009** CA To authorize and direct the Director of the Department of Development to enter into an agreement of understanding with JDS Goodale, LLC and to apply to the Ohio Department of Development for Clean Ohio grant funding of up to \$750,000 for the environmental clean up and redevelopment of the Kimball Midwest site at 580 West Goodale Blvd. in Columbus; and to declare an emergency.  
**This Matter was Approved on the Consent Agenda.**

**ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL**

- 0931-2009** CA To authorize and direct the Finance and Management Director to establish a purchase order, on behalf of the Department of Technology, from an existing Universal Term Contract, for software maintenance and support, associated with Veritas licenses, provided by DLT Solutions, Inc.; to authorize the expenditure of \$85,977.86 from the Department of Technology's Information Services Fund; and to declare and Emergency (\$85,977.86)  
**This Matter was Approved on the Consent Agenda.**
- 0945-2009** CA To authorize and direct the City Treasurer to modify and extend its contract for armored car services with Brink's Inc.; to authorize the expenditure of

\$40,000 from various funds within the city; and to declare an emergency. (\$40,000.00)

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

- 0947-2009 CA To authorize the Director of Finance and Management Department on behalf of the Department of Technology to establish two Purchase Orders with Agilysys Inc. from pending Universal Term Contracts, for repairs, maintenance support and upgrades associated with the EMC mass storage device, Storage Area Network (SAN) Switch and Hewlett Packard servers; and to authorize the expenditure of \$280,140.00 from the Department of Technology's Information Services Fund; and to declare an emergency (\$280,140.00).

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

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

- 0102X-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.**

- 0921-2009 CA To authorize and direct the Franklin County Municipal Court Clerk to modify and extend contracts with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A, for the provision of collection services; to authorize an expenditure up to \$540,000.00 from the Clerk's collection fund; and to declare an emergency. (\$540,000.00)

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

- 0951-2009 CA To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept a grant award from the State of Ohio, Department of Rehabilitation and Correction; to appropriate \$146,205 from the unappropriated balance of the general government grant fund to the Franklin County Municipal Court; to transfer \$11,500 from the Municipal Court special revenue fund, probation fees, to the general government grant fund; and to declare an emergency. (\$157,705.00)

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

- 0975-2009 CA To authorize the Municipal Court Judges, through the Administrative/Presiding Judge, to enter into the first year of a potential four-year contract with Willo Security, Inc., for the provision of security guard services in the Municipal Court Building, to authorize the expenditure of \$315,00.00 from the Municipal Court Special Projects Fund; and to declare an emergency (\$315,000.00).

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

#### **UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

- 0365-2009 CA To authorize the Director of Public Utilities to reimburse the Franklin County Engineer's Office for the installation of stormwater sewers, in coordination with the Franklin County Engineer's Office's Asbury Manor Storm Sewer Assessment Project; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$23,435.72 from the Storm Sewer Bonds Fund, for the Division of Sewerage and Drainage. (\$23,435.72)

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

- 0607-2009 CA To authorize the Director of Public Utilities to enter into an agreement with EnviroCare International, Inc., for the purchase of two new hydraulic-atomizing biosolids incineration scrubber system units, in accordance with the sole source provisions of the Columbus City Code, in connection with the Jackson Pike Wastewater Treatment Plant Incinerator Hydraulic Scrubber Conversion project; to authorize the appropriation and transfer of \$221,820.00 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Authority Loan Fund; to authorize the expenditure of \$221,820.00 from the OWDA Fund, for the Division of Sewerage and Drainage. (\$221,820.00)

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

- 0828-2009 CA To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services; to authorize the transfer of \$60,000.00 within the Storm Sewer Bonds Fund; to amend the 2009 Capital Improvements Budget; to authorize the expenditure of \$60,000.00 from the Department of Public Utilities, Sewerage and Drainage, Storm Sewer Bonds Fund for costs in connection with the Northeast Neighborhood Stormwater System improvements Project; and to declare an emergency. (\$60,000.00).

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

- 0844-2009 CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain blanket easement in relation to a certain 8.515 acre tract of real property located in the vicinity of Stanley Drive and Dresden Streets, at the request of the Franklin County Commissioners, in exchange for replacement easements previously granted to the City of Columbus, Ohio.

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

- 0856-2009 CA To authorize the Director of Public Utilities to modify and increase the professional engineering services contract with AECOM USA Inc. (f.k.a. Metcalf & Eddy, Inc.); for the DRWP Treatment Capacity Increase Study & Evaluation Project; to authorize the transfer of \$354,386.56 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$572,501.44 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$926,888.00 from the Water Works Enlargement Voted Bonds Fund; to amend the 2009 Capital Improvements Budget; for the Division of Power and Water. (\$926,888.00)

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

- 0858-2009 CA To authorize the Director of Public Utilities to enter into a service agreement with Simplex Grinnell for Security System Maintenance, Monitoring and Inspection for the Division of Sewerage and Drainage in accordance with the provisions of Sole Source procurement of the Columbus City Code, and to authorize the expenditure of \$22,031.40 from the Sewerage System Operating Fund. (\$22,031.40)

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

- 0865-2009 CA To authorize the Director of Public Utilities to enter into an agreement with Kleinschmidt Associates for professional engineering services for the

O'Shaughnessy Dam 6th Independent Consultant's Inspection Project; to authorize the appropriation and transfer of \$48,300.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$48,300.00 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$48,300.00)

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

- 0903-2009** CA To authorize the City Attorney to acquire fee simple title and lesser interests, to contract for professional services, to authorize the appropriation and transfer of \$17,150.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$17,150.00 from the Water Works Enlargement Voted Bonds Fund; to amend the 2009 Capital Improvement Budget for the Division of Power and Water (Water) for costs in connection with the Lazelle Road Storage Tank Improvements Project; and to declare an emergency. (\$17,150.00)

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

- 0936-2009** CA To authorize the Director of Public Utilities to apply for, accept, and enter into up to eleven (11) Ohio Water Development Authority Local Government Agency Loan Program loan agreements, for the financing of eleven Division of Power and Water construction projects; to designate a dedicated repayment source for the loans; and to declare an emergency.

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

- 0955-2009** CA To authorize the Director of the Department of Public Utilities to execute those documents necessary to accept 8.469 + acres of certain real property located at the south east corner of State Route 665 and the Scioto River in Hamilton township for water production purposes, in exchange for a deed of equal acreage to be granted to The National Lime and Stone Company, an Ohio corporation; to waive the Land Review Commission provisions of the Columbus City Codes (1959) and to declare an emergency

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

- 0959-2009** CA To authorize the Director of Public Utilities to modify and increase the construction contract with Complete General Construction Company due to unforeseen conditions found during construction on the West 5th Avenue Underpass Stormwater System Improvements Project, for the Division of Sewerage and Drainage; to authorize the transfer of \$72,783.00 within the Storm Sewer Bond Fund; to amend the 2009 Capital Improvements Budget to authorize the expenditure of \$72,783.00 within the Storm Sewer Bonds Fund.; and to declare an emergency. (\$72,783.00)

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

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

- 0832-2009** CA To authorize and direct The Columbus Health Department to accept a grant from the U.S. Department of Health and Human Services in the amount of \$750,000; to authorize the appropriation of \$750,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$750,000)

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

- 0833-2009** CA To authorize the Director of the Department of Development to enter into contracts with Watson General Contracting, LLC and Ransom Company for the provision of demolition services on vacant structures within the municipal boundaries of the City of Columbus; to authorize the expenditure of up to \$600,000 from the General Government Grant Fund; and to declare an emergency (\$600,000)  
**This Matter was Approved on the Consent Agenda.**
- 0852-2009** CA To authorize the Director of Finance and Management to establish a purchase order with OraSure for the purchase of OraQuick HIV antibody detection test kits for the Columbus Health Department in accordance with sole source provisions of Columbus City Codes; to authorize the expenditure of \$12,400 from the Health Department Grants Fund; and to declare an emergency. (\$12,400)  
**This Matter was Approved on the Consent Agenda.**
- 0853-2009** CA To authorize the Director of Finance and Management to establish a purchase order with Trinity Biotech for the purchase of Uni-Gold HIV test kits for the Columbus Health Department in accordance with sole source provisions of the Columbus City Codes; to authorize the expenditure of \$20,000 from the Health Department Grants Fund; and to declare an emergency. (\$20,000)  
**This Matter was Approved on the Consent Agenda.**
- 0877-2009** CA To authorize and direct The Columbus Health Department to accept a grant from the U.S. Department of Agriculture in the amount of \$1,000; to authorize the appropriation of \$1,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,000)  
**This Matter was Approved on the Consent Agenda.**
- 0887-2009** CA  
To authorize the Director of Finance and Management to enter into a contract for the Health Department with KNS Services, Inc., for the purchase, installation, and programming of a card access control system and intercom for the 240 Parsons Avenue facility; to authorize the expenditure of \$4,580.00 from the Voted 1999, 2004 Health Department Bonds Fund; and to declare an emergency. (\$4,580.00)  
**This Matter was Approved on the Consent Agenda.**
- 0902-2009** CA To authorize the Director of Finance and Management to establish a purchase order with All About Drains for emergency home repair services for the Housing Division per the terms and conditions of the existing Universal Term Contract; to authorize the expenditure of \$14,761 from the Housing Preservation Fund; and to declare an emergency. (\$14,761)  
**This Matter was Approved on the Consent Agenda.**

### Passed The Consent Agenda

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

Absent: 1 - Craig  
Affirmative: 6 - Ginther, Ms. Tavares, Tyson, President Mentel, Miller and Paley

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

### **FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY**

**0990-2009** To authorize the Director of the Department of Finance and Management to enter into, grant and accept a Common Driveway Easement and Maintenance Agreement with Gowdy Partners III, LLC, an Ohio limited liability company, for the purpose of providing sufficient access to W. Third Avenue and to grant a Work Agreement to Gowdy Partners III, LLC, for the purpose of allowing Gowdy Partners III, LLC or its' agents, to enter onto City owned property to construct the common driveway and other site improvements, and the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised; and to declare an emergency.

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

Absent: 1 - Craig  
Affirmative: 6 - Ginther, Ms. Tavares, Tyson, President Mentel, Miller and Paley

### **DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL**

**0454-2009** To authorize the Director of the Department of Development to enter into an Economic Development Agreement with the City of Dublin, Ohio.

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

Absent: 1 - Craig  
Affirmative: 5 - Ginther, Tyson, President Mentel, Miller and Paley  
Negative: 1 - Ms. Tavares

**0965-2009** To authorize and direct the City Auditor to transfer \$389,900.77 from the Special Income Tax Fund to the General Fund; to authorize and direct the payment to the Columbus City School District, the Hilliard City School District and the Olentangy Local School District for income tax revenue sharing totaling \$1,559,603.08; to authorize the expenditure of \$1,559,603.08 from the General Fund; and to declare an emergency. (\$1,559,603.08)

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

Absent: 1 - Craig  
Affirmative: 6 - Ginther, Ms. Tavares, Tyson, President Mentel, Miller and Paley

**0966-2009** To authorize and direct the City Auditor to make payments totaling \$226,149.54 in accordance with the Jobs Growth Incentive Program agreements to Advanced Engineering Consultants Ltd., eCommerce, Inc., Ohio State University Physicians, Inc., Ohio Valley Cable Services and Zyvex Performance Materials, Inc.; to authorize the expenditure of \$226,149.54 from the General Fund; and to declare an emergency. (\$226,149.54)

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

Absent: 1 - Craig

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

**0967-2009**

To authorize and direct the City Auditor to transfer \$207,351.77 from the Special Income Tax Fund to the General Fund; to authorize and direct the City Auditor to make payments totaling \$829,407.08 in accordance with the Downtown Office Incentive Program to various employers; to authorize the expenditure of \$829,407.08 from the General Fund; and to declare an emergency. (\$829,407.08)

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

Absent: 1 - Craig

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

**0995-2009**

To authorize and direct the Director of the Department of Development to enter into an agreement of understanding with Wagenbrenner Development, Inc. in conjunction with a Clean Ohio Revitalization Fund Round 7 grant application of up to \$3 million and to authorize the application the Columbus Department of Development plans to submit to the Ohio Department of Development for site clean up at the former 3M site at 1206 N. Fourth St. in the Weinland Park Neighborhood of Columbus; and to declare an emergency.

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

Absent: 1 - Craig

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

#### **ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENDEL**

**0916-2009**

To authorize the Director of the Department of Technology and the Director of the Department of Human Resources to enter into contract with Trivantis Corporation, for software; training; maintenance and support associated with the CHRIS project; to authorize the expenditure of \$33,544.83 from the Department of Technology's Information Services Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$33,544.83)

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

Absent: 1 - Craig

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

#### **JUDICIARY & COURT ADMINISTRATION: PALEY, CHR CRAIG TYSON MENDEL**

**0934-2009**

To authorize and direct the City Auditor to establish a new subfund within the Franklin County Municipal Court's special project fund for the receipt of monies related to the Court's Specialty Docket Programs and to authorize the appropriation and transfer of \$100,000 from the Public Safety Initiatives

Fund . (\$100,000)

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

Absent: 1 - Craig

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

**0989-2009**

To authorize the Director of the Department of Finance and Management to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses; to authorize the expenditure of \$1,335,093 from the General Fund; and to declare an emergency. (\$1,335,093)

*TABLED UNTIL 07/20/09*

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

Absent: 1 - Craig

Abstained: 1 - Tyson

Affirmative: 5 - Ginther, Ms. Tavares, President Mentel, Miller and Paley

**UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL**

**0448-2009**

To authorize the Director of Public Utilities to enter into a modification of the Water and Sewer Contracts with the City of Dublin, Ohio, and to consent to the annexation of approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road to the City of Dublin

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

Absent: 1 - Craig

Affirmative: 5 - Ginther, Tyson, President Mentel, Miller and Paley

Negative: 1 - Ms. Tavares

**0523-2009**

To authorize the Director of Public Utilities to apply for, accept, and enter into up to nine (9) Ohio Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, including up to \$10 million in funding subsidies in the form of principal forgiveness loans from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects, for the financing of eight Division of Sewerage and Drainage Division construction projects and one Division of Power and Water construction project; to designate a dedicated repayment source for the loans; and to declare an emergency.

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

Absent: 1 - Craig

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

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

**0985-2009**

To authorize the Director of the Department of Finance and Management to execute on behalf of the Columbus Health Department (Lessor), those documents necessary to enter into a lease agreement with the Columbus

Neighborhood Health Centers, Inc. (Lessee) for the use of the City's neighborhood health center located at 2300 West Broad Street, commonly known as the Columbus West Family Health and Wellness Center, to provide primary health care services to the City's medically underserved residents; and to declare an emergency.

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

Absent: 1 - Craig

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

**0993-2009**

To authorize the Mayor of the City of Columbus to enter into a consortium agreement for the purpose of submitting a competitive application to the U.S. Department of Housing and Urban Development under the Neighborhood Stabilization Program 2; to authorize the Mayor, as the Lead Applicant of the NSP2 Consortium, to apply for and accept grant funds from the U.S. Department of Housing and Urban Development under the Neighborhood Stabilization Program 2; and to declare an emergency.

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

Absent: 1 - Craig

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

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

Absent: 1 - Craig

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

#### **RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**

**0886-2009**

To authorize and direct the Director of Recreation and Parks to grant consent to various organizations to apply for permission to sell alcoholic beverages at the following 2009 events: Urban Scrawl Arts Festival and Waterfire Columbus.

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

Absent: 1 - Craig

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

#### **ADJOURNMENT**

*ADJOURNED: 7:22 P.M.*

**A motion was made by Tyson, seconded by Ms. Tavares, to adjourn this Regular Meeting. The motion carried by the following vote:**

Absent: 1 - Craig

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

# 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:** 0102X-2009

**Drafting Date:** 06/23/2009

**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 Service, Design and Construction's acquisition schedule.

**Title**

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.

**Body**

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 #597105 (fka 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 88T

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 18, Township-11-North, Range 21-West, Mathew's Survey of Congress Lands of 1795-1802, and being a part of that 1.059 acre tract as conveyed to United Dairy Farmers, Inc. by deed of record in Official Record 13496, Page D-19, 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 #8820, at the intersection of the existing

right-of-way centerline of Williams Road (County Road 123), with the existing right-of-way centerline of Alum Creek Drive (County Road 122), being 0.00 feet right of station 76+49.63;

Thence South 03 degrees 47 minutes 12 seconds West, a distance of 64.68 feet along the existing right-of-way centerline of said Alum Creek Drive, to a point in said centerline, being 0.00 feet right of station 75+84.95;

Thence South 86 degrees 12 minutes 48 seconds East, a distance of 90.00 feet, perpendicular to the existing right of way centerline of said Alum Creek Drive, to an iron pin set in the new easterly right-of-way line of said Alum Creek Drive, being 90.00 feet right of station 75+84.95, and being the Point of True Beginning;

Thence with a curve to the right, across said 1.059 acre tract, and along the new easterly right-of-way line of said Alum Creek Drive for 52.02 feet, having a radius of 35.00 feet, a central angle of 85 degrees 09 minutes 20 seconds, a chord direction of North 46 degrees 21 minutes 52 seconds East, and a chord distance of 47.36 feet, to a point of tangency in the existing southerly right-of-way line of said Williams Road, and the northerly line of said 1.059 acre tract, being 40.00 feet right of Williams Road station 31+00.82;

Thence North 88 degrees 56 minutes 32 seconds East, a distance of 55.48 feet long said existing southerly right-of-way line of said Williams Road, and the northerly line of said 1.059 acre tract, to a point of tangent curvature, being 40.00 feet right of Williams Road station 31+56.30.

Thence with a curve to the left, along the northerly line of said 1.059 acre tract, and along the existing southerly right-of-way line of said Williams Road for 73.23 feet, having a radius of 994.93 feet, a central angle of 04 degrees 13 minutes 01 seconds, a chord direction of North 86 degrees 50 minutes 01 seconds East, and a chord distance of 73.21 feet, to the northeast corner of said 1.059 acre tract, being 40.00 feet right of Williams Road station 32+26.59;

Thence South 03 degrees 47 minutes 12 seconds West, a distance of 10.13 feet along the easterly line of said 1.059 acre tract to a point being 50.00 feet right of Williams Road station 32+25.07;

Thence South 87 degrees 02 minutes 40 seconds West, a distance of 78.65 feet across said 1.059 acre tract to a point being 50.00 feet right of Williams Road station 31+50.00;

Thence South 88 degrees 56 minutes 32 seconds West, a distance of 50.00 feet across said 1.059 acre tract to a point being 50.00 feet of Williams Road station 31+00.00;

Thence South 63 degrees 56 minutes 06 seconds West, a distance of 19.68 feet across said 1.059 acre tract to a point being 105.00 feet right of Alum Creek Drive station 76+00.00;

Thence South 07 degrees 36 minutes 03 seconds West, a distance of 150.33 feet across said 1.059 acre tract to a point being 95.00 feet right of Alum Creek Drive station 74+50+00;

Thence South 03 degrees 47 minutes 12 seconds West, a distance of 70.55 feet across said 1.059 acre tract, and parallel to the new easterly right of way line of Alum Creek Drive, to a point in the southerly line of said 1.059 acre tract, and the existing northerly line of Reserve "B" of Madison Mills Section 1, as recorded in Plat Book 49, Page 102, said point being 95.00 feet right of Alum Creek Drive station 73+79.45;

Thence North 86 degrees 06 minutes 19 seconds West, a distance of 5.00 feet along the southerly line of said 1.059 acre tract, and along the existing northerly line of said Reserve "B" of Madison Mills Section 1, to the intersection with the new easterly right-of-way line of Alum Creek Drive, being 90.00 feet right of Alum Creek Drive station 73+79.46;

Thence North 03 degrees 47 minutes 12 seconds East, a distance of 205.50 feet, along the new easterly right-of-way line of Alum Creek Drive, and across said 1.059 acre tract to the Point of True Beginning, containing 0.078 acres, more or less;

Of the above described area, 0.078 acres is contained within the Franklin County Auditor's Parcel 530-214691;

The bearing datum of the afore-described parcel is based on the bearing of North 03 degrees 47 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 27, 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 Official Record 13496, Page D19, 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.

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**Legislation Number:** 0365-2009

**Drafting Date:** 03/03/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **1. BACKGROUND:**

This legislation authorizes the Director of Public Utilities to reimburse the Franklin County Engineer's Office for stormwater sewer improvements in connection with the Winchester Pike Storm Sewer Project. The Franklin County Engineer's Office agreed to incorporate the installation of stormwater sewer lines into their Winchester-Asbury Manor Storm Sewer Assessment Project.

#### **2. FISCAL IMPACT:**

This legislation includes a transfer of funds within the Storm Sewer Bonds Fund and an amendment to the 2009 Capital Improvements Budget to allow sufficient cash and authority to be available in the proper project to cover the necessary expenditure.

### **Title**

To authorize the Director of Public Utilities to reimburse the Franklin County Engineer's Office for the installation of stormwater sewers, in coordination with the Franklin County Engineer's Office's Asbury Manor Storm Sewer Assessment Project; to amend the 2009 Capital Improvements Budget; to authorize the transfer, and expenditure of \$23,435.72 from the Storm Sewer Bonds Fund, for the Division of Sewerage and Drainage. (\$23,435.72)

### **Body**

**WHEREAS**, the Franklin County Engineer's Office, incorporated the installation of stormwater sewer improvements into the Winchester-Asbury Manor Storm Sewer Assessment Project; and

**WHEREAS**, the installation of this stormwater infrastructure provides improved sewer services to the area to mitigate flooding in the Winchester-Asbury area; and

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

**WHEREAS**, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of creating and providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

**WHEREAS**, it is necessary for City Council to authorize the expenditure of funds from the Storm Sewer 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 reimburse the Franklin County Engineer's Office for the installation of stormwater sewer improvements 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 reimburse the Franklin County Engineer's Office for storm sewer installation services performed by them in relation to the Winchester-Asbury Storm Sewer Assessment Project; in the amount of \$23,435.72;

**Section 2.** That the City Auditor is hereby authorized and directed to transfer and appropriate \$23,435.72 from within the Storm Sewer Bond Fund | Fund No. 685 | Div. 60-15 | OBJLVL3: 6621 | Division of Sewerage and Drainage as follows:

**FROM:**

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

610706-100000 | Marsdale Avenue SSI | 685706 | \$23,435.72

**TO:**

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

610708-100000 | Winchester Pike Storm Sewer | 685708 | \$23,435.72

**Section 3.** That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to create and provide sufficient budget authority for the award of the agreement stated herein, and to supply necessary budget authority in the proper projects for the funds remaining cash.

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

610706-100000 | Marsdale Avenue SSI | \$104,077 | \$80,641 | (-\$23,436)

610708-100000 | Winchester Pike Storm Sewer | \$0 | \$23,436 | (+\$23,436)

**Section 4.** The for the purpose of reimbursing the Franklin County Engineer's Office for the construction services referenced herein, the expenditure of \$23,435.72 is hereby authorized from within the Storm Sewer Bond Fund | Fund No. 685 | Div.: 60-15 | Winchester Pike Storm Sewer | Proj.No. 610708 | OCA Code 685708 | OBJLVL3: 6621.

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

**Section 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 8.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0448-2009

**Drafting Date:** 03/17/2009

**Current Status:** Passed

**Explanation**

**BACKGROUND:** This ordinance authorizes entering into a service contract modification with the City of Dublin for water and sewer service. The only modification is to add approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road which is proposed to be annexed to the City of Dublin. The City of Columbus consents to this property being annexed to Dublin.

**Fiscal Impact:** No funding is required for this legislation.

**Title**

To authorize the Director of Public Utilities to enter into a modification of the Water and Sewer Contracts with the City of Dublin, Ohio, and to consent to the annexation of approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road to the City of Dublin

**Body**

**WHEREAS**, the City of Columbus and the City of Dublin entered into a contract for sanitary sewer service on April 13, 1993, pursuant to Ordinance No. 2692-92 passed by the City of Columbus on December 14, 1992; and

**WHEREAS** the City of Columbus and the City of Dublin entered into a contract for water service on April 13, 1993, pursuant to Ordinance No. 2693-92 passed by the City of Columbus on December 14, 1992; and

**WHEREAS**, the water and sewer contracts included an Exhibit A, which delineated areas as the "Dublin Water/Sewer Contract Boundaries," "Dublin Exclusive Expansion Area," "Columbus Exclusive Expansion Area" and "Negotiated Expansion Area;" and

**WHEREAS**, as to the "Negotiated Expansion Area," the contract provides that this area is a shared future growth area, and that neither party shall initiate or accept annexation from that area without the mutual agreement of the Columbus and Dublin City Councils; and

**WHEREAS**, the City of Dublin desires to allow approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road to be annexed to the City of Dublin; and

**WHEREAS**, this annexation is acceptable to the City of Columbus; and

**WHEREAS**, in the usual daily operation of the Department of Public Utilities, it is necessary to authorize the Director of Public Utilities to enter into a Sewer and Water Service Area Boundary Contract modification with the City of Dublin, Ohio for the preservation of public health, peace, property, safety, and welfare, Now, Therefore,

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

**Section 1.** That the Director of Public Utilities be and is hereby authorized to enter into a modification of the Sewer and Water Contracts with the City of Dublin , Ohio to include a modified Exhibit A that includes approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road which is proposed to be annexed to the City of Dublin.

**Section 2:** The City of Columbus hereby consents to the annexation of approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road to the City of Dublin.

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

---

**Legislation Number:** 0454-2009

**Drafting Date:** 03/17/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

**Background:** This ordinance authorizes the Director of the Department of Development to enter into an economic development agreement with the City of Dublin relating to the development of approximately 277 acres located north of State Route 161/Post Road and west of Hyland-Croy Road, and which is proposed to be annexed to the City of Dublin. Contemporaneous herewith it is proposed that the Dublin Sewer and Water Contracts be amended to include within the Dublin service area the approximately 277 acres. The economic development agreement will provide for sharing of the income tax revenue generated from the property to be annexed.

**Fiscal Impact:** No funding is required for this legislation.

### Title

To authorize the Director of the Department of Development to enter into an Economic Development Agreement with the City of Dublin, Ohio.

### Body

**Whereas,** the City and Dublin have cooperated to provide shared development and growth opportunities for the two communities; and

**Whereas,** it is anticipated that approximately 277 acres adjacent to the City of Dublin will become annexed to the City of Dublin; and

**Whereas,** the City and Dublin have agreed to amend (i) that certain contract between Columbus and Dublin for water service, originally entered into on the 13th day of April, 1993 (the "Water Service Contract"), and (ii) that certain contract between Columbus and Dublin for sewage disposal services originally entered into on the 13th day of April, 1993 (the "Sewer Service Contract") to provide for the modification of the Dublin Exclusive Area by expanding that area into the Negotiated Area; and

**Whereas,** the City and Dublin have agreed to establish an area, "the Revenue Sharing Area," within the "Negotiated Expansion Area" of the Water Service Contract and the Sewer Service Contract whereby Dublin will have the exclusive right to annex the property; and

**Whereas,** the City and Dublin want to promote economic development and job creation opportunities within the Revenue Sharing Area; and

**Whereas,** the City and Dublin have proposed an Economic Development Agreement for the sharing of income tax revenue generated from the Revenue Sharing Area; and

**Whereas,** the City and Dublin have agreed to work cooperatively on important regional growth and safety issues to assure that regional growth and development is served properly and environmentally responsibly by centralized sewer systems, and the Parties have further agreed to cooperate in opposing the construction and use of alternative waste water treatment systems, such as land application systems, throughout the region and opposing the further expansion of other water and

sewer service providers within the Revenue Sharing Area; **now therefore,**

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

**Section 1.** That the Director of the Department of Development be, and he is hereby, authorized to enter an Economic Development Agreement with the City of Dublin, Ohio to provide for the sharing of income tax revenue generated from property to be annexed to Dublin.

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

---

**Legislation Number:** 0523-2009

**Drafting Date:** 03/27/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**1. BACKGROUND

Need: The Ohio EPA requires this legislation which authorizes the Director of Public Utilities to apply for and execute up to nine (9) Ohio Water Pollution Control Loan Fund (WPCLF) loan agreements totaling approximately \$55 million, for construction of eight Sanitary projects and one Water project as identified in Section 1., under the direction of the Division of Sewerage and Drainage and the Division of Power and Water respectively. These Capital Improvements Projects are being financed through the Ohio Water Pollution Control Loan Fund program, and will include up to \$10 million in subsidies from the American Recovery and Reinvestment Act of 2009 (ARRA). This loan program is jointly administered by the Ohio EPA's Division of Environmental and Financial Assistance, and the Ohio Water Development Authority (OWDA). The WPCLF provides below-market interest rate loans for municipal wastewater treatment improvements.

2. EMERGENCY DESIGNATION: WPCLF/ARRA loan applications are now being processed for these projects. This authorizing legislation is a requirement for loan approval and must be submitted to the Ohio EPA as a part of each loan application, and one of these loan agreements is scheduled for approval at the OWDA board meeting on July 30, 2009, therefore emergency designation is needed.

3. FISCAL IMPACT

Budgeted Amount: There is sufficient budget authority in the 2009 Water & Sewer Systems Operating Funds for application fee expenditures. These loans will be paid off over a 20-year period from water and sewerage system fees (dedicated source of repayment). Water and Sewerage fee increases have been projected and planned in anticipation of these projects and loans. Approximately \$10 million will be awarded for these projects as subsidies to reduce the principal amount of loan for qualifying projects. This subsidy will be applied to the project's eligible costs.

**Title**

To authorize the Director of Public Utilities to apply for, accept, and enter into up to nine (9) Ohio Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, including up to \$10 million in funding subsidies in the form of principal forgiveness loans from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects, for the financing of eight Division of Sewerage and Drainage Division construction projects and one Division of Power and Water construction project; to designate a dedicated repayment source for the loans; and to declare an emergency.

**Body**

**WHEREAS,** in 2009 the Department of Public Utilities is scheduled to prepare loan applications for up to \$55 million in financing, for submittal to the Ohio EPA under the Ohio Water Pollution Control Loan Fund (WPCLF) program to

finance, through below-market interest rate loans, the construction of up to nine Capital Improvements Projects under the Division of Sewerage and Drainage and the Division of Power and Water, which financial assistance will be of help in reducing total project costs to the City's sewerage customers; and

**WHEREAS**, several of these projects will be financed with up to \$10 million in funds from the American Recovery and Reinvestment Act (ARRA) of 2009 for stimulus projects, which will be awarded as subsidies to reduce the principal amount of a loan for a qualifying project; and

**WHEREAS**, prior to WPLCF loan agreement approval by the OWDA, the WPCLF loan application and loan agreement documents require the City to submit to the Ohio EPA a certified copy of the approved City Council legislation which authorizes the Director of the Public Utilities Department to apply for and subsequently execute the WPCLF agreements, and to authorize a dedicated source of loan repayment for the WPCLF agreement; and

**WHEREAS**, this legislation must be approved and a certified copy must be submitted to the Ohio EPA prior to the OWDA board meeting on July, 2009 as part of the loan application and loan agreement approval process, therefore an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to apply for, accept, and enter into to up to nine (9) WPCLF Loan Agreements with the State of Ohio for the immediate preservation of the public peace, health, property, and safety; Now Therefore:

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

**Section 1.** That the Director of Public Utilities be, and hereby is, authorized to apply for, accept, and enter into up to nine (9) Water Pollution Control Loan Fund Agreements with the Ohio Water Development Authority and the Ohio Environmental Protection Agency, including up to \$10 million in funding subsidies in the form of principal forgiveness from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects, for the financing of up to eight Division of Sewerage and Drainage projects and one Division of Power and Water project, as described below with the estimated construction project costs, WPCLF loan amount, and ARRA subsidies in parenthesis, as follows:

1. Jackson Pike Wastewater Treatment Plant Incinerator Hydraulic Scrubber Conversion and Incinerator Startup and Training, CIP No. 650350.1, WPCLF Loan No. CS392775-02 (ARRA=\$300,780).
2. Watershed Impervious Surface Pollution Reduction, CIP No. 690506 WPCLF Loan No. CS393000-02 (ARRA=\$4,500,000) (WPCLF Loan=\$200,000).
3. Naghten Street Sewer Rehabilitation, CIP No. 650618, WPCLF Loan No. CS392684-02 (ARRA=\$2,400,000) (WPCLF Loan=\$2,400,000)
4. River South, Phase 2, CIP No. 650404.39, WPCLF Loan No. CS392984-01 (ARRA=\$1,171,678) (WPCLF Loan=\$2,400,00).
5. Olentangy Main Trunk Rehabilitation, CIP No. 650725, WPCLF Loan No. CS393030-01, (ARRA=\$1,428,622) (WPCLF Loan=\$3,500,000).
6. Idlewild Drive Stormwater Improvements, CIP No. 610973, WPCLF Loan No. CS393032-01, (WPCLF Loan=\$5,500,000).
7. Jackson Pike Wastewater Treatment Plant Digester Cover Rehabilitation, CIP No. 650250.3, WPCLF Loan No. CS392982-01, (WPCLF Loan=\$4,380,000).
8. Jackson Pike Wastewater Treatment Plant New Headworks, Contract J208, CIP No. 650252, WPCLF Loan No. CS392980-01, (WPCLF Loan=\$14,501,000).
9. Southerly Wastewater Treatment Plant Support Facilities, CIP No. 650344, WPCLF Loan No. CS392981-01, (WPCLF Loan=\$10,708,000)

**Section 2.** That Water and Sewerage System Service Charges is hereby authorized to be the dedicated source of repayment for the Water Pollution Control Loan Fund Agreement.

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

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**Legislation Number:** 0607-2009

**Drafting Date:** 04/15/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

## Explanation

### 1. **BACKGROUND:**

- A. **Need.** The Division of Sewerage and Drainage needs to purchase two new hydraulic-atomizing biosolids incineration scrubber system units from EnviroCare International, Inc., for the Jackson Pike Wastewater Treatment Plant Incinerator Hydraulic Scrubber Conversion project. The biosolids incineration process is an integral part of the wastewater treatment process at Jackson Pike Wastewater Treatment Plant (JPWWTP). The existing incinerator scrubber system was installed in 2001. The project will refit the existing scrubber system from an air-atomizing compressed air system to a completely hydraulic-atomizing system. This new system will provide enhanced scrubber performance, as well as a substantial energy and maintenance savings by removing the energy-consumptive and problematic air compressors from the system. The new higher efficiency particulate scrubber system will reduce emissions and assure continued compliance with the Title V air permit.

The scrubber equipment upgrade is being performed by the equipment's manufacturer, EnviroCare International, Inc., and they are the sole source of the equipment. This contract consists of furnishing the new hydraulic-atomizing scrubber system equipment, start-up services, equipment performance optimization, and training of the plant staff. The JPWWTP staff will install the new equipment.

This ordinance is being submitted in accordance with the provisions of Sole Source procurement of the Columbus City Code Section 329.07.

This project has been approved for funding and is included within the State of Ohio Water Pollution Control Loan Fund (WPCLF) 2009 Program Management Plan and is also listed on the WPCLF and the American Recovery and Reinvestment Act of 2009 (ARRA) -Intended Projects List-June 5, 2009, identified as project #CS392775-02. ARRA awards for Water and Sewer projects will be administered through the Ohio EPA's Water Pollution Control Loan Fund Program (WPCLF) and the awards will be approved by the Ohio EPA and the Ohio Water Development Authority (OWDA). The loan is scheduled to be awarded on August 27, 2009 at the OWDA board meeting.

- B. **Supplier:** EnviroCare International, Inc. | CCN-680263091 | (MAJ) | Expiration Date: 4/16/2011

- C. **Emergency Designation:** Emergency designation is not requested.

### 2. **FISCAL IMPACT:**

This ordinance requests and authorizes the transfer and appropriation of funds in the amount of \$221,820.00 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Authority Loan Fund for this expenditure. This contract has been approved on the State of Ohio 2009 WPCLF Program Management Plan from the ARRA Federal Stimulus money. The loan will be awarded on August 27, 2009 at the OWDA board meeting. All WPCLF-ARRA funds will be awarded as subsidies to reduce the principal amount of a loan for a qualifying project. This subsidy will be applied to the project's eligible costs and no city funds will be required.

**Title**

To authorize the Director of Public Utilities to enter into an agreement with EnviroCare International, Inc., for the purchase of two new hydraulic-atomizing biosolids incineration scrubber system units, in accordance with the sole source provisions of the Columbus City Code, in connection with the Jackson Pike Wastewater Treatment Plant Incinerator Hydraulic Scrubber Conversion project; to authorize the appropriation and transfer of \$221,820.00 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Authority Loan Fund; to authorize the expenditure of \$221,820.00 from the OWDA Fund, for the Division of Sewerage and Drainage. (\$221,820.00)

**Body**

**WHEREAS**, the Jackson Pike Wastewater Treatment Plant (JPWWTP) has two multiple hearth biosolids incinerators each with an air-atomizing compressed air scrubbing system; and

**WHEREAS**, the Division of Sewerage and Drainage is embarking on a program to replace the air-atomizing compressed air scrubbing system with a hydraulic-atomizing system to provide enhanced scrubber performance and substantial energy and maintenance savings by removing the energy-consumptive and problematic air compressors from the system; and

**WHEREAS**, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into an agreement with EnviroCare International, Inc., in order to provide the necessary equipment and services for the JPWWTP Incinerator Hydraulic Scrubber Conversion project; and

**WHEREAS**, EnviroCare International, Inc. is the sole source to purchase this type of air scrubbing system; and

**WHEREAS**, the cost for this purchase was negotiated by City representatives and the EnviroCare International, Inc. personnel; and

**WHEREAS**, this ordinance is being submitted waiving the requirements of competitive bidding of Columbus City Code Section 329.07; and

**WHEREAS**, it is necessary to authorize the transfer and appropriation of funds from the Sanitary Sewer Reserve Fund to the Ohio Water Development Authority Fund in order to temporarily fund this expenditure, until such time as the City is able to execute a loan for the above stated purpose and reimburse the Sewer Reserve Fund; and

**WHEREAS**, this contract has been approved on the State of Ohio 2009 WPCLF Program Management Plan from the ARRA Federal Stimulus money and the loan will be awarded on August 27, 2009 at the OWDA board meeting; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

**WHEREAS**, the Division of Sewerage and Drainage, Department of Public Utilities is requesting that this Council authorize the Director of Public Utilities to execute an agreement with EnviroCare International, Inc. for the JPWWTP Incinerator Hydraulic Scrubber Conversion project at the earliest practical date; **Now, Therefore,**

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

**Section 1.** That the Director of Public Utilities be, and hereby is, authorized to enter into a sole source agreement with EnviroCare International, Inc., 507 Green Island Road, American Canyon, CA 94503, for the purchase of two new hydraulic-atomizing biosolids incineration scrubber system units for the JPWWTP Incinerator Hydraulic Scrubber Conversion 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 this ordinance is hereby waving the requirements of competitive bidding in accordance to the provisions under the Columbus City Code Section 329.07 (e), Exceptions to competitive sealed bidding as a sole source procurement.

**Section 3.** 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 \$221,820.00 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 4.** That the City Auditor is hereby authorized to transfer \$221,820.00 from the Sanitary Sewer Reserve Fund to the Ohio Water Development Authority, Fund 666, into JPWWTP Incinerator Hydraulic Scrubber Conversion, Project 650350, at such time as deemed necessary by the Auditor, and to expend said funds, or so much thereof as may be necessary.

**Section 5.** That the \$221,820.00 is hereby appropriated for the JPWWTP Incinerator Hydraulic Scrubber Conversion, within the Ohio Water Development Authority Fund | Fund 666 | Division 60-05 | Project 650350 | OCA Code 666350 | Object Level Three 6624.

**Section 6.** That the expenditure of \$221,820.00, or as much thereof as may be needed, is hereby authorized from the Ohio Water Development Authority Fund | Fund No. 666 | Division 60-05 | JPWWTP Incinerator Hydraulic Scrubber Conversion - Project 650350 | OCA Code 666350 | Object Level Three 6624.

**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.** Monies for this contract from the Sanitary Sewer Reserve Fund will be provided from the WPCLF and the American Recovery and Reinvestment Act of 2009 ARRA as the project is list on WPCLF-ARRA-Intended Project List-June 5, 2009, project No. CS392775-02. All WPCLF-ARRA funds will be awarded as subsidies to reduce the principal amount of a loan for a qualifying project. This subsidy will be applied to the project's eligible costs and no city funds will be required. The WPCLF-ARRA monies are scheduled to be awarded on August 27, 2009 by the Ohio EPA and the Ohio Water Development Authority (OWDA).

**Section 9.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

**Section 10.** That the City Auditor is hereby authorized and directed 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 account by monies from more than one source.

**Section 11.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**Section 12.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0828-2009

**Drafting Date:** 06/01/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**Background:** The following is an ordinance to authorize the City Attorney to acquire fee simple title and lesser interests,

contract for professional services, and to expend the monies for payment of acquisition costs in connection with the Northeast Neighborhood Stormwater System Improvements Project.

**Fiscal Impact:** This legislation includes a transfer of funds within the Storm Sewer Bonds Fund and an amendment to the 2009 Capital Improvements Budget to allow sufficient cash and authority in the proper account for this project expenditure.

**Emergency Justification:** is requested to allow right-of-way acquisition to begin immediately so that the City can meet current its present acquisition schedules.

#### **Title**

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services; to authorize the transfer of \$60,000.00 within the Storm Sewer Bonds Fund; to amend the 2009 Capital Improvements Budget; to authorize the expenditure of \$60,000.00 from the Department of Public Utilities, Sewerage and Drainage, Storm Sewer Bonds Fund for costs in connection with the Northeast Neighborhood Stormwater System improvements Project; and to declare an emergency. (\$60,000.00).

#### **Body**

**WHEREAS**, the City of Columbus is engaged in the Northeast Neighborhood Stormwater System improvements Project; and

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

**WHEREAS**, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of providing sufficient budget authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, 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 professional services necessary in connection with the Northeast Neighborhood Stormwater System improvements Project, Project No.610759.

**Section 2.** That the City Auditor is hereby authorized and directed to transfer and appropriate \$60,000.00 from within the Storm Sewer Bond Fund, Fund No. 685, Div. 60-15, OL3: 6601, Division of Sewerage and Drainage as follows:

#### FROM:

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

610714-100000 | Mock Road SSI | 685714 | \$60,000.00

#### TO:

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

610759-100000 | Northeast Neighborhood SSI | 685001 | \$60,000.00

**Section 3.** That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to create and provide sufficient budget authority for the award of the agreement stated herein, and to supply necessary budget authority in the proper projects for the funds remaining cash.

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

610714-100000 | Mock Road SSI | \$71,648 | \$11,648 | (-\$60,000)

610759-100000 | Northeast Neighborhood SSI | \$0 | \$60,000 | (+\$60,000)

**Section 4.** That the expenditure of \$60,000.00, or so much thereof as may be necessary from the Storm Sewer Bonds Funds, Fund 685; Dept./Div. 60-15; Project No. 610759; OCA Code 685759; Object Level Three 6601 for the aforesaid purpose is hereby authorized.

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

**Section 7.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**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.

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**Legislation Number:** 0832-2009

**Drafting Date:** 06/02/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department has been awarded a grant from the U.S. Department of Health and Human Services. This ordinance is needed to accept and appropriate \$750,000 in grant money to fund the Healthy Start grant program.

The Healthy Start grant program enables The Columbus Health Department to conduct care coordination in the project area neighborhoods of South Linden, the Near South, and the Near East, focusing primarily on perinatal and infant clients and their families. The goal of the program is to improve perinatal delivery systems in the project communities.

This grant is for the period June 1, 2009 through May 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 U.S. Department of Health and Human Services and does not generate revenue or require a City match.

**Title**

To authorize and direct The Columbus Health Department to accept a grant from the U.S. Department of Health and Human Services in the amount of \$750,000; to authorize the appropriation of \$750,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$750,000)

**Body**

**WHEREAS**, \$750,000 in grant funds have been made available through the U.S. Department of Health and Human 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 accept this grant from the U.S. Department of Health and Human Services and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore:

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

**SECTION 1.** That Columbus Health Department is hereby authorized and directed to accept a grant award of \$750,000 from the U.S. Department of Health and Human Services for the Healthy Start grant program for the period June 1, 2009, through May 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 twelve months ending May 31, 2010, the sum of \$750,000 is hereby appropriated to the Health Department, Division No. 50-01, as follows:

OCA: 509117; Grant No.: 509117; OL1:01; Amount:	\$567,057
OCA: 509117; Grant No.: 509117; OL1:02; Amount:	\$90,554
OCA: 509117; Grant No.: 509117; OL1:03; Amount:	\$92,389
Total for Grant No. 509117:	\$750,000

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

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

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**Legislation Number:** 0833-2009

**Drafting Date:** 06/02/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** In response to the housing mortgage crisis, the city of Columbus has been awarded \$22,845,495 of

Neighborhood Stabilization Program (NSP) grant funds from the U.S. Department of Housing and Urban Development (HUD). The funds will provide for the purchase of foreclosed or abandoned properties, redevelopment, rehabilitation or demolition of these properties in order to stabilize neighborhoods and stem the decline of house values of neighboring homes.

This legislation will implement the demolition portion of the NSP program by authorizing the Development Director to enter into contracts with Watson General Contracting, LLC and Ransom Company to provide demolition services on blighted vacant structures. Watson General and the Ransom Company were selected from a pool of five companies that responded to the request for bids. The companies were selected based on lowest bid, prior experience, and qualifications.

Watson General Contracting, LLC, Contract Compliance #31-1429409 (Expires 5/07/11)

Ransom Company, Contract Compliance #269401266 (Expires 3/04/10)

**FISCAL IMPACT:** Funding is available from a \$22,845,495 Neighborhood Stabilization Program (NSP) grant from the U.S. Department of Housing and Urban Development (HUD). The Department's 2009 NSP budget includes funds for the demolition of properties.

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to remove blighted vacant structures in City neighborhoods as soon as possible.

#### **Title**

To authorize the Director of the Department of Development to enter into contracts with Watson General Contracting, LLC and Ransom Company for the provision of demolition services on vacant structures within the municipal boundaries of the City of Columbus; to authorize the expenditure of up to \$600,000 from the General Government Grant Fund; and to declare an emergency (\$600,000)

#### **Body**

**WHEREAS**, ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the Neighborhood Stabilization Program application with HUD, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

**WHEREAS**, the City's NSP application specified the expenditure of funds to demolish properties that meet the program's requirements as established in Title III of the Housing and Economic Recovery Act of 2008; and

**WHEREAS**, the Land Redevelopment Office is expecting to demolish more than 100 structures under the National Stabilization Program and need to contract with at least two contractors to perform the work. Additional contracts may be necessary in the future to meet the program goal; and

**WHEREAS**, this ordinance authorizes the Director of the Department of Development to enter into contract with Watson General Contracting, LLC and Ransom Company to provide demolition services for the Land Redevelopment Office; and

**WHEREAS**, these contractors were selected from a pool of five companies that responded to the request for bids (2009 SA003229); and

**WHEREAS**, Watson General Contracting, LLC and Ransom Company were selected based on lowest bid, prior experience, and qualifications; and

**WHEREAS**, an emergency exists in the Department of Development in that it is immediately necessary to enter into said contracts to remove vacant structures in order to avoid delaying implementation of the program, all for the preservation of the public health, peace, property, safety and welfare; and **NOW THEREFORE**,

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

- Section 1.** That the Director of the Department of Development is hereby authorized to enter into contracts with Watson General Contracting, LLC and Ransom Company to demolish blighted structures.
- Section 2.** That for the purpose stated in Section 1, the expenditure of \$600,000 or so much thereof as may be necessary, the Department of Development, General Government Grant Fund, Fund 220, Division No. 44-01, Object Level One 01, Object Level Three 3292, OCA Code 440502 for the aforesaid purpose is hereby authorized.
- Section 3.** That these contracts are awarded in accordance with Chapter 329.12 of the Columbus City Codes, 1959.
- Section 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0844-2009

**Drafting Date:** 06/03/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The City of Columbus, Ohio ("City") holds title to a perpetual storm water and detention/retention pond easement by virtue of a recorded reservation of a blank easement. The Franklin County Commissioners ("County") is the owner of a certain 8.515 acre tract of real property located in the vicinity of Shanley Drive and Dresden Streets, across which the City hold its perpetual blanket easement. The County desires to use the property as a site for a dog pound and has requested that the City release its blanket easement across the property in exchange for previously granted replacement easements. After investigation, it has been determined that the proposed exchange of easements will not adversely affect the City and therefore should be granted. The following legislation authorizes the Director of the Department of Public Utilities to execute those documents necessary to release the aforementioned blanket easement over said 8.515 acre tract in exchange for the previously granted replacement easements.

Fiscal Impact: N/A

Emergency Justification: N/A

**Title**

To authorize the Director of the Department of Public Utilities to execute those documents necessary to release a certain blanket easement in relation to a certain 8.515 acre tract of real property located in the vicinity of Stanley Drive and Dresden Streets, at the request of the Franklin County Commissioners, in exchange for replacement easements previously granted to the City of Columbus, Ohio.

**Body**

WHEREAS, the City of Columbus, Department of Public Utilities, is the owner of a perpetual blanket storm water and detention/retention pond easement over a 14.583 acre tract of real property by virtue of a recorded reservation of easement in Instrument Number 200803170040632, in the Franklin County Recorders Office; and

WHEREAS, the Franklin County Commissioners ("County") is the owner of a certain 8.515 acre tract of real property located in the vicinity of Stanley Drive and Dresden Streets, across which the City hold its perpetual easement; and

WHEREAS, County desires to use the property as a site for a dog pound and has requested that the City release its blanket easement over its 8.515 acre tract of real property in exchange for previously granted replacement easements; and

WHEREAS, after investigation by the Division of Sewerage & Drainage it has determined that the release of said easement will not adversely affect the City and therefore should be granted, now, therefore:

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

Section 1. That the Director of the Department of Public Utilities be, and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to release unto Franklin County Commissioners its blanket storm water and detention/retention pond easement, as reserved in Instrument Number 200803170040632, but only has it relates to the following described 8.515 +/- acre tract of real property:

8.515 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, and being in Quarter Township 1, Township 1, Range 18, United States Military District, and being a part of that 14.583 acre tract as conveyed to Northland Village Developers LLC by deed of record in Instrument Number 200803170040639 and all of that 2.395 acre tract as conveyed to Northland Village Developers, LLC by deed of record in Instrument Number 200808130123822 (all references being to those of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Dresden Street, and Fenton Street as shown in subdivision entitled "Randles Subdivision" of record in Plat Book 27, Page 32, and being on the easterly line of a tract of land conveyed to the City of Columbus in Deed Book 2794, Page 58; thence with the centerline of said Dresden Street, the following courses and distances: North 03° 38' 58" East, a distance of 129.53 feet to a point of curvature to the left; with the arc of said curve, having a central angle of 08° 43' 00", a radius of 459.95 feet, an arc length of 69.97 feet, a chord bearing and distance of North 02° 26' 11" West, 69.91 feet to a point; North 06° 47' 41" West, a distance of 31.90 feet to a point of curvature to the right; with the arc of said curve, having a central angle of 10° 15' 15", a radius of 390.09 feet, an arc length of 69.81 feet, a chord bearing and distance of North 01° 40' 03" West, 69.72 feet to a point; North 03° 27' 34" East, a distance of 98.82 feet to a point; thence North 86° 32' 26" West, across the right-of-way of said Dresden Street and across Reserve "C" of that subdivision entitled "Fountain Square" of record in Plat Book 43, Page 87 as conveyed to Deffet Rentals Inc. by deed of record in Deed Book 3107, Page 76, a distance of 31.00 feet to an iron pin set on the easterly line of said 14.583 acre tract, being the TRUE POINT OF BEGINNING; thence across said 14.583 acre tract, the following courses and distances: North 86° 12' 05" West, a distance of 643.46 feet to an iron pin set; North 03° 20' 11" East, a distance of 460.13 feet to an iron pin set; North 86° 42' 40" West, a distance of 121.97 feet to an iron pin set on the arc of a curve to the left, in an easterly line of the remainder of that 75.434 acre tract as conveyed to City of Columbus, Ohio by deed of record in Instrument Number 200301300030458 as leased to Columbus Urban Growth Corporation (99 Year Lease) of record in Instrument Numbers 200312290404389 and 200507290152157; thence with the common line to said 73.434 acre tract and said remainder 14.583 acre tract, the following courses and distances: with the arc of said curve, having a central angle of 65° 32' 17", a radius of 62.00 feet, an arc length of 70.92 feet, a chord bearing and distance of North 10° 52' 06" West, 67.12 feet to a point of reverse curvature; with the arc of said curve, having a central angle of 47° 09' 23", a radius of 38.00 feet, an arc length of 31.26 feet, a chord bearing and distance of North 20° 03' 33" West, 30.40 feet to a point;

North 03° 31' 08" East, a distance of 2.06 feet to an iron pin set on the northerly corner of said 14.583 acre tract, at the southerly terminus of the easterly right-of-way line of Tamarack.

Boulevard of record in Plat Book 111, Page 67, being at the southwesterly corner of Lot 2 of that subdivision entitled "Tamarack Boulevard Dedication and Easement" of record in Plat Book 111, Page 67;

thence South 86 "degrees" 32' 26" East, with the common line of said 14.583 acre tract and said Lot 2, a distance of 795.14 feet to an iron pin set at the easterly common corner of said 14.583 acre tract and said Lot 2, being on westerly line of Lot 2 of said Fountain Square as conveyed to State of Ohio Department of Natural Resources Parcel III by deed of record in Official Record 11889C20;

thence South 03 "degrees" 27' 34" West, with the westerly line of Lot 2 and reserve "C" of said "Fountain Square", a distance of 558.54 feet to the TRUE POINT OF BEGINNING and containing 8.515 acres of land, more or less.

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

The northerly right-of-way of Shanley Drive was assigned a bearing of North 86 "degrees" 28' 48" West as determined from Franklin County Survey Control Monuments Clerk and Clark AZIMUTH using the Ohio State Plane Coordinate System, South Zone as per NAD83 (1986 adjustment). Evans, Mechwart, Hambleton & Tilton, Inc.

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

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**Legislation Number:** 0852-2009

**Drafting Date:** 06/09/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The Columbus Health Department provides HIV/AIDS testing for patients of the STD Clinic and HIV Counseling and Testing Site. The Health Department uses OraQuick, a rapid HIV antibody detection test. It is highly accurate and provides results in 20 minutes. It is the only rapid test approved by the FDA for finger-stick, venipuncture, and oral fluid testing. The CDC recommends that the rapid HIV test be used to better ensure that all patients receive their results. OraSure is the sole manufacturer of OraQuick and is the only company that can legally distribute it to the Health Department.

The Columbus Health Department, as a public health agency, receives discounted pricing for the OraQuick test kits.

Emergency action is requested to ensure a sufficient supply of test kits for testing of patients.

Orasure's contract compliance number is 364370966, and expires 8/28/09.

**FISCAL IMPACT:** Funding for this purchase is budgeted in the 2009 Health Department Grants Fund.

### **Title**

To authorize the Director of Finance and Management to establish a purchase order with OraSure for the purchase of OraQuick HIV antibody detection test kits for the Columbus Health Department in accordance with sole source provisions of Columbus City Codes; to authorize the expenditure of \$12,400 from the Health Department Grants Fund; and to declare an emergency. (\$12,400)

**Body**

**WHEREAS**, the Columbus Health Department provides HIV testing for patients of the STD Clinic in the City of Columbus; and,

**WHEREAS**, the Columbus Health Department is in need of rapid HIV antibody detection test kits to provide the testing; and,

**WHEREAS**, OraSure is the sole supplier of OraQuick test kits; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with OraSure for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure a sufficient supply of test kits for testing of patients; Now, therefore,

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

**SECTION 1.** That the Director of Finance and Management is hereby authorized to establish a purchase order with OraSure for the purchase of rapid HIV test kits.

**SECTION 2.** That the total expenditure of \$12,400 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, OCA Code 509205, Grant No. 509205.

**SECTION 3.** That this purchase is in accordance with the provisions of the Columbus City Code, Section 329.07(e), "Sole Source Procurement."

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

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**Legislation Number:** 0853-2009

**Drafting Date:** 06/09/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Columbus Health Department provides HIV/AIDS testing for patients of the STD Clinic and HIV Counseling and Testing Site. The Health Department uses Uni-Gold HIV test kits, a rapid HIV test. It is highly accurate and provides results in 10 minutes. It is the only FDA approved, CLIA waived, rapid HIV test with a 10 minute turn-around time. The CDC recommends that the rapid HIV test be used to better ensure that all patients receive their results. Trinity Biotech is the sole manufacturer/distributor of these rapid HIV tests in the U.S.A.

The Columbus Health Department, as a public health agency, receives discounted pricing for the Uni-Gold test kits.

Emergency action is requested to ensure a sufficient supply of test kits for testing of patients.

Trinity Biotech's Contract Compliance No. is 161614982.

**FISCAL IMPACT:** Funding for this purchase is budgeted in the 2009 Health Department Grants Fund.

**Title**

To authorize the Director of Finance and Management to establish a purchase order with Trinity Biotech for the purchase of Uni-Gold HIV test kits for the Columbus Health Department in accordance with sole source provisions of the Columbus City Codes; to authorize the expenditure of \$20,000 from the Health Department Grants Fund; and to declare an emergency. (\$20,000)

**Body**

**WHEREAS**, the Columbus Health Department provides HIV testing for patients of the STD Clinic in the City of Columbus; and,

**WHEREAS**, the Columbus Health Department is in need of rapid HIV test kits to provide the testing; and,

**WHEREAS**, Trinity Biotech is the sole supplier of Uni-Gold test kits; and,

**WHEREAS**, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a contract with Trinity Biotech for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure a sufficient supply of test kits for testing of patients; Now, therefore,

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

**SECTION 1.** That the Director of Finance and Management is hereby authorized to establish a purchase order with Trinity Biotech for the purchase of rapid HIV test kits.

**SECTION 2.** That the total expenditure of \$20,000 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, OCA Code 509205, Grant No. 509205.

**SECTION 3.** That this purchase is in accordance with the provisions of the Columbus City Code, Section 329.07(e), "Sole Source Procurement."

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

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**Legislation Number:** 0856-2009

**Drafting Date:** 06/09/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Department of Public Utilities would like to modify and increase contract number EL003668 for the Dublin Road Water Plant (DRWP) Treatment Capacity Increase Study & Evaluation Project for a consultant name change and for additional funding. The original contract was established with Metcalf & Eddy, Inc., whom now goes by their parent name, AECOM USA, Inc.

As per the recommendations of the Water beyond 2000 project, the original contract provided for a production study to evaluate the feasibility and changes required to increase the current design capacity of the Dublin Road Water Plant from

65 MGD to 90 MGD, while maintaining water quality and compliance with existing and future regulatory requirements. Full scale and pilot scale demonstrations required by the Ohio EPA for approval were to be authorized by a planned future modification (as anticipated in the original legislation). Contract Modification No. 1 provided for the design, bidding services, construction assistance, plant operation, data analysis and reporting for the Pilot Plant Study. This proposed contract modification (Contract Modification No. 2) will cover the cost relating to additional construction services, additional startup and operation services, and analysis of additional alternatives proposed by the Comprehensive Master Planning Team (CMPT), that have varied from the initial concept and beyond the original scope of the contract. No future phases of this project are anticipated.

**1. Amount of additional funds to be expended: \$926,888.00**

Original Contract Amount: \$485,125.00

Amount of Modification #1: \$3,380,238.00

Amount of original contract and two modifications: \$4,792,251.00

**2. Reasons additional goods/services could not be foreseen:**

At the time Contract Modification No. 1 was proposed (October 25, 2005) and approved (February 14, 2006), the scope was outlined and estimated on the basis of the extent of detail described in the Study and Evaluation Report. All that was known at that time concerning construction details was what appeared on the Process Schematic and Concept Floor Space Plan for the Pilot Plant. The permanent building design was based on the concept that the building would be a pre-engineered structure requiring little input from the process engineer. The complexities of the actual building configuration, soils conditions and resulting foundation requirements, and site / utility routes and interferences were not identified at the time the contract modification was proposed. The pilot system design was based on the 3 basic process trains shown on the concept schematic being essentially delivered as vendor-furnished skids and control systems that would be interconnected in the field. The complexities of piping and controls, and the addition of equalization and recirculation of waste flows back through the pilot processes, were not yet identified at the time of the contract modification estimate. The following items from the Contract Task 3 scope substantiate that the detail process scheme was not developed at the time of the contract modification proposal. Due to the untraditional nature of this project, in that it is comprised of multiple vendor-supplied equipment and control systems and also requires a commitment of ongoing responsibility throughout pilot operation and ultimate system demolition, the contractor has had more questions and more need for coordination than anticipated in a traditional project. This is not even a typical pilot project because of its size and the multiple process trains. Just as the design fee could not be accurately estimated until the study and conceptual design were completed, the extent of construction assistance could not be accurately predicted until the detail design was complete. In October 2005, Contract Modification No.1 was proposed to carry the DRWP Increase Evaluation and Study through the piloting phase in order to lead the City to a selected technology for the future water plant expansion. A typical 2-week period was included for plant startup. The operation of the pilot plant was based solely on a preliminary process schematic and a preliminary building footprint available at the time of the Modification negotiation. Just as the construction assistance was difficult to estimate without a detail design, the operational requirements for the pilot plant were estimated without the benefit of a detail design. During the course of design, additional thought has evolved with respect to the specific personnel assignments for startup and operation of the pilot plant, particularly with the addition of quality assurance testing and sampling for additional parameters.

**3. Reason other procurement processes are not used:**

The process of selecting and contracting with a new consultant team at this time would further delay the project. This modification keeps the construction project on schedule to finalize the Dublin Road Water Plant Pilot Study. The contract was well under way when these design decisions were made. The consultant team is very familiar with the details of the project, the approving agencies and the bid documents. The additional cost and time associated with bidding out this work would well exceed any benefit.

**4. How cost of modification was determined:**

The Consultant prepared a detailed estimate of cost per task for remaining scope of work. City Project management staff reviewed and approved these cost summaries.

**Contract Compliance Information:** 22-2581306, expires 5/28/10, Majority

**FISCAL IMPACT:** This legislation includes a transfer of funds within the Water Works Enlargement Voted Bonds Fund and a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available. An amendment to the 2009 Capital Improvements Budget is also necessary.

**Title**

To authorize the Director of Public Utilities to modify and increase the professional engineering services contract with AECOM USA Inc. (f.k.a. Metcalf & Eddy, Inc.); for the DRWP Treatment Capacity Increase Study & Evaluation Project; to authorize the transfer of \$354,386.56 within the Water Works Enlargement Voted Bonds Fund; to authorize the appropriation and transfer of \$572,501.44 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$926,888.00 from the Water Works Enlargement Voted Bonds Fund; to amend the 2009 Capital Improvements Budget; for the Division of Power and Water. (\$926,888.00)

**Body**

**WHEREAS**, Contract No. EL003668 was authorized by Ordinance No. 0987-2003, passed July 7, 2003, was executed on August 19, 2003, and was approved by the City Attorney on September 2, 2003; and

**WHEREAS**, Modification No. 1 EL005793 was authorized by Ordinance No. 1873-2005, passed December 12, 2005, was executed on January 18, 2006, and was approved by the City Attorney on January 26, 2006; and

**WHEREAS**, the Division of Power and Water would like to modify the contract to change the vendor name from Metcalf & Eddy, Inc. to AECOM USA Inc., and to increase the contract for additional construction services, additional startup and operation services, and analysis of additional alternatives; and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer funds within the Water Works Enlargement Voted Bonds Fund; and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

**WHEREAS**, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Power and Water, to authorize the Director of Public Utilities to modify and increase the professional engineering services contract with AECOM USA, Inc. (f.k.a. Metcalf & Eddy, Inc.), for the DRWP Treatment Capacity Increase Study & Evaluation Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized and directed to modify the contract to change the vendor name from Metcalf & Eddy, Inc. to AECOM USA Inc., and to increase the contract for additional construction services, additional startup and operation services, and analysis of additional alternatives, for the DRWP Treatment Capacity Increase Study & Evaluation Project, in the amount of \$926,888.00.

**SECTION 2.** That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

**SECTION 3.** That the City Auditor is hereby authorized to transfer \$354,386.56 within the Division of Power and Water, Dept/Div. No. 60-09, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Object Level One 06, Object Level Three 6686, as follows:

**Project No. | Project Name | OCA Code | change**

690236 (carryover) | Water Main Rehab. | 642900 | -\$205,012.01  
690436 (carryover) | Fisher Booster Station Discharge | 690436 | -\$44,054.25  
690452 (carryover) | Scioto-Darby Creek Rd. 24" W. M. | 690452 | -\$40,616.94  
690474 (carryover) | Morse Rd. 36" W.M. | 642900 | -\$35,151.00  
690480 (carryover) | Morse Hamilton Booster Station | 606480 | -\$29,552.36  
690428 (carryover) | DRWP Treatment Capacity Increase | 606428 | +\$354,386.56

**SECTION 4.** That the 2009 Capital Improvements Budget is hereby amended as follows:

**Project No. | Project Name | Current Authority | Revised Authority | change**

690236-100000 (carryover) | Water Main Rehab. | \$477,838 | \$272,826 | -\$205,012  
690480-100000 (carryover) | Morse Hamilton Booster Station | \$29,553 | \$0 | -\$29,553  
690428-100000 (carryover) | DRWP Treatment Capacity Increase | \$0 | \$354,387 | +\$354,387

**SECTION 5.** That from the unappropriated monies in the Water System Reserve Fund, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$572,501.44, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

**SECTION 6.** That the City Auditor is hereby authorized and directed to transfer \$572,501.44, from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 7 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 7.** That the appropriation and expenditure of \$926,888.00 is hereby authorized for the DRWP Treatment Capacity Increase Study & Evaluation Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Project No. 690428, Object Level Three 6686, OCA Code 606428.

**SECTION 8.** That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 6 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 9.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account 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 the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$572,501.44 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen

months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

**SECTION 13.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0858-2009

**Drafting Date:** 06/09/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

The purpose of this ordinance is to authorize the Director of Public Utilities to enter into a service agreement with Simplex Grinnell for Security System Maintenance, Monitoring and Inspection at the Sewer Maintenance Operation Center. The security system and access cards used at the Sewer Maintenance Operation Center is maintained and monitored by Simplex Grinnell. This ordinance is being submitted in accordance with the Sole Source provisions of Columbus City Code, Section 329.07 (E).

The 1250 Fairwood Avenue Complex houses the Sewer Maintenance Section, Sewer Design Section, Sewer Administration, Treatment Engineering and the 911 Call Center. Simplex Grinnell installed and monitors the alarm system at the complex 24 hours a day, 7 days a week. The maintenance, monitoring and service includes Fire Alarm, Access Control and CCTV System. Contract is for one year through June 30, 2010. Quote from the company dated June 9, 2009 is attached.

**Supplier:** Simplex Grinnell (58-2608861-003) Expires 8-31-09

**Fiscal Impact:** \$22,031.40.

\$19,764.74 was spent in 2008

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

**Title**

To authorize the Director of Public Utilities to enter into a service agreement with Simplex Grinnell for Security System Maintenance, Monitoring and Inspection for the Division of Sewerage and Drainage in accordance with the provisions of Sole Source procurement of the Columbus City Code, and to authorize the expenditure of \$22,031.40 from the Sewerage System Operating Fund. (\$22,031.40)

**Body**

**WHEREAS**, the Sewer Maintenance Operation Center located at 1250 Fairwood Avenue houses a variety of the Division of Sewerage and Drainage sections along with the 911 Call Center, and

**WHEREAS**, the security system at the complex was installed and is monitored by Simplex Grinnell, and

**WHEREAS**, the Simplex Grinnell provides monitoring, maintenance and inspection of the security system which includes Fire Alarm, Access Control and CCTV System on a 24 hour, 7 days a week basis, and

**WHEREAS**, this ordinance is being submitted in accordance with the Sole Source provisions of Columbus City Code, and

**WHEREAS**, the Division of Sewerage and Drainage wishes to enter into a service agreement for a period of one (1) year to an including June 30, 2010, 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 Simplex Grinnell for the Security System Maintenance, Monitoring, and Inspection for the Division of Sewerage and Drainage.

**Section 2.** That the expenditure of \$22,031.40 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650,

OCA 606202  
Object Level 1: 03  
Object Level 03: 3398

**Section 3.** That this Council finds it in the best interest to enter into the agreement in accordance with the Sole Source provisions of Columbus City Code, Section 329.07 (E).

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

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**Legislation Number:** 0865-2009

**Drafting Date:** 06/10/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into an agreement with Kleinschmidt Associates, in the amount of \$48,300.00, for professional engineering services for the O'Shaughnessy Dam 6th Independent Consultant's Inspection Project.

A comprehensive inspection and subsequent report on the condition of the O'Shaughnessy dam will be performed and submitted to the Federal Energy Regulatory Commission (FERC) as required by federal regulation.

**2. BID INFORMATION:** The selection of the firm providing the professional engineering services has been performed in accordance with the procedures set forth in Columbus City Code, Section 329.14, "Awarding professional service contracts through requests for proposals." Requests for Proposals (RFP's) were received in August 2008 from Kleinschmidt Associates, DLZ Corporation, and Stantec Consulting Services.

Kleinschmidt Associates submitted the only proposal with a designated Independent Consultant meeting all of the pre-qualification requirements contained in the RFP and, thus, selected to perform the services for this project. Their Contract Compliance Number is 01-0371466 (expires 8/18/10, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Legislation Information Form.

The Contract Compliance Number for Kleinschmidt Associates is 34-6546916 (expires 7/10/10, Majority). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the

attached Legislation Information Form.

**3. FISCAL IMPACT:** This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available.

**Title**

To authorize the Director of Public Utilities to enter into an agreement with Kleinschmidt Associates for professional engineering services for the O'Shaughnessy Dam 6th Independent Consultant's Inspection Project; to authorize the appropriation and transfer of \$48,300.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$48,300.00 from the Water Works Enlargement Voted Bonds Fund; for the Division of Power and Water. (\$48,300.00)

**Body**

**WHEREAS**, three technical proposals for professional engineering services for the O'Shaughnessy Dam 6th Independent Consultant's Inspection Project were received in August 2008; and

**WHEREAS**, Kleinschmidt Associates was the firm selected to perform the design services for this project based on criteria set forth in Columbus City Codes; and

**WHEREAS**, it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); 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 enter into an agreement for professional engineering services for the O'Shaughnessy Dam 6th Independent Consultant's Inspection Project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the preservation of the public health, peace, property and safety;

**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 for the O'Shaughnessy Dam 6th Independent Consultant's Inspection Project. with the best responsive and responsible bidder, Kleinschmidt Associates, 204 Caughman Farm Lane, Suite 301, Lexington, SC 29072; in the amount of \$48,300.00; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water.

**SECTION 2.** That from the unappropriated monies in the Water System Reserve Fund, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$48,300.00, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

**SECTION 3.** That the City Auditor is hereby authorized and directed to transfer \$48,300.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 4.** That the appropriation and expenditure of \$48,300.00 is hereby authorized for the O'Shaughnessy Dam 6th

Independent Consultant's Inspection Project. as follows: Division of Power and Water, Fund No. 606, Division 60-09, Water Works Enlargement Voted Bonds Fund, Project No. 690251, Object Level Three 6686, OCA Code 690251.

**SECTION 5.** That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

**SECTION 7.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 8.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 9.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$48,300.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

**SECTION 10.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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**Legislation Number:** 0877-2009

**Drafting Date:** 06/11/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The Columbus Health Department has been awarded a grant from the U.S. Department of Agriculture. This ordinance is needed to accept and appropriate \$1,000 in grant money to help fund the 2009 Farmer's Market.

The Farmer's Market helps to increase access to economically priced fresh fruits and vegetables for the Near Eastside neighborhoods. This grant will assist in the printing of promotional materials to promote food stamp access.

This grant is for the period June 1, 2009 through December 31, 2009, in an amount not to exceed \$1,000.

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 Farmer's Market is partially funded by the City of Columbus and partially through contributions from the Ohio State University. This grant will further contribute to the operation of the market. The City operating fund portion is budgeted in the Health Special Revenue Fund, Fund 250. This program does not generate revenue or require a City match.

**Title**

To authorize and direct The Columbus Health Department to accept a grant from the U.S. Department of Agriculture in the amount of \$1,000; to authorize the appropriation of \$1,000 from the unappropriated balance of the Health Department Grants Fund; and to declare an emergency. (\$1,000)

**Body**

**WHEREAS,** \$1,000 in grant funds have been made available through the U.S. Department of Agriculture; and,

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

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

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

**SECTION 1.** That Columbus Health Department is hereby authorized and directed to accept a grant award of \$1,000 from the U.S. Department of Agriculture for the Farmer's Market grant program for the period June 1, 2009, through December 31, 2009.

**SECTION 2.** That from the monies in the Fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources during the twelve months ending December 31, 2009, the sum of \$1,000 is hereby appropriated to the Health Department, Division No. 50-01, as follows:

OCA: 509072; Grant No.: 509072; OL1:03; Amount:	\$1,000
Total for Grant No. 509072:	\$1,000

**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:** 0886-2009

**Drafting Date:** 06/15/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

This ordinance will grant permission to the following groups to apply for a temporary liquor permit authorizing the sale of alcoholic beverages at special events to be held during 2009 as listed in Section 1.

These organizations wish to sell alcoholic beverages to eligible patrons on various public streets and city property to be used for the events. There were no reports of public intoxication at Waterfire Columbus last year. This is the first year for the Urban Scrawl Arts Festival to sell alcoholic beverages.

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

The sale of alcoholic beverages at special events to be held during 2009:

- 1) Franklinton Board of Trade for Urban Scrawl Arts Festival, August 29;
- 2) Waterfire Columbus, Sept. 4;

**Fiscal Impact:**

N/A

**Title**To authorize and direct the Director of Recreation and Parks to grant consent to various organizations to apply for permission to sell alcoholic beverages at the following 2009 events: Urban Scrawl Arts Festival and Waterfire Columbus.

**Body**

**WHEREAS**, the following special events will take place during 2009: Urban Scrawl Arts Festival and Waterfire Columbus; and

**WHEREAS**, following precedent, the organizers of these events wish to sell alcoholic beverages at said events:

- 1) Franklinton Board of Trade for Urban Scrawl Arts Festival, August 29;
- 2) Waterfire Columbus, Sept. 4; and

**WHEREAS**, to this end, permission from the City of Columbus is required as it is the property owner involved; 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 Recreation and Parks be and is hereby authorized and directed to grant consent on behalf of the City of Columbus to the following organizations to apply for appropriate liquor permits to enable the non-profit groups to sell alcoholic beverages during the hours specified in said permits and at a specified locations during their 2009 special events:

- 1) Franklinton Board of Trade for Urban Scrawl Arts Festival, August 29;
- 2) Waterfire Columbus, Sept. 4; and

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

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**Legislation Number:** 0887-2009

**Drafting Date:** 06/15/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Need:** The Columbus Health Department has a need for the immediate purchase, installation, and programming of a card access control system and intercom for the foyer of the Health Commissioner's Offices that needs to be integrated into an existing Matrix system at the 240 Parsons Avenue facility. On June 3, 2009, Solicitation No. SO031863 was placed on the City of Columbus Vendor Services website for seven days. All forty-five vendors registered with the City for access control systems and security systems were solicited for bids. Three bids were received (0 MBE, 0 FBE). KNS Services, Inc., was determined to be the lowest, responsive, and responsible bidder. This capital purchase/service contract is being awarded to KNS Services, Inc., in the amount of \$4,580.00.

Because the bids are only valid for a limited number of days from the bid closing date, this legislation is submitted as an emergency. The total amount of this expenditure is \$4,580.00.

**Fiscal Impact:** Monies are available for this purchase within the Voted 1999, 2004 Health Department Bonds Fund, Fund No. 706, and are provided for in the 2009 Capital Improvements Budget.

KNS Services, Inc. Contract Compliance Number 31-1460220 Expiration date 10/31/10.

#### **Title**

To authorize the Director of Finance and Management to enter into a contract for the Health Department with KNS Services, Inc., for the purchase, installation, and programming of a card access control system and intercom for the 240 Parsons Avenue facility; to authorize the expenditure of \$4,580.00 from the Voted 1999, 2004 Health Department Bonds Fund; and to declare an emergency. (\$4,580.00)

#### **Body**

**WHEREAS**, there is a need for the immediate purchase, installation, and programming of a card access control system and intercom for the foyer of the Health Commissioner's Offices that needs to be integrated into an existing Matrix system at the 240 Parsons Avenue facility; and

**WHEREAS**, bids were sought through the City's Vendor Services webpage, via Solicitation No. SO031863, and, from the three bids received, KNS Services, Inc., was determined to be the lowest, responsive, and responsible bidder; and

**WHEREAS**, the need for this upgraded system is critical to the efficient operations of the 240 Parsons Avenue facility; and

**WHEREAS**, an emergency exists in the daily operations of the Department of Health in that it is immediately necessary for the Director of Finance and Management to enter into a contract for the purchase of an access control system and intercom for the Health Department's 240 Parsons Avenue facility for the immediate preservation of the public peace, property, health, safety and welfare; now, therefore,

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

**SECTION 1.** That the Director of the Department of Finance and Management is hereby authorized and directed to enter into a contract with KNS Services, Inc., in the amount of \$4,580.00 for the purchase, installation, and programming of a card access control system and intercom at the Health Department's 240 Parsons Avenue facility.

**SECTION 2.** That the expenditure of \$4,580.00 is hereby authorized from the Voted 1999, 2004 Health Department Bonds Fund, Fund No. 706, Project No. 570053-100000, Department of Health, Division No. 50, Object Level One 06, Object Level Three 6644, OCA No. 501713.

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

**SECTION 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

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

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**Legislation Number:** 0902-2009

**Drafting Date:** 06/16/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

### Explanation

**BACKGROUND:** This ordinance authorizes the Director of Finance and Management to establish a purchase order with All About Drains utilizing Universal Term Contract FL003479, which expires 3/30/2010, to provide emergency repair services (plumbing) to low and moderate-income households in Columbus as part of the Emergency Repair Program. Funding in the amount of \$14,761 is available from the Housing Preservation Fund. These additional funds are now available due to canceled emergency repair contracts.

Emergency Repair Program services include heating, plumbing, electrical and other emergency home repairs. These services are needed to protect the health and safety of the citizens of Columbus.

The Housing Preservation Fund was established to preserve the local supply of decent, safe, sanitary and affordable housing for low-income families. Funds are used to meet the housing needs identified in the Consolidated Plan to correct substandard and deteriorating conditions of homes owned by low and moderate-income households. The fund provides eligible homeowners with assistance for home repairs critical to preserving the housing stock and enabling homeowners to remain in their homes.

Emergency action is necessary to avoid interruptions in the delivery of vital program services.

**FISCAL IMPACT:** This ordinance authorizes the expenditure of \$14,761 from the Housing Preservation Fund to provide the continued operation of the Emergency Repair Program. These funds are available due to canceled emergency repair contracts.

### Title

To authorize the Director of Finance and Management to establish a purchase order with All About Drains for emergency home repair services for the Housing Division per the terms and conditions of the existing Universal Term Contract; to authorize the expenditure of \$14,761 from the Housing Preservation Fund; and to declare an emergency. (\$14,761)

### Body

**WHEREAS,** the Director of the Department of Development desires to continue the provision of the Emergency Repair Program; and

**WHEREAS,** the Purchasing Office established Universal Term Contract FL003479 with All About Drains for emergency repair services; and

**WHEREAS,** this ordinance authorizes the Director of Finance and Management to establish a purchase order with All About Drains for emergency home repair services for the Housing Division per the terms and conditions of the existing Universal Term Contract; and

**WHEREAS,** funds are available from the Housing Preservation Fund due to canceled emergency repair contracts; and

**WHEREAS,** the additional funds will be used to provide emergency repair services necessary to preserve the supply of decent, safe, sanitary and affordable housing; and

**WHEREAS**, Emergency Repair Program services include heating, plumbing, electrical and other emergency home repairs to low and moderate-income households in 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 establish said purchase order to avoid interruptions in the delivery of vital program services, 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 Finance and Management is hereby authorized to establish a purchase order with All About Drains for the purchase of Emergency Repair Services (plumbing) for the Housing Division for \$14,761 in accordance with the terms and conditions of the existing Universal Term Contract FL003479.

**Section 2.** That for the purpose as stated in Section 1, the expenditure of \$14,761 from the Housing Preservation Fund, or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-10, Fund 782, Project No. 782002, Object Level One 06, Object Level Three 6617, OCA Code 782002.

**Section 3.** That expenditures from this authorization will be in accordance with U. S. Department of Housing and Urban Development Regulations 24 CFR 570.200-206, CDBG Eligibility, to ensure consistency of housing programs and income eligibility for all programs as administered by the Housing Division.

**Section 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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0903-2009

**Drafting Date:** 06/16/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**Background:** The following is an ordinance to authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs in connection with the Lazelle Road Storage Tank Improvements Project.

**Fiscal Impact:** This legislation includes a transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund as a temporary measure until such time as the proceeds from a bond sale can be made available. It also includes an amendment to the 2009 Capital Improvements Budget to establish sufficient budget authority.

**Emergency Justification:** is requested to allow all land acquisition to begin immediately so that the City can meet current acquisition schedules.

**Title**

To authorize the City Attorney to acquire fee simple title and lesser interests, to contract for professional services, to authorize the appropriation and transfer of \$17,150.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and to authorize the expenditure of \$17,150.00 from the Water Works Enlargement Voted Bonds Fund; to amend the 2009 Capital Improvement Budget for the Division of Power and Water (Water) for costs in connection with the Lazelle Road Storage Tank Improvements Project; and to declare an emergency. (\$17,150.00)

**Body**

**WHEREAS,** the City of Columbus is engaged in the Lazelle Road Storage Tank Improvements Project; and

**WHEREAS,** it is necessary for this Council to authorize the City Auditor to transfer funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund; and

**WHEREAS,** the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the construction of the Project described in this Ordinance (collectively, the "Project"); and

**WHEREAS,** it is necessary to authorize an amendment to the 2009 Capital Improvement Budget for the purpose of providing sufficient authority for the aforementioned project expenditure; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Power and Water, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project, to authorize the appropriation and transfer of funds from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

**SECTION 1.** That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Lazelle Road Storage Tank Improvements Project, Project No. 690424.

**SECTION 2.** That from the unappropriated monies in the Water System Reserve Fund, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2009, the sum of \$17,150.00, is hereby appropriated to the Division of Power and Water, Division 60-09, Object level One 10, Object level Three 5502, OCA 695056.

**SECTION 3.** That the City Auditor is hereby authorized and directed to transfer \$17,150.00 from the Water System Reserve Fund to the Water Works Enlargement Voted Bonds Fund, Fund No. 606, into the appropriate project account as specified within Section 4 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

**SECTION 4.** That the appropriation and expenditure of \$17,150.00 is hereby authorized for the Lazelle Road Storage Tank Improvements Project as follows: Division of Power and Water, Fund No. 606, Division 60-09, Water Works Enlargement Voted Bonds Fund, Project No. 690424, Object Level Three 6601, OCA Code 606424.

**SECTION 5.** That upon obtaining other funds for the purpose of funding water system capital improvement work, the City Auditor is hereby authorized to repay the Water System Reserve Fund the amount transferred under Section 3 above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 6.** That the 2009 Capital Improvements Budget, Ordinance 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the aforementioned project expenditure stated herein:

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

690424-100000 | Lazelle Road | \$157,277 | \$174,427 | (+\$17,150)

**SECTION 7.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

**SECTION 8.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 9.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 10.** That the City intends that this Ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$17,150.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the Water System Reserve Fund 603, which is the fund from which the advance for costs of the Project will be made.

**SECTION 11.** 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.

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**Legislation Number:** 0915-2009

**Drafting Date:** 06/17/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The Division of Fire has been awarded a grant from the Department of Homeland Security to purchase Radiological Detection and Bomb Disposal Products and Training for the Bomb Squad. The total cost of the equipment and training will be \$100,000.00. The payment will be issued by Franklin County, on behalf of the Department of Homeland Security and Ohio Emergency Management Agency. The City of Columbus and Franklin County entered into an Intergovernmental Agreement via Ordinance 1691-2006, passed October 18, 2006, to enable this type of purchase.

This legislation will authorize and direct the Director of Finance and Management to execute those documents necessary for the acquisition of this equipment and training.

**Bid Information:** The Division of Fire applied for and was approved for a State Homeland Security Grant to purchase Radiological Detection and Bomb Disposal Products and Training for the Bomb Squad. The highly specialized and proprietary nature of this equipment and training, and requirements of the grant, are such that Sole Source procurement provisions are being pursued as per Section 329.07 (e) of the Columbus City Code. This proprietary, unique equipment and training is the only of its kind approved for grant funding by the Department of Homeland Security.

This specialized and proprietary equipment and training is unique and offered only by W L Bar, LLC. All training that is funded through US Homeland Security training grants must be approved by the United States Homeland Security Office of Domestic Preparedness to be eligible for funding. There are no other approved courses that meet our training requirement at this time. This training is specific for Bomb Squads, and is limited due to the sensitive nature and the small number of bomb squads in the United States.

This Company is not debarred according to the Excluded Parties listing of the Federal Government and is not listed in the Auditor of State database for Findings for Recovery.

**Contract Compliance:** W L Bar, LLC ~ 432434438 exp. 4/18/2010

**Emergency Designation:** This legislation is requested to be passed as an emergency measure due to the need to acquire this specialized equipment and training as soon as possible and prior to the expiration of the grant period, which is March 31, 2010.

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$100,000.00 in grant funds from the Department of Homeland Security and the Ohio Emergency Management Agency. The grant funds are being administered by Franklin County. Therefore, there is no fiscal impact to the General Fund for this expenditure.

**Title**To authorize the Director of Finance and Management to enter into a contract for the acquisition of Radiological Detection and Bomb Disposal Products and Training for the Division of Fire from W L Bar, LLC, utilizing Homeland Security Grant funds in accordance with Sole Source Procurement Provisions of the Columbus City Codes; and to declare an emergency. (\$0.00)

**Body**

**WHEREAS**, the Division of Fire is in need to acquire Radiological Detection and Bomb Disposal Products and Training for the Bomb Squad from WL Bar, LLC, the sole provider of such equipment and training; and

**WHEREAS**, the Division of Fire has been awarded a grant from the Department of Homeland Security to purchase said equipment and training for it's Bomb Squad; and

**WHEREAS**, this acquisition is being made in accordance with Sole Source Provisions; and

**WHEREAS**, by prior ordinance 1691-2006, Franklin County will issue the payment using Homeland Security grant funds; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Fire, Department of Public Safety, in that it is immediately necessary to authorize and direct the Director of Finance and Management to execute those documents necessary for the acquisition of said equipment and training prior to the expiration of the grant period, 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 Finance and Management be and is hereby authorized and directed to execute those documents necessary to enter into a contract with W L Bar, LLC for the acquisition of Radiological Detection and Bomb Disposal Products and Training for the Division of Fire's Bomb Squad.

**SECTION 2.** There is no City related expenditure associated with this ordinance; grant funds from the Department of Homeland Security are being administered via Franklin County.

**SECTION 3.** That this Council finds it is in the best interest of the City of Columbus that this acquisition be in accordance with the provisions Sole Source Provisions of Section 329.07(e), of the Columbus City Codes.

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

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**Legislation Number:** 0916-2009

**Drafting Date:** 06/17/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:**

This ordinance authorizes the Director of the Department of Human Resources and the Director of the Department of Technology to immediately enter into an agreement with Trivantis Corporation, for the acquisition of Lectora Professional Publishing Suite (authoring software) and CouresMill Learning Management System (LMS), server software, software maintenance and support, as well as training related to the installation and utilization of said products. The software maintenance and support will have a one year coverage period commencing upon an approved and certified City of Columbus purchase order. Also, the training shall commence upon the approval of a City of Columbus certified purchase order.

The Department of Human Resources and the Department of Technology are currently working together on the Lawson application related project, formally known as CHRIS (Columbus Human Resource Information System). In relation to the CHRIS project, there is a milestone need to deliver a web-based training to end users within various City of Columbus departments. In order to deliver this milestone training, software is needed. This training software as related to CHRIS, will align processes and procedures associated with daily operational responsibilities, such as yet not limited to HR (Human Resources), training, payroll, benefits and other CHRIS related functionalities across the City.

Due to the urgent and immediate need to install the software and to allow for the associated training, and to facilitate meeting deadlines and timelines, this legislation request approval to waive the competitive bidding provisions of the Columbus City Code Section 329. The Department of Human Resources (HR) exercised due diligence, completing an informal bid process by researching various training software to assist with determining what will be suitable for the CHRIS Lawson application, by obtaining information and quotes to satisfy the informal bid process. The waiver will allow the City to acquire the necessary software, maintenance, support, training and related services, with the research information being listed within the attached bid waiver document (Ord#0916-2009Bid Waiver Trivanits.doc).

From the research it was decided that the necessary software would either be self contained or work alongside a LMS that simultaneously had a history of interfacing with the Lawson CHRIS product. Also, out of the research it was determined that it is in the best interest of the City to acquire the necessary software, training and maintenance support from Trivantis Corporation. Trivantis Corporation provides two products, Lectora and Course Mill which together will provide a customized training for the end users of the CHRIS platform, along with utilizing the course authoring tool that is necessary for the course developer. Trivantis is an Ohio based company and has worked with other Ohio government agencies that use Lectora and CourseMill.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

**EMERGENCY:** Emergency designation is requested in order to implement the software and training and to meet the required deadlines associated with the CHRIS project.

**FISCAL IMPACT:** Funding for the software, training, and maintenance support, from Trivantis Corporation, in the amount of \$33,544.83, has been identified and is available within the 2009 Department of Technology Information Services Fund, with the maintenance and support coverage period of twelve months upon approval of a certified City of Columbus purchase order.

**CONTRACT COMPLIANCE:** 311667388 Expires: 5/21/2011

**Title**To authorize the Director of the Department of Technology and the Director of the Department of Human Resources to enter into contract with Trivantis Corporation, for software; training; maintenance and support associated with the CHRIS project; to authorize the expenditure of \$33,544.83 from the Department of Technology's Information Services Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$33,544.83)

**Body**

**WHEREAS,** this ordinance authorizes the Director of the Department of Human Resources and the Director of the Department of Technology to immediately enter into an agreement with Trivantis Corporation, for the acquisition of

Lectora Professional Publishing Suite (authoring software) and CouresMill Learning Management System (LMS), server software, software maintenance and support, as well as training related to the installation and utilization of said products, and

**WHEREAS**, with the maintenance and support having a one year coverage period commencing upon an approved and certified City of Columbus purchase order. Also, the training and other related services shall commence upon the approval of a City of Columbus certified purchase order, and

**WHEREAS**, the Department of Human Resources and the Department of Technology are currently working together on the Lawson application related project, formally known as CHRIS (Columbus Human Resource Information System), and

**WHEREAS**, in relation to the CHRIS project, there is a milestone need to deliver a web-based training to end users within various City of Columbus departments. In order to deliver this milestone training, software is needed. This training software as related to CHRIS, will align processes and procedures associated with daily operational responsibilities, such as yet not limited to HR (Human Resources), training, payroll, benefits and other CHRIS related functionalities across the City, and

**WHEREAS**, due to the urgent and immediate need to install the software and to allow for the associated training, this ordinance requests permission to waive the competitive bidding requirements of Columbus City Code within section 329, and

**WHEREAS**, the Department of Human Resources exercised due diligence by researching various training software to assist with determining what will be suitable for the CHRIS Lawson application, by obtaining information and quotes to satisfy the informal bid process, and

**WHEREAS**, an emergency exists in the usual daily operation of the city in that it is immediately necessary to authorize the Director of the Department of Human Resources and the Director of the Department of Technology to enter into a contract with Trivantis Corporation to acquire software and associated 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 and the Director of the Department of Human Resources be and is hereby authorized to enter into contract with Trivantis Corporation, for software; training; maintenance and support associated with the CHRIS project, in the amount of \$33,544.83 from the Department of Technology's Information Services Fund. The maintenance and support having a one year coverage period commencing upon an approved and certified City of Columbus purchase order. Also, the training shall commence upon the approval of a City of Columbus certified purchase order.

SECTION 2: That the expenditure of \$33,544.83 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div.:** 47-02|**Fund:** 514|**Subfund:** 001|**OCA Code:** 280735|**Obj. Level 1:** 03|**Obj. Level 3:** 3331|  
**Amount:** \$10,165.95

**Div.:** 47-02|**Fund:** 514|**Subfund:** 001|**OCA Code:** 280743|**Obj. Level 1:** 02|**Obj. Level 3:** 2224|  
**Amount:** \$6,797.52

**Div.:** 47-02|**Fund:** 514|**Subfund:** 001|**OCA Code:** 470202|**Obj. Level 1:** 03|**Obj. Level 3:** 3369|  
**Amount:** \$1,704.69

**Div.:** 47-02|**Fund:** 514|**Subfund:** 001|**OCA Code:** 280743|**Obj. Level 1:** 06|**Obj. Level 3:** 6649|  
**Amount:** \$14,876.67

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 in accordance with Section 329.27 of the Columbus City Codes, City Council finds it to be in the best interest of the City of Columbus that the competitive bidding requirements of Chapter 329 of the Columbus City Codes be and are hereby waived.

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

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**Legislation Number:** 0921-2009

**Drafting Date:** 06/18/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

#### Background:

This ordinance authorizes the Franklin County Municipal Court Clerk to modify and extend the contracts with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A for the provision of collection services for the Franklin County Municipal Court Clerk; authorizes an expenditure of \$540,000.000. The contracts commence August 3, 2009 through August 2, 2010.

On July 31, 2006, ordinance 1389-2006 was passed by Columbus City Council authorizing a three year contract with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A. The contracts included an option of a one year renewal by mutual agreement of both parties and the approval of Columbus City Council.

#### Contract Compliance Number:

Linebarger, Goggan, Blair & Sampson LLP: 74-2864602, Expires 02/06/2011

Dana & Pariser L.P.A.: 31-1465711, Expires 5/21/2010

These companies are not debarred according to the excluded party listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State unresolved finding for recovery certified search.

**Fiscal Impact:** The contracts are self-funding in that the percentage charged for collecting the receivables is added to the total debt collected, pursuant to ORC 2335.24; thereby, negating any costs to the City of Columbus for this service. Funds totaling \$540,000.000 are available in the Municipal Court Clerk's collection fund budget appropriations.

### Title

To authorize and direct the Franklin County Municipal Court Clerk to modify and extend contracts with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A, for the provision of collection services; to authorize an expenditure up to \$540,000.00 from the Clerk's collection fund; and to declare an emergency. (\$540,000.00)

### Body

**Whereas**, it is necessary to enter into the contracts with Linebarger, Goggan, Blair & Sampson LLP and Dana & Pariser L.P.A. to continue to collect the accounts receivables for the Franklin County Municipal Court, Clerk of Court; and

**Whereas**, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk, in that it is immediately necessary to authorize said contracts for the collection services without interruption, for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

**Section 1.** That the Franklin County Municipal Court is hereby authorized and directed to modify and extend the contracts for one year with Linebarger, Goggan, Blair & Sampson, LLP and Dana & Pariser L.P.A. for the provision of the collection services for Municipal Court Clerk's Office.

**Section 2.** That the expenditure of \$270,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Municipal Court Clerk's collection fund, fund 295, subfund 02, department 2601, oca 261295, object level one 03, object level three - 3336 to contract with Linebarger, Goggan, Blair & Sampson LLP.

**Section 3.** That the expenditure of \$270,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Municipal Court Clerk's collection fund, fund 295, subfund 02, oca 261295, object level one 03, object level three - 3336 to contract with Dana & Pariser L.P.A.

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

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**Legislation Number:** 0929-2009

**Drafting Date:** 06/19/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** The Department of Public Safety, Division of Police, upgraded its existing Automated Fingerprint Identification System (AFIS) in 2005. It is imperative for the Division of Police to maintain this technology which is crucial for fingerprint identification. This ordinance is requesting funding for maintenance from December, 2008 through February, 2010 in the total amount of \$516,615.17. Approximately \$216,615 of the total maintenance amount will be funded with General Funds. The remaining \$300,000.00 is being funded by a grant award through the 2009 JAG American Recovery and Reinvestment Act (ARRA). The total amount of \$516,615.17 will enable the Division to enter into contract for fifteen months ending in February, 2010.

**Bid Information:** The proprietary nature of AFIS technology and the prohibitive cost of conversion to a different system mandate the maintenance contract to our current system be purchased from the sole source provider of the existing system, Sagem Morpho, Inc.

This company is not debarred according to the Federal excluded parties listing or prohibited from being awarded a contract according to the Auditor of State unresolved findings for recovery certified search.

Contract Compliance No.: 33-0154789, expires 08/15/2009

**Emergency Designation:** Emergency legislation is necessary so that Police may continue to check fingerprints utilizing the existing technology and contractor.

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$516,615.17 for a contract with Sagem Morpho for maintenance of the Automated Fingerprint Identification System (AFIS). Approximately \$216,000 was budgeted in the 2009 Police General Fund budget for this purpose. The balance of funds or \$300,000, is budgeted as part of the Justice Assistance Grant from the Federal Department of Justice. This legislation is contingent upon the passage of ordinance number 0888-2009, which appropriates the Grant funds.

#### **Title**

To authorize and direct the Safety Director to enter into a maintenance contract with Sagem Morpho, Inc. for the Division of Police's Automated Fingerprint Identification System (AFIS) in accordance with sole source procurement provisions of

the Columbus City Codes; to authorize the expenditure of \$516,615.17 from the General Fund and the Safety Grant Fund; and to declare an emergency. (\$516,615.17)

**Body**

**WHEREAS**, the Division of Police needs a maintenance agreement for the current Automated Fingerprint Identification System (AFIS); and

**WHEREAS**, monies from the General Fund and the Justice Assistance Grant (JAG) fund will enable the Division to extend the contract through February 28, 2010; and

**WHEREAS**, the AFIS system is an invaluable tool for law enforcement in the identification of fingerprints; and

**WHEREAS**, it is in the best interest of the City to enter into this contract in accordance with provisions of Section 329.07(e) (Sole Source) of the Columbus City Codes, 1959; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into a contract for maintenance of the AFIS system for the immediate preservation of the public peace, property, health, safety and welfare, now, therefore

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

**SECTION 1.** That the Safety Director be and is hereby authorized and directed to enter into contract with Sagem Morpho, Inc. for the purchase of a maintenance agreement for the Automated Fingerprint Identification System (AFIS) for the Division of Police, Department of Public Safety.

**SECTION 2.** That said contract shall be awarded in accordance with the provisions of Section 329.07(e) (Sole Source) of the Columbus City Code, 1959.

**SECTION 3.** That the expenditure of \$516,615.17, or so much thereof as may be needed, is hereby authorized as follows:

DIV 30-03 | FUND 010 | OBJ LEV (01) 03 | OBJ LEV (03) 3372 | OCA 300798 | AMOUNT \$216,615.17  
DIV 30-03 | FUND 220 | OBJ LEV (01) 03 | OBJ LEV (03) 3372 | OCA 339136 | GRANT 339034 | AMOUNT \$300,000.00

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

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**Legislation Number:** 0931-2009

**Drafting Date:** 06/19/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**ExplanationBACKGROUND:** This legislation authorizes the Director of Finance and Management to establish a purchase order, on behalf of the Department of Technology, from an existing Universal Term Contract (UTC), for software maintenance and support, associated with Veritas licenses, that support daily City business operations; provide support for daily backup of information and data; and provide for system recovery services. These maintenance and support services will be provided by DLT Solutions, Inc.

The Purchasing Office established a UTC through the passage of ordinance 1517-2006, passed 11/6/2006, which allowed for the purchase of Veritas licenses, maintenance and support (FL003323 - BPSFT15A), for various City of Columbus agencies and the Department of Technology, the largest user; with a two year contract term, expiring on December 31,

2008, with an option to renew for one more year; of which all parties previously agreed to exercise the one year renewal option to continue with the terms and conditions provided within the UTC through December 31, 2009.

**CONTRACT COMPLIANCE:** DLT Solutions, Inc. MAJ, CC #54-1599882 expires 08/29/2009

**EMERGENCY:** Emergency action is requested to expedite authorization of the needed purchase order in order to facilitate and maintain uninterrupted services from the supplier.

**FISCAL IMPACT:** Last year, the Department of Technology expended \$101,630.17 associated with maintenance and support for the Veritas license, with various coverage periods. The cost of \$85,977.86, associated with this ordinance is available within the Department of Technology, Information Services Fund; and will provide for additional maintenance and support for the backup recovery system, with various coverage periods as outlined within the quote; and will be provided by DLT Solutions, Inc.

**Title**To authorize and direct the Finance and Management Director to establish a purchase order, on behalf of the Department of Technology, from an existing Universal Term Contract, for software maintenance and support, associated with Veritas licenses, provided by DLT Solutions, Inc.; to authorize the expenditure of \$85,977.86 from the Department of Technology's Information Services Fund; and to declare and Emergency (\$85,977.86)

**Body****WHEREAS,** this legislation authorizes the Director of Finance and Management to establish a purchase order, on behalf of the Department of Technology, from an existing Universal Term Contract (UTC), for software maintenance and support; and

**WHEREAS,** the maintenance and support is associated with Veritas licenses, that support daily City business operations; provide for daily backup of information and data; and provide for system recovery services, with the maintenance services being provided by DLT Solutions, Inc; and

**WHEREAS,** the Purchasing Office established a UTC through the passage of ordinance 1517-2006, passed 11/6/2006, which allowed for the purchase of Veritas licenses, maintenance and support (FL003323 - BPSFT15A), with a two year contract term, expiring on December 31, 2008, with an option to renew for one more year; of which all parties have agreed to exercise the one year renewal option extending the expiration date to December 31, 2009; and

**WHEREAS,** the cost of \$85,977.86, associated with this ordinance is available within the Department of Technology, Information Services Fund; and will provide for additional maintenance and support for the backup recovery system, with various coverage periods as outlined within the quote; and

**WHEREAS,** an emergency exists within the usual daily operations of the Department of Technology, as there is an immediate need for the Director of Finance and Management to establish a purchase order for maintenance and support, associated with Veritas licenses, from DLT Solutions, Inc., to support daily operational needs throughout the City, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

**SECTION 1:** That the Finance and Management Director be and is hereby authorized to establish a purchase order, in the amount of \$85,977.86 for maintenance and support, from DLT Solutions, Inc., associated with Veritas Licenses, backup recovery system, with various coverage periods as outlined within the quote; of which upon approval of this ordinance the subsequent purchase order will be created and the quote will be attached.

**SECTION 2:** That the expenditure of \$85,977.86 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.:47-02|Fund:514|Subfund:001|OCA Code: 470202|Obj. Level 1: 03|  
Obj. Level 3:3369|Amount:\$85,977.86

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

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

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**Legislation Number:** 0934-2009

**Drafting Date:** 06/19/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

The Franklin County Municipal Court currently operates one Specialty Docket to process cases specifically for defendants who have been diagnosed with a mental illness. The mission of this Specialty Docket, or the Mental Health Program Docket, is to provide a collaborative delivery program that focuses on providing comprehensive services to address all aspects of the lives of those defendants who have been diagnosed with a mental illness and who qualify for the program. Following the Mental Health Program Docket court model, it is estimated that the City of Columbus can realize a substantial savings by expanding the Specialty Docket.

This expansion of the Specialty Docket will consist of two programs, the Solicitation Program and the Addiction Program. The Solicitation Program Specialty Docket, Changing Actions To Change Habits (CATCH Program), is intended to provide a mechanism to promote effective treatment as an alternative to incarceration for a person whose multiple solicitation arrests, summons and charges have negatively impacted the person's quality of life and community safety. Many of these individuals have a history of multiple arrests, criminal behavior, drug addiction, poverty and being victimized as a result of soliciting. The CATCH Program requires limited court involvement in treatment planning and compliance, which should result in more effective utilization of other court and county resources.

The Addiction Program Specialty Docket (APSD) is intended to provide a mechanism to promote effective treatment as an alternative to incarceration for a person whose arrests, summons and charges are associated with alcohol and/or chemical dependence (AOD), which negatively impact the person's quality of life and community safety. Many of these individuals have a history of multiple arrests, typically OMVI, criminal behavior, drug addiction, poverty and transient housing. The APSD requires limited court involvement in treatment planning and compliance, which should result in more effective utilization of other county and court resources.

This ordinance creates a subfund within the Special Projects Fund for the Municipal Courts Specialty Dockets and transfers \$100,000 from the Public Safety Initiatives Fund to the new subfund as established in this ordinance.

#### **FISCAL IMPACT:**

Funds were transferred on 6-01-09 from the Hotel/Motel Excise Tax Fund to the Public Safety Initiatives Fund in ordinance 0782-2009 for purpose of funding the Municipal Court's Specialty Docket Program .

To authorize and direct the City Auditor to establish a new subfund within the Franklin County Municipal Court's special project fund for the receipt of monies related to the Court's Specialty Docket Programs and to authorize the appropriation and transfer of \$100,000 from the Public Safety Initiatives Fund . (\$100,000)

**Body**

**Whereas,** The Franklin County Municipal Court currently operates one Specialty Docket to process cases specifically for defendants who have been diagnosed with a mental illness, and;

**Whereas,** Following the Mental Health Program Docket court model, it is estimated that the City of Columbus realize a substantial cost savings by establishing an Addiction Program and Solicitation Program; and

**Whereas,** it is in the best interest of the Franklin County Municipal Court to establish a fund/subfund to receive funds related to the Court's Specialty Docket Programs; and

**Whereas,** Ordinance 0782-2009 passed on June 1, 2009 transferred \$100,000 from the Hotel/Motel Excise Tax Fund to the Public Safety Initiatives Fund to be allocated to the Municipal Court Judges in order to fund the Specialty Court Docket Expansion; and

**Whereas,** it is the intention of City Council to continue to support the expansion of the Specialty Docket Program , now;

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

**Section 1.** That the City Auditor be and is hereby authorized and directed to establish a subfund, within the Franklin County Municipal Court, special project fund, fund number 226 to account for revenues that relate to the Municipal Court Judges Specialty Docket Programs.

**SECTION 2.** That the City Auditor be authorized to appropriate and transfer \$100,000 as follows:

**From:**

Fund 016 Public Safety Initiatives, Div 44-01, OCA 441601, OL3 5501

**To:**

OCA codes and subfund number for Fund 226 to be issued by the City Auditor upon creation of a new subfund.

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

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**Legislation Number:** 0936-2009

**Drafting Date:** 06/22/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**1. BACKGROUND

Need: The Ohio Water Development Authority (OWDA) requires this legislation which authorizes the Director of Public

Utilities to apply for and execute up to eleven (11) OWDA Local Government Agency Loan Program loan agreements totaling approximately \$29.5 million, for construction of eleven Water projects as identified in Section 1. under the direction of the Division of Power and Water. These Capital Improvements Projects are being financed through the OWDA Local Government Agency Loan Program. This loan program is administered by the OWDA. The loan program provides low interest rate loans for municipal water utility capital improvements.

2. EMERGENCY DESIGNATION: The loan applications are now being prepared for these projects. This authorizing legislation is a requirement for loan approval and must be submitted to the OWDA as a part of each loan application. One of these loan agreements is scheduled for approval at the OWDA board meeting on July 30, 2009, therefore emergency designation is needed.

### 3. FISCAL IMPACT

Budgeted Amount: There is sufficient budget authority in the 2009 Water System Operating Fund for application fee expenditures. These loans will be paid off over a 20-year period from water system fees (dedicated source of repayment). Water rate increases have been projected and planned in anticipation of these projects and loans.

#### **Title**

To authorize the Director of Public Utilities to apply for, accept, and enter into up to eleven (11) Ohio Water Development Authority Local Government Agency Loan Program loan agreements, for the financing of eleven Division of Power and Water construction projects; to designate a dedicated repayment source for the loans; and to declare an emergency.

#### **Body**

**WHEREAS**, in 2009 the Department of Public Utilities is scheduled to prepare loan applications for approximately \$29.5 million in financing, for submittal to the Ohio Water Development Authority (OWDA) under the Local Government Agency Loan Program to finance, through below-market interest rate loans, the construction of up to eleven (11) Capital Improvements Projects under the Division of Power and Water, which financial assistance will be of help in reducing total project costs to the City's water customers; and

**WHEREAS**, prior to loan agreement approval by the OWDA, the loan application and loan agreement documents require the City to submit to the OWDA a certified copy of the approved City Council legislation which authorizes the Director of the Public Utilities Department to apply for and subsequently execute the loan agreements, and to authorize a dedicated source of loan repayment for the loans; and

**WHEREAS**, this legislation must be approved and a certified copy must be submitted to the OWDA prior to the board meeting on July 30, 2009 as part of the loan application and loan agreement approval process, therefore an emergency exists in the usual daily operation of the Division of Power and Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to apply for, accept, and enter into to up to eleven (11) OWDA Loan Agreements for the immediate preservation of the public peace, health, property, and safety; Now Therefore:

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

**Section 1.** That the Director of Public Utilities be, and hereby is, authorized to apply for, accept, and enter into up to eleven (11) Ohio Water Development Authority (OWDA) Local Government Agency Loan Program loan agreements, for the financing of up to eleven Division of Power and Water Capital Improvements Projects, as described below with the "not to exceed" construction project costs in parenthesis, as follows:

1. Mt. Vernon/King Lincoln (Whitney) Project, CIP No. 690236 [Contract No. 1139]; (\$1,265,000.00).
2. Doherty Road Water Line, CIP No. 690263; (\$1,265,000.00)
3. Markison Avenue Area Water Line Improvements, CIP No. 690236 [Contract No. 1109]; (\$2,310,000.00).
4. Gibbard Avenue Area Water Line Improvements 690236 [Contract No. 1108]; (\$1,320,000.00).
5. Main Street Water Main Cleaning, CIP No. 690402; (\$2,530,000.00).
6. Group Three Water Line Improvements, CIP No. 690236 [Contract No. 939]; (\$3,630,000.00).

7. Brown Road Water Line Improvements, CIP No. 690236 [Contract No. 991]; (\$6,710,000.00).
8. Parsons Avenue Water Plant Sludge Disposal Project, CIP No. 690414, (\$4,070,000.00).
9. Idlewild Water Main, CIP No. 690236 [Contract No. 981]; (\$1,100,000.00).
10. South Wellfield Expansion Project, CIP No. 690359; (\$2,420,000.00).
11. Underground Reservoir Electrical Service, CIP No. 690370; (\$2,904,000.00).

**Section 2.** That water rates are hereby authorized to be the dedicated source of repayment for the Ohio Water Development Authority Loan Agreements.

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

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**Legislation Number:** 0945-2009

**Drafting Date:** 06/24/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** The City Treasurer and other city agencies require armored car services to pick up and deliver deposits on a daily basis. In 2008, the City Treasurer's Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA002909). Eight (8) bids were solicited; one (1) bid was received. The only bidder submitted pricing that far exceeded budgeted amounts for the service. Negotiations were undertaken with the bidder to change the specifications in order to lower the pricing. As a result, the waiver of the competitive bidding provisions of the Columbus City Code was required. The original contract was for a period of one year, beginning August 1, 2008 through July 31, 2009 with an option for renewal of four one-year periods which was authorized by Columbus City Council on ordinance 1272-2008 passed July 21, 2008. The City Treasurer's Office wishes to modify and extend its contract with Brink's for the first year of the four one-year renewal options.

**Contract Compliance:** Brink's Incorporated, 362478302, expires June 30, 2010

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, safe and secure deliveries of the city's deposits will be interrupted.

**FISCAL IMPACT:** Funding for these services is budgeted and available in various agencies throughout the city.

#### **Title**

To authorize and direct the City Treasurer to modify and extend its contract for armored car services with Brink's Inc.; to authorize the expenditure of \$40,000 from various funds within the city; and to declare an emergency. (\$40,000.00)

#### **Body**

**WHEREAS**, as armored car services are necessary to ensure the safe and secure delivery of city deposits, this legislation is being submitted for consideration as an emergency measure; and

**WHEREAS**, the City Treasurer's Office wishes to modify and extend its current contract with Brink's Inc. for an additional year, through July 31, 2010; and

**WHEREAS**, an emergency exists in the usual daily operation of the City Treasurer's Office in that it is immediately

necessary to modify and extend the contract and authorize the expenditure for armored car services with Brink's Inc., thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

**SECTION 1.** That the City Treasurer be and is hereby authorized and directed to modify and extend the contract for provision of armored car services with Brink's Inc. through July 31, 2010.

**SECTION 2.** That the expenditure of \$40,000.00, or so much thereof as may be necessary, is hereby authorized, as follows:

Division: 5101 | Fund: 285 | OCA: 511139 | Object level one: 03 | Object level three code: 3395 | Amount: \$10,000.00 | Recreation and Parks

Division: 2601 | Fund: 010 | OCA: 260166 | Object level one: 03 | Object level three code: 3395 | Amount: \$7,000.00 | Municipal Court Clerk

Division: 5910 | Fund: 010 | OCA: 591013 | Object level one: 03 | Object level three code: 3395 | Amount: \$15,000.00 | Parking

Division: 4403 | Fund: 240 | OCA: 440386 | Object level one: 03 | Object level three code: 3395 | Amount: \$8,000.00 | Development Services

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

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**Legislation Number:** 0947-2009

**Drafting Date:** 06/24/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**Background:** This legislation authorizes the Director of Finance and Management Department on behalf of the Department of Technology (DoT) to establish two Purchase Orders from pending Universal Term Contracts (UTC), that are in process of being established by the Purchasing Office with Agilysys Inc., through approval of ordinance number 0890-2009, for EMC equipment and services and also for Hewlett Packard (HP) equipment and services (ordinance number 0892-2009). These services are utilized by DoT for repairs, maintenance support and upgrades associated with the EMC mass storage device, Storage Area Network (SAN) Switch and Hewlett Packard servers.

The Purchase Order established for annual hardware maintenance and technical support services on the EMC equipment is for the coverage period of July 1, 2009 through June 30, 2010 in the amount of \$53,467.00. The second Purchase Order is for annual hardware and software maintenance and technical support services on the Hewlett Packard equipment with a coverage period of July 1, 2009 through June 30, 2010 at a cost of \$226,673.00.

**Fiscal Impact:** The total funds necessary for this ordinance is \$280,140.00, and is budgeted and available within the Department of Technology's Information Services Fund. Of this amount, \$53,467.00 is for the maintenance support, repairs, upgrades and services associated with the EMC equipment. The amount of \$226,673.00 is for the same services associated with the HP equipment.

**Emergency:** Emergency action is being requested to allow for uninterrupted support and services important to the daily

operations.

**Contract Compliance:** 34-0907152 Expiration Date: 08/10/2009

**Title**To authorize the Director of Finance and Management Department on behalf of the Department of Technology to establish two Purchase Orders with Agilysys Inc. from pending Universal Term Contracts, for repairs, maintenance support and upgrades associated with the EMC mass storage device, Storage Area Network (SAN) Switch and Hewlett Packard servers; and to authorize the expenditure of \$280,140.00 from the Department of Technology's Information Services Fund; and to declare an emergency (\$280,140.00).

**Body****WHEREAS**, this legislation authorizes the Director of Finance and Management Department on behalf of the Department of Technology (DoT) to establish two Purchase Orders from pending Universal Term Contracts (UTC), that are in process of being established by the Purchasing Office with Agilysys Inc., through approval of ordinance number 0890-2009, for EMC equipment and services and also for Hewlett Packard (HP) equipment and services (ordinance number 0892-2009), and

**WHEREAS**, these services are utilized by DoT for repairs, maintenance support and upgrades associated with the EMC mass storage device, Storage Area Network (SAN) Switch and Hewlett Packard servers, and

**WHEREAS**, the cost associated with these annual maintenance and technical support services totals \$280,140.00 for the EMC mass storage device, Storage Area Network (SAN) Switch and Hewlett Packard servers, and other equipment, for a coverage period from July 01, 2009 through June 30, 2010, and

**WHEREAS**, an emergency exists in the usual daily operation of the city in that it is necessary to establish purchase orders with Agilysys Inc., to provide annual maintenance and technical supports services necessary for the City's equipment utilized by DoT and other departments and divisions, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

**SECTION 1:** That the Director of Finance and Management Department on behalf of the Department of Technology is hereby authorized to establish two Purchase Orders for annual maintenance and technical support services from pending Universal Term Contracts (UTC), that are in process of being established by the Purchasing Office with Agilysys Inc., through approval of ordinance number 0890-2009, for EMC equipment and services and also for Hewlett Packard (HP) equipment and services (ordinance number 0892-2009). The total funds necessary for this ordinance is \$280,140.00, and that both Purchase Orders term period coverage is from July 1, 2009 through June 30, 2010.

**SECTION 2:** That for the EMC equipment hardware maintenance support the expenditure of \$53,467.00 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div. 47-02|Fund: 514|Sub fund: 001|OCA: 470202 |Obj. Level 1: 03|Obj. Level 3: 3372 | Amount: \$53,467.00**  
**TOTAL AMOUNT: \$53,467.00**

**SECTION 3:** That for the HP hardware and software maintenance support the expenditure of \$226,673.00 or so much thereof as may be necessary is hereby authorized to be expended from:

**Div. 47-02|Fund: 514|Sub fund: 001|OCA: 470202 |Obj. Level 1: 03|Obj. Level 3: 3372 | Amount: \$69,849.29**  
**Div. 47-01|Fund: 514|Sub fund: 010|OCA: 220247|Obj. Level 1: 03|Obj. Level 3: 3372 | Amount: \$11,661.00 |Income Tax**  
**Div. 47-01|Fund: 514|Sub fund: 010|OCA: 500147|Obj. Level 1: 03|Obj. Level 3: 3372 | Amount: \$5,876.00 |Health**

**Div. 47-01|Fund: 514|Sub fund: 010|OCA: 510147|Obj. Level 1: 03|Obj. Level 3: 3372 | Amount: \$720.00 |Recs & Park**  
**Div. 47-01|Fund: 514|Sub fund: 240|OCA: 514240|Obj. Level 1: 03|Obj. Level 3: 3372 | Amount: \$9,000.00 |BDS**  
**Div. 47-01|Fund: 514|Sub fund: 010|OCA: 514245|Obj. Level 1: 03|Obj. Level 3: 3372 | Amount: \$3,086.00 |Public Safety - Support**  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 220147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$12,316.00 |City Auditor**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 230147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$3,013.00 |City Treasurer**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 300347| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$26,603.00 |Public Safety-Police**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 200147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$193.00 |City Council**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 300447| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$13,433.00 |Public Safety-Fire**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 450147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$1,042.00 |Finance**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 460047| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$378.00 |Human Resources**  
  
**Div.: 47-01| Fund: 514| Subfund: 599| OCA: 514599| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$302.00 |Transportation**  
  
**Div.: 47-01| Fund: 514| Subfund: 284| OCA: 514284| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$119.00 |Golf**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 590147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$13,855.00 |Public Service**  
  
**Div.: 47-01| Fund: 514| Subfund: 550| OCA: 514550| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$1,989.01 |Electricity**  
  
**Div.: 47-01| Fund: 514| Subfund: 600| OCA: 514600| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$12,651.40 |Water**  
  
**Div.: 47-01| Fund: 514| Subfund: 650| OCA: 514650| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$14,183.92 |Sewer**  
  
**Div.: 47-01| Fund: 514| Subfund: 675| OCA: 514675| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$3,782.38 |Stormwater**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 590247| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$37.00 |Refuse**  
  
**Div.: 47-01| Fund: 514| Subfund: 010 | OCA: 260147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$9,828.00 |Muni Clerk**  
  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 270147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$193.00 |Civil Service**  
**Div.: 47-01| Fund: 514| Subfund: 010| OCA: 240147| Obj. Level 1: 03| Obj. Level 3: 3372| Amount: \$2,734.00 |City**

Attorney

**Div.:** 47-01| **Fund:** 514| **Subfund:** 010| **OCA:** 250147| **Obj. Level 1:** 03| **Obj. Level 3:** 3372| **Amount:** \$9,828.00  
|Muni- Judge

**TOTAL AMOUNT: \$226,673.00**

**SECTION 4:** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

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**Legislation Number:** 0951-2009

**Drafting Date:** 06/25/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND**

This ordinance authorizes the Administrative Judge of the Franklin County Municipal Court to accept a grant in the amount of \$146,205 from the State of Ohio, Department of Rehabilitation and Correction, and to appropriate from the unappropriated balance of the general government grant fund to the Probation Department of the Franklin County Municipal Court, the total amount of the grant. This grant will fund a significant portion of the salaries and fringe benefits of two probation officers who will perform specialized supervision to individuals with multiple convictions for operating a vehicle under the influence of alcohol or drugs. In addition, this ordinance authorizes a transfer of \$11,500 from the Court's special revenue fund, probation fees, as a grant match to fund the balance of the salaries and fringe benefits not funded by the State of Ohio.

#### **FISCAL IMPACT**

No general fund resources are needed as the grant match is available from the Court's special revenue fund, probation fees.

Emergency legislation is requested to expedite funding for the new grant cycle as close to its commencement on July 1, 2009 as possible.

### **Title**

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept a grant award from the State of Ohio, Department of Rehabilitation and Correction; to appropriate \$146,205 from the unappropriated balance of the general government grant fund to the Franklin County Municipal Court; to transfer \$11,500 from the Municipal Court special revenue fund, probation fees, to the general government grant fund; and to declare an emergency. (\$157,705.00)

### **Body**

**WHEREAS**, it is in the city's best interest that the Franklin County Municipal Court continue to receive support for its enhanced probationary services for offenders with multiple convictions for operating a vehicle under the influence of alcohol or drugs; and

**WHEREAS**, grant monies from the State of Ohio, Department of Rehabilitation and Correction, in the amount of \$146,205 are available to provide for salaries and benefits of two probation officers; and

**WHEREAS**, a grant match in the amount of \$11,500 will be provided by probation user fees for the remaining portion; and

**WHEREAS**, an emergency exists in the usual daily operation of the city, in that it is immediately necessary to accept the aforementioned grant to continue probationary services in the area of victim assistance and to appropriate and transfer the necessary funds for the program thereby preserving the public health, peace, property, safety and welfare; Now, Therefore,

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

**SECTION 1.** That the Administrative Judge of the Franklin County Municipal Court be and is hereby authorized to accept a grant in the amount of \$146,205 from the State of Ohio, Department of Rehabilitation and Correction.

**SECTION 2.** That the City Auditor be and is hereby authorized and directed to transfer \$11,500 from the Franklin County Municipal Court, probation fees, fund number 227, subfund 003, oca 250324, object level 1 - 10, object level 3 - 5501 to the general government grant fund, fund number 220, grant number 259012, oca number 259012, object level 1 - 80, object level 3 - 0886.

**SECTION 3.** That from the unappropriated balance in the general government grant fund, fund 220, and from all monies estimated to come into said fund from any and all sources and appropriated for any other purpose during the twelve months ending September 30, 2009, the sum of \$157,705 is appropriated to the Franklin County Municipal Court, department number 2501 as follows: grant number 259012, oca 259012, object level 1 - 01, object level 3 - 1101.

**SECTION 4.** That the expenditure of \$157,705 or as much as may be necessary is hereby authorized from the Franklin County Municipal Court, department number 2501, general government grant fund, fund 220, grant number 259012, oca 259012, object level 1 - 1101.

**SECTION 5.** That the monies appropriated in the foregoing Section 4 shall be paid upon the order of the Administrative Judge of the Franklin County Municipal Court and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 6.** That at the end of the grant term, the City Auditor is authorized to transfer the unused portion of the grant match, returning the funds to the Franklin County Municipal Court, probation fees, fund number 227, subfund 003.

**SECTION 7.** That the City Auditor is authorized to make any accounting changes necessary to ensure that these transactions are properly accounted for and recorded accurately on the city's financial records.

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

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**Legislation Number:** 0955-2009

**Drafting Date:** 06/25/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**[Explanation](#)**

**Background:**

The City of Columbus is engaged in the South Wellfield Expansion project, and has acquired a well site, located at the south east corner of State Route 665 and the Scioto River in Hamilton Township, which is intended to be used for water production purposes. The Ohio Environmental Protection Agency ("EPA") requires that the well site and the water withdrawn therefrom be protected against possible contamination arising from the use of the property immediately surrounding the well site. The National Lime and Stone Company ("National Lime"), an Ohio corporation, is the owner of the property immediately adjacent to the well site. National Lime desires to grant the City approximately 8.469 +/- acres of real property which will provide a protective buffer around the well, reserving an ingress/egress access easement thereon to allow vehicular traffic to access its remaining real property. In exchange for the buffer area, the City will grant National Lime certain City owned real property of equal acreage, located further away from and to the south of the well site. The following legislation authorizes the Director of the Department of Public Utilities to execute those documents necessary to exchange land of equal acreage with National Lime.

**Fiscal Impact:** The land exchange will equally benefit both the City and The National Lime and Stone Company; therefore no money will be involved.

**Emergency Justification:** Emergency Action is requested to allow for the immediate protection of the City's well water production site without delay.

**Title**

To authorize the Director of the Department of Public Utilities to execute those documents necessary to accept 8.469 ± acres of certain real property located at the south east corner of State Route 665 and the Scioto River in Hamilton township for water production purposes, in exchange for a deed of equal acreage to be granted to The National Lime and Stone Company, an Ohio corporation; to waive the Land Review Commission provisions of the Columbus City Codes (1959) and to declare and emergency

**Body**

WHEREAS, The City of Columbus is engaged in the South Wellfield Expansion project, and has acquired a well site, located at the south east corner of State Route 665 and the Scioto River in Hamilton Township, which is intended to be used for water production purposes; and

WHEREAS, the Ohio Environmental Protection Agency ("EPA") requires that the well site and the water withdrawn therefrom be protected against possible contamination arising from the use of the property immediately surrounding the well site; and

WHEREAS, the National Lime and Stone Company ("National Lime"), an Ohio corporation, is the owner of the property immediately adjacent to the well site; and

WHEREAS, National Lime desires to grant the City approximately 8.469 +/- acres of real property which will provide a protective buffer around the well; and

WHEREAS, in exchange for the buffer area, the City will grant National Lime certain City owned real property of equal acreage, located further to the south of the well site; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is necessary to authorize the Director of the Department of Public Utilities to execute those documents necessary to exchange properties of equal acreage for the preservation of the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the City of Columbus hereby accepts the following describe real property to be used for Department of Public Utilities purposes including water production:

8.469 +/-Acres Parcel  
and an Ingress/ Egress

Situate in the State of Ohio, County of Franklin, and the Township of Hamilton, being a part of Lot 6, the Mordecai Cloud Farm, of record in Plat Book 3, Page 382, and being a part of Section 4, Township 3 North, Range 22 West, Matthews Survey of Range XXII, Congress Lands East of the Scioto River, being an 8.469 acres parcel of land out of the 160.294 acres of land conveyed to The National Lime and Stone Company (Grantor) and described in Instrument Number 200701090005199, this and all further references being to the records of the Franklin County Recorder's Office, being more particularly described as follows;

Beginning at a point at which a magnetic nail was called but not found at the northwesterly corner of the Grantor's 160.294 acres in the center of State Route 665 and Jackson Street (sixty feet wide) in Shadeville, of record in Plat Book 4, Page 143, said point bearing North 3° 09' 51" East a distance of 50.00 feet from an iron set in the southerly right of way line of said State Route 665, of record in Ohio Department of Transportation Location Plan London-Groveport Road, FRA-665-(13.97-14.20) , and in the Grantors westerly line at the northeasterly corner of an 8.470 acres parcel conveyed to the City of Columbus in Deed Book 3674, Page 60, said center line point being the TRUE POINT OF BEGINNING of the 8.469 acres parcel being described;

thence, South 86° 50' 09" East, with the center of said State Route 665 (sixty feet wide) along the Grantor's northerly line, a distance of 170.00 feet to a point;

thence, South 03° 09' 51" West, crossing the Grantor's lands, a distance of 870.24 feet to an iron pin set buried 18 inches below the surface, passing an iron pin set at 30.00 feet in the southerly right of way of said State Route 665;

thence, South 88° 16' 16" West, crossing the Grantor's lands, a distance of 792.47 feet to an iron pin set buried 18 inches below the surface;

thence, North 26° 42' 52" West a distance of 549.44 feet to a point in the grantor's westerly line at the low water mark of the Scioto River from a survey of the Grantor's lands dated December 19, 2006, passing a reference iron pin set at 519.44 feet;

thence, North 63° 36' 16" East, with the said low water marks and the meanders of the Scioto River, a distance of 170.00 feet to a point at a northwesterly corner of the Grantor, and the southwesterly corner of the said City of Columbus 8.470 acres parcel;

thence, South 26° 42' 52" East, with a northerly line of the Grantor, and a southerly line of the said City of Columbus 8.470 acres, a distance of 407.06 feet to a buried iron pipe called and found, passing a reference iron pin called but not found at 14.00 feet, and a reference iron pin set at 30.00 feet;

thence, North 88° 16' 16" East, with a northerly line of the grantor and a southerly line of the Columbus said 8.470 acres, a distance of 395.13 feet to a buried iron pipe called and found;

thence, North 29° 09' 28" East, continuing with a westerly line of the grantor and an easterly line of the City of Columbus said 8.470 acres, a distance of 339.84 feet to an iron pin called and found;

thence, North 03° 09' 51" East, with a westerly line of the grantor and an easterly line of the

City of Columbus said 8.470 acres, a distance of 391.34 feet to the TRUE POINT OF BEGINNING of the parcel being described, passing the said iron pin set at the northeasterly corner of the City of Columbus 8.470 acres and the southerly right of way line of State Route 665 at 341.34 feet.

The parcel, as described above, contains 8.469 acres, more or less, subject to all legal highways, saving and excepting from the above described parcel a 1.333 acres permanent easement of ingress/egress, being more particularly described as follows;

Beginning for reference at a point at which a magnetic nail was called but not found at the northwesterly corner of the Grantor's 160.294 acres in the center of State Route 665 and Jackson Street (sixty feet wide) in Shadeville, of record in Plat Book 4, Page 143, said point bearing North 3° 09' 51"

East a distance of 50.00 feet from an iron set in the southerly right of way line of said State Route 665, of record in Ohio Department of Transportation Location Plan London-Groveport Road, FRA-665-(13.97-14.20) , and in the Grantors westerly line at the northeasterly corner of an 8.470 acres parcel conveyed to the City of Columbus in Deed Book 3674, Page 60;

thence, South 86° 50' 09" East, with the center of said State Route 665 and said Jackson Street (sixty feet wide), a distance of 170.00 feet to a point;

thence, South 03° 09' 51" West, with the easterly line of the above described 8.469 acres, a distance of 30.00 feet to an iron pin set in the southerly right of way line of said State Route 665 and Jackson Street at the TRUE POINT OF BEGINNING of the 1.333 acres ingress/egress easement being described;

thence, South 03° 09' 51" West, continuing with the said 8.469 acres easterly line, a distance of 203.77 feet to a point;

thence, North 86° 50' 09" West, crossing the said 8.469 acres described above, a distance of 37.98 feet to a point;

thence, South 27° 23' 48" West, continuing across the said 8.469 acres, a distance of 294.81 feet to a point;

thence, South 05° 03' 25" West, continuing across the said 8.469 acres, a distance of 210.50 feet to a point;

thence, South 08° 41' 15" East, continuing across the said 8.469 acres, a distance of 172.13 feet to a point in the southerly line of the said 8.469 acres;

thence, South 88° 16' 16" West, with the said 8.469 acres southerly line, a distance of 60.45 feet to a point in the southerly line of the said 8.469 acres;

thence, North 08° 41' 15" West, leaving the Grantor's northerly line and crossing the said 8.469 acres, a distance of 169.76 feet to a point;

thence, North 00° 45' 13" East, continuing across the said 8.469 acres, a distance of 198.00 feet to a point in the southeasterly line of the said City of Columbus 8.470 acres parcel and a northwesterly line of the above described 8.469 acres parcel;

thence, North 29° 09' 28" East, with the said 8.470 acres City of Columbus southeasterly line and the northwesterly line of the above described 8.469 acres, a distance of 146.03 feet to an iron pin found;

thence, North 03° 09' 51" East, continuing with the said westerly line of the said 8.469 acres and the easterly line of the said City of Columbus 8.470 acres, a distance of 21.79 feet to a point;

thence, North 28° 03' 37" East, leaving the said easterly line of the City of Columbus 8.470 acres and the westerly line of the above described 8.469 acres, crossing the said above described 8.469 acres, a distance of 243.22 feet to a point;

thence, North 03° 09' 51" East, continuing across the said above described 8.469 acres parcel, a distance of 118.97 feet to a point in the southerly right of way line of said State Route 665 and said Jackson Street;

thence, South 86° 50' 09" East, with the said southerly right of way line, a distance of 67.61 feet to the TRUE POINT OF BEGINNING. The easement of ingress/egress, as described above contains 1.333 acres, more or less.

Iron pins set are 5/8ths inch diameter rebar set flush to the surface unless otherwise stated, thirty inches long with yellow plastic identification caps marked "URS Inc."

The basis of bearing in the above descriptions is the bearing from Concrete Monument 1A of the City of Columbus BWARI Project (CIP 491.1) to Franklin County Monument Frank 107 (Frank07 AZ MK, PID JY1618) using the NAD83(1986) adjustment as bearing South 18° 58' 52" East.

The above descriptions are based on a field survey conducted by URS, Inc. under my guidance and supervision during the period August-September 2008.

A plat of the above description is attached as Exhibit "A" and made a permanent part thereof.

Roger M. Smith, P.S., P.E., Ohio Registered Surveyor, S-6899

Section 2. That the Director of Department of Public Utilities be and hereby is authorized to execute those documents, as approved by the Department of Law, Real Estate Division, necessary to grant to The National Lime and Stone Company, an Ohio corporation a quitclaim deed in and to the following described real property in exchange for a

deed for similar acreage to be granted to the City by The National Lime and Stone Company:

8.469 +/-Acres Parcel

Situate in the State of Ohio, County of Franklin, and the Township of Hamilton, being a part of Lot 6, the Mordecai Cloud Farm Survey, of record in Plat Book 3, Page 382, and being a part of Section 4, Township 3 North, Range 22 West, Matthews Survey of Range XXII, Congress Lands East of the Scioto River, being an 8.469 acres parcel of land out of the 153.08 acres of land conveyed to The City of Columbus (Grantor) and described in Official Record 02228, Page 111, this and all further references being to the records of the Franklin County Recorder's Office, being more particularly described as follows;

BEGINNING FOR REFERENCE at an iron pin called and found in the westerly right of way line of State Route 23, the southerly line of the National Lime & Stone Company 160.294 acres, of record in Instrument Number 200701090005199, and the northeasterly corner of a 5.10 acres parcel of the City of Columbus, of record in Official 02228, Page 115, being referenced by an Ohio Department of Transportation Right of Way Monument, an aluminum disk set in concrete, at a bearing of South 80° 01' 43" East for a distance of 0.34 feet;

thence, North 86° 47' 14" West, with the northerly line of the Grantor's said 5.10 acres, a northerly line of the Grantor's 153.08 acres, and a southerly line of the said National Lime & Stone Company 160.294 acres, a distance of 899.03 feet to a ½" diameter iron pin called and found at a northwesterly corner of the Grantor's said 153.08 acres and a southeasterly corner of the National Lime & Stone Company said 160.294 acres, passing an ¾-inch iron pipe at the said 5.10 acres northwesterly corner, called but not found at 656.32 feet,

thence, South 01° 22' 05" West, with a westerly line of the Grantor's 153.08 acres and an easterly line of said National Lime & Stone Company 160.294 acres, a distance of 191.47 feet to a ½" iron called and found;

thence, South 04° 24' 30" West, continuing with a westerly line of the Grantor's 153.08 acres and an easterly line of said National Lime & Stone Company 160.294 acres, a distance of 220.54 feet to a 5/8" iron pin called and found, the TRUE POINT OF BEGINNING of the 8.469 acres being described;

thence, South 04° 24' 30" West, crossing the Grantor's 153.08 acres and leaving the said National Lime & Stone Company 160.294 acres corner, a distance of 202.34 feet to a 5/8" iron pin set;

thence, North 86° 48' 49" West, continuing across the Grantor's lands, a distance of 1893.00 feet to the low water mark of the easterly bank of the Scioto River, found on the date of this survey (5 September 2008), passing a reference iron pin set at 1837.00 feet;

thence, North 38° 25' 28" East, along the said easterly bank of the said Scioto River with its meanders at the said low water, a distance of 247.68 feet to a point in a projection of the National Lime & Stone Company 160.294 acres southerly line westerly to the low water mark of the Scioto River from the survey of the Grantor's lands on 5 September 2008;

thence, South 86° 48' 49" East, leaving the said low water mark, with a northerly line of the Grantor's 153.08 acres and a southerly line of the National Lime & Stone Company's 160.294 acres, a distance of 1754.41 feet to TRUE POINT OF BEGINNING of the parcel being described, passing a reference iron pin set at 43.00 feet. The parcel, as described above, contains 8.469 acres, more or less.

Iron pins set are 5/8ths inch diameter rebar set flush to the surface unless otherwise stated, thirty inches long with yellow plastic identification caps marked "URS CORP".

The basis of bearing in the above descriptions is the bearing from Concrete Monument 1A of the City of Columbus BWARI Project (CIP 491.1) to Franklin County Monument Frank 107 (Frank07 AZ MK, PID JY1618) using the NAD83 (1986) adjustment as bearing South 18° 58' 52" East.

The above description is based on a field survey conducted by URS, Inc. under my guidance and supervision during the period August-September 2008.

A plat of the above description is attached as Exhibit "A" and made a permanent part thereof.  
Roger M. Smith, P.S., P.E., Ohio Registered Surveyor, S-6899

Section 3. 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 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.

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**Legislation Number:** 0957-2009

**Drafting Date:** 06/25/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This ordinance authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Tyeveco, Inc. for the renovation of the louvered wall, ninth floor, 120 Marconi Boulevard. The louver covers an entire wall on the west side of the building. Due to exposure of the elements and the prevailing winds (typically from the west), this louver has pulled away from its anchor points. This is a safety issue and needs to be repaired as soon as possible. The renovation will reattach and brace the louvered wall.

Formal proposals were solicited and six companies submitted bids on February 27, 2009 as follows:  
(1 \*FBE, 0 MBE):

Tyeveco, Inc.	\$37,460.00
*Bomar Construction	\$38,169.00
Procon Professional	\$39,206.00
General Maintenance	\$41,793.00
Righter Company	\$49,400.00
Integrated Construction	\$65,000.00

Central Ohio Sheet Metal attempted to bid but did not include a performance bond. Mid Ohio Mechanical submitted its bid late. Therefore, both are non-responsive. The Office of Construction Management recommends the bid award be made to the most responsive, responsible, and best bidder, Tyeveco, Inc.

This ordinance also appropriates money to the Safety Voted Bond Fund. It increases appropriation within the Safety Voted Bond Fund to reflect cash transferred from the Health General Obligations Fund by Ordinance 0806-2009, passed June 15, 2009. The cash was properly transferred but inadvertently not appropriated by said ordinance.

**EMERGENCY ACTION** is requested so that the renovation can occur as quickly as possible to eliminate any potential safety hazards.

Tyeveco, Inc. Contract Compliance Number 31-1626034 Expiration date January 14, 2010.

**FISCAL IMPACT:** This ordinance authorizes an expenditure of \$37,460.00 from existing cash within the Safety Voted Bond Fund. It increases appropriation within the Safety Voted Bond Fund to reflect cash transferred from the Health General Obligations Fund by Ordinance 0806-2009, passed June 15, 2009.

**Title**

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Tyeveco, Inc. for the renovation of the louvered wall, ninth floor, 120 Marconi Boulevard; to authorize

the City Auditor to appropriate \$718,442.45 within the Safety Voted Bond Fund; to authorize the expenditure of \$37,460.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$37,460.00)

**Body**

**WHEREAS**, it is necessary to renovate the louvered wall, ninth floor, 120 Marconi Boulevard; and

**WHEREAS**, the Office of Construction Management advertised formal bids for the wall renovation; and

**WHEREAS**, the Office of Construction Management recommends Tyeveco, Inc. as the most responsive and responsible and best bidder; and

**WHEREAS**, it is necessary to appropriate within the Safety Voted Bond Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with Tyeveco, Inc., for the renovation of the louvered wall, ninth floor, 120 Marconi Boulevard so the wall renovation can occur as quickly as possible, eliminating any potential safety hazards, and thereby preserving the public health, peace, property, safety and welfare; now, therefore:

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

**SECTION 1.** That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Tyeveco, Inc., for the renovation of the louvered wall, ninth floor, 120 Marconi Boulevard.

**SECTION 2.** That the amount of \$718,442.45 is hereby appropriated to the Department of Public Safety as follows:

Dept/Div: 30-03|Fund: 701|Project Number 330021|Project Name - Police Facility Renovation|OCA Code 644476 |OL1:06  
|OL3:6600 |Amount \$359,221.23

Dept/Div: 30-04|Fund: 701|Project Number 340103|Project Name - Fire Facility Renovation|OCA Code 644559 |OL1:06  
|OL3:6600 |Amount \$359,221.22

**SECTION 3.** That the expenditure of \$37,460.00 or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-03  
Fund: 701  
Project: 330021  
OCA Code: 644476  
Object Level 1: 06  
Object Level 3: 6620  
Amount: \$37,460.00

**SECTION 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

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

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**Legislation Number:** 0959-2009

**Drafting Date:** 06/26/2009

**Current Status:** Passed

**Explanation**

**BACKGROUND:** This Ordinance authorizes the Director of Public Utilities to modify and increase the construction contract with Complete General Construction Company for the West 5th Avenue Underpass Stormwater System Improvements Project, for the Division of Sewerage and Drainage. This modification is required due as a result of insufficient original force account to compensate the Contractor for the work performed at the City's request which were outside the original contract scope. Such work was necessitated by changed site conditions unknown at the time of the project bidding. This will be the final contract modification to close out this contract.

The contract modification consists of relocation of the concrete box necessitated by a conflict with an AT&T ductbank, ex. 42" water line which had to be depressurized while maintaining services (not originally planned), additional derrick stones placed at the outlet to Olentangy River, and miscellaneous traffic signal work at the Olentangy River Road and Fifth Ave. intersection which had to be implemented to better respond to traffic patterns.

**1. Amount of additional funds to be expended: \$72,783.00**

Original Contract Amount: \$1,281,254.04

Modification No. 01: \$90,000.00

Amount of original contract, Mod. No. 01 and this modification: \$1,444,037.04

**2. Reasons additional goods/services could not be foreseen:**

Unknown site conditions included relocation of the concrete box necessitated by a conflict with an AT&T ductbank, ex. 42" water line which had to be depressurized while maintaining services (not originally planned), additional derrick stones placed at the outlet to Olentangy River, and miscellaneous traffic signal work at the Olentangy River Road and Fifth Ave. intersection which had to be implemented to better respond to traffic patterns.

**3. Reason other procurement processes are not used:**

The out of scope work was performed during the course of the original contract as an integral part of the in-scope work.

**4. How cost of modification was determined:**

The Mod amount was determined by tallying costs of all actual items of work within the original contract scope which were completed, adding costs of quantity overruns, subtracting costs of quantity underruns, and adding costs of new work. The resulting amount was then subtracted from the costs from the original Contract plus Modification No. 1 amount.

**Contract Compliance Information:** 31-4366382, expires 01/30/2010, Majority

**Emergency Designation:** It is requested that this Ordinance be handled in an emergency manner so the contract can be immediately compensated for these additional costs.

**FISCAL IMPACT:** This legislation includes a transfer within the Storm Sewer Bonds Fund to provide sufficient funding for the project, as well as an amendment to the 2009 Capital Improvements Budget to provide sufficient budget authority.

**Title**

To authorize the Director of Public Utilities to modify and increase the construction contract with Complete General Construction Company due to unforeseen conditions found during construction on the West 5th Avenue Underpass Stormwater System Improvements Project, for the Division of Sewerage and Drainage; to authorize the transfer of \$72,783.00 within the Storm Sewer Bond Fund; to amend the 2009 Capital Improvements Budget to authorize the expenditure of \$72,783.00 within the Storm Sewer Bonds Fund.; and to declare an emergency. (\$72,783.00)

**Body**

**WHEREAS**, Contract No. EL006729 was authorized by Ordinance No. 2006-2006, passed December 11, 2006, was executed on December 18, 2006, and was approved by the City Attorney on December 22, 2006; and

**WHEREAS**, Contract No. EL008498 was authorized by Ordinance No. 1088-2008, passed July 21, 2008, was executed on July 30, 2008, and was approved by the City Attorney on August 05, 2008; and

**WHEREAS**, the contract needs to be modified due to unforeseen conditions found during construction; and

**WHEREAS**, it is necessary to transfer money within the Storm Sewer Bond Fund for the West 5th Avenue Underpass Stormwater System Improvements Project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2009 Capital Improvements Budget for purposes of providing sufficient funding and spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, to modify and increase the existing contract with Complete General Construction Company due to unforeseen conditions found during construction on the West 5th Avenue Underpass Stormwater System Improvements Project, for the preservation of the public health, peace, property, safety and welfare; now, therefore,

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

**SECTION 1.** That the City Auditor is hereby authorized to transfer \$72,783.00 within the Storm Sewer Bonds Fund, Fund 685, Division of Sewerage and Drainage, Division 60-15, Object Level One 06, Object Level Three 6682, as follows:

**TRANSFER FROM:**

<u>Project/OCA</u>	<u>Project Name (Amount)</u>
610736:685736	Glendower/Llewellyn SSI (-\$72,783.00)

**TRANSFER TO:**

<u>Project/OCA</u>	<u>Project Name (Amount)</u>
610846:685846	West 5th Avenue Underpass SSI (+\$72,783.00)

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

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

**SECTION 4.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 5.** That the Director of Public Utilities is hereby authorized and directed to modify and increase the existing construction contract with Complete General Construction Company due to unforeseen conditions found during construction on the West 5th Avenue Underpass Stormwater System Improvements Project, in the amount of \$72,783.00

**SECTION 6.** That this contract modification is in compliance with Section 329.16 of Columbus City Codes, 1959.

**SECTION 7.** That said Construction Company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

**SECTION 8.** That to pay the cost of the aforesaid contract modification, the expenditure of \$72,783.00, or so much thereof as may be needed, is hereby authorized from the Storm Sewer Bonds Fund, Fund No. 685, Division No. 60-15,

Project 610846, OCA 685846, Object Level One 06, Object Level Three 6621.

**SECTION 9.** That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the execution of the construction contract stated in Section 6 herein:

Proj. No. | Proj. Name | Current Authority | Revised Authority | (Amount of Change)  
610736-100000 | Glendower/Llewellyn SSI | \$140,446 | \$67,663 | (-\$72,783)

Proj. No. | Proj. Name | Current Authority | Revised Authority | (Amount of Change)  
610846-100000 | West 5th Avenue Underpass SSI | \$0 | \$72,783 | (+\$72,783)

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

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**Legislation Number:** 0965-2009

**Drafting Date:** 06/29/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

#### **Explanation**

**BACKGROUND:** By authority of ORC Section 5709.82, the City is required to pay affected school districts 50 percent (50%) of the municipal income tax revenue attributable to tax abated projects where the annual 'new employee' payroll for a project is one million dollars or more, in a given tax year, during the abatement. This municipal income tax revenue sharing with affected school districts applies to all property tax abatements approved by the legislative authority after July 1, 1994 and is based on the 'new employee' wages paid in a tax year, during the years of tax exemption, and also on the wages of the construction workers.

**FISCAL IMPACT:** For tax year 2008, the City of Columbus has a total of nineteen (19) projects requiring revenue sharing and the total amount of revenue to be shared is \$1,559,603.08. The nineteen (19) projects are located in three different school districts with the revenue share subtotals as follows: \$1,134,746.67 to Columbus City School District for 15 projects; \$94,880.00 to Hilliard City School District for 2 projects; and \$329,976.41 to the Olentangy Local School District for 2 projects.

This ordinance authorizes and directs the city auditor to transfer \$389,900.77 from the special income tax fund to the General Fund. The transfer amount of \$389,900.77 has been factored into the current special income tax analysis and resultant capital capacity.

Emergency action is requested in order to expedite payment to the three school districts to compensate them for property tax revenues forgone due to tax abatements.

#### **Title**

To authorize and direct the City Auditor to transfer \$389,900.77 from the Special Income Tax Fund to the General Fund; to authorize and direct the payment to the Columbus City School District, the Hilliard City School District and the Olentangy Local School District for income tax revenue sharing totaling \$1,559,603.08; to authorize the expenditure of \$1,559,603.08 from the General Fund; and to declare an emergency. (\$1,559,603.08)

#### **Body**

**WHEREAS,** the Ohio Revised Code Section 5709.82 requires the City to pay affected school districts fifty percent (50%)

of municipal income tax revenue attributable to tax abated projects where 'new employee' payroll for a project is one million dollars or more in a tax year, during the years of tax exemption; and

**WHEREAS**, the City of Columbus is subject to the income tax revenue sharing provisions of Ohio Revised Code 5709.82; and

**WHEREAS**, the City of Columbus has a total of nineteen (19) tax abated projects subject to the income tax revenue sharing provisions and these projects are located in three school districts as follows: Fifteen (15) projects in the Columbus City School District, two (2) projects in the Hilliard City School District, and two (2) projects in the Olentangy Local School District; and

**WHEREAS**, it is necessary at this time to authorize payment of \$1,134,746.67 to the Columbus City School District, \$94,880.00 to the Hilliard City School District, and \$329,976.41 to the Olentangy Local School District; and

**WHEREAS**, emergency action is requested in order to expedite payment to the three school districts to compensate them for property tax revenues forgone due to tax abatements; and

**WHEREAS**, the matter herein constitutes an emergency in that it is immediately necessary to authorize payment to the Columbus City School District, the Hilliard City School District, and the Olentangy Local School District, thereby preserving the public health, peace, prosperity, safety and welfare; **NOW, THEREFORE**,

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

**Section 1.** That the sum of \$389,900.77 is hereby appropriated from the unappropriated balance of the special income tax fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5501.

**Section 2.** That the City Auditor is hereby authorized to transfer said funds (cash only) to the General Fund, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5513, OCA 440314.

**Section 3.** That the City Auditor, for the purposes of income tax revenue sharing, is hereby authorized to make payment to the Columbus City School District in the amount of \$1,134,746.67, to the Hilliard City School District in the amount of \$94,880.00, and to the Olentangy Local School District in the amount of \$329,976.41.

**Section 4.** That for the purpose stated in Section 3 the payments totaling \$1,559,603.08 are hereby authorized from the General Fund, Fund 010, Department of Development, Economic Development Division No. 44-02, Object Level Three 5513, OCA Code 440314.

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

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**Legislation Number:** 0966-2009

**Drafting Date:** 06/29/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** This legislation authorizes the payments to employers who have met the requirements of their Jobs Growth Incentive Program (JGI) agreement and are eligible for payment for the 2008 reporting year.

**FISCAL IMPACT:** For tax year 2008, the City of Columbus had a total of five (5) active JGI projects for which employers have met the requirements of their JGI agreements and thus are eligible to receive their payments for 2008. The total dollar amount to be disbursed for these five (5) 2008 JGI payments is \$226,149.54. The five (5) projects with the JGI payment subtotals are as follows: \$1,921.30 to Advanced Engineering Consultants Ltd.; \$4,323.75 to eCommerce, Inc.; \$211,312.82 to Ohio State University Physicians, Inc.; \$5,996.03 to Ohio Valley Cable Services; and \$2,595.64 to Zyvox Performance Materials, Inc.

**Title**

To authorize and direct the City Auditor to make payments totaling \$226,149.54 in accordance with the Jobs Growth Incentive Program agreements to Advanced Engineering Consultants Ltd., eCommerce, Inc., Ohio State University Physicians, Inc., Ohio Valley Cable Services and Zyvox Performance Materials, Inc.; to authorize the expenditure of \$226,149.54 from the General Fund; and to declare an emergency. (\$226,149.54)

**Body**

**WHEREAS**, the Columbus Jobs Growth Incentive Program is one of the development tools utilized by the City of Columbus to encourage new job creation; and

**WHEREAS**, it is necessary to authorize payments to employers who have met the requirements under their Jobs Growth Incentive Program agreement; and

**WHEREAS**, the City of Columbus had a total of five (5) active JGI projects for which employers have met the requirements of their JGI agreements and thus are eligible to receive their payments for 2008 and the total dollar amount to be disbursed for these five (5) 2008 JGI payments is \$226,149.54; and

**WHEREAS**, there were ninety-two (92) new jobs created as a result of these five (5) active JGI projects as reported during the 2008 reporting period; and

**WHEREAS**, it is necessary at this time to authorize payment of \$1,921.30 to Advanced Engineering Consultants Ltd.; \$4,323.75 to eCommerce, Inc.; \$211,312.82 to Ohio State University Physicians, Inc.; \$5,996.03 to Ohio Valley Cable Services; and \$2,595.64 to Zyvox Performance Materials, Inc.; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to make payments in accordance with the Jobs Growth Incentive Program agreements, all for the preservation of the public health, property, safety; and welfare; **NOW, THEREFORE**

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

**Section 1.** That the City Auditor is hereby authorized and directed to make payments in accordance with the Jobs Growth Incentive Program agreements as follows: \$1,921.30 to Advanced Engineering Consultants Ltd.; \$4,323.75 to eCommerce, Inc.; \$211,312.82 to Ohio State University Physicians, Inc.; \$5,996.03 to Ohio Valley Cable Services; and \$2,595.64 to Zyvox Performance Materials, Inc.

**Section 2.** That the expenditure of \$226,149.54, or so much as may be necessary, be and is hereby authorized from the Development Department, Economic Development Division, Department 44-02, General Fund, Fund 010, OCA Code 440314, Object Level Three 5513.

**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:** 0967-2009

**Drafting Date:** 06/29/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** Resolution 0088X-2007, adopted June 4, 2007, supported the continuation of the Columbus Downtown Office Incentive Program (DOI) as one of the development tools needed to implement the Downtown Business Plan. This legislation authorizes the payments to employers who have met the requirements of their Downtown Office Incentive Program agreement.

For tax year 2008, the City of Columbus had a total of 15 active DOI projects for which employers have met the requirements of their DOI agreements and thus are eligible to receive their payments for 2008. The total dollar amount to be disbursed for these 15 2008 DOI payments is \$829,407.08. The 15 projects with the DOI payment subtotals are as follows: \$11,830.57 to BHDP Architecture; \$15,891.23 to Brady, Ware & Shoenfeld; \$21,780.00 to Eye Center of Columbus; \$19,789.49 to FirstMerit Bank; \$6,057.05 to Floyd Browne Group; \$159,768.85 to GatesMcDonald & Company; \$3,045.89 to GSP/OH Inc.; \$10,636.14 to Knowledge Management Interactive, Inc.; \$251,633.73 to OhioHealth Corporation; \$122,335.01 to Plante & Moran and Affiliates; \$29,614.35 to Princeton Information, \$96,050.55 to Resource Interactive; \$8,226.71 to S4 Consulting; \$53,595.27 to SBC Advertising; and \$19,152.24 to Viamedia Broadband Advertising Partners.

**FISCAL IMPACT:** This ordinance authorizes and directs the City Auditor to transfer \$207,351.77 from the Special Income Tax Fund to the General Fund and authorizes and directs the City Auditor to make payments totaling \$829,407.08 from the General Fund. The transfer amount of \$207,351.77 has been factored into the current special income tax analysis and resultant capital capacity. The remaining amount of the payment was included in the 2009 General Fund Budget.

### **Title**

To authorize and direct the City Auditor to transfer \$207,351.77 from the Special Income Tax Fund to the General Fund; to authorize and direct the City Auditor to make payments totaling \$829,407.08 in accordance with the Downtown Office Incentive Program to various employers; to authorize the expenditure of \$829,407.08 from the General Fund; and to declare an emergency. (\$829,407.08)

### **Body**

**WHEREAS**, Resolution No. 0088X-2007, adopted June 4, 2007, supported the continuation of the Downtown Office Incentive Program as one of the development tools needed to implement the Downtown Business Plan; and

**WHEREAS**, it is necessary to authorize payments to employers who have met the requirements under their Downtown Office Incentive Program agreement; and

**WHEREAS**, the City of Columbus had a total of fifteen (15) active DOI projects for which employers have met the requirements of their DOI agreements and thus are eligible to receive their payments for 2008 and the total dollar amount to be disbursed for these fifteen (15) 2008 DOI payments is \$829,407.08; and

**WHEREAS**, there were one thousand one hundred and fifty-three (1,153) new jobs created as a result of these fifteen (15) active DOI projects as reported during the 2008 reporting period; and

**WHEREAS**, it is necessary at this time to authorize payment of \$11,830.57 to BHDP Architecture; \$15,891.23 to Brady, Ware & Shoenfeld; \$21,780.00 to Eye Center of Columbus; \$19,789.49 to FirstMerit Bank; \$6,057.05 to Floyd Browne Group; \$159,768.85 to GatesMcDonald & Company; \$3,045.89 to GSP/OH Inc.; \$10,636.14 to Knowledge Management Interactive, Inc.; \$251,633.73 to OhioHealth Corporation; \$122,335.01 to Plante & Moran and Affiliates; \$29,614.35 to Princeton Information, \$96,050.55 to Resource Interactive; \$8,226.71 to S4 Consulting; \$53,595.27 to SBC Advertising; and \$19,152.24 to Viamedia Broadband Advertising Partners; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to make payments in accordance with the Downtown Office Incentive Program agreements, all for the preservation of the public health, property, safety; and welfare; **NOW, THEREFORE**,

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

**Section 1.** That the sum of \$207,351.77 is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009 to the City Auditor Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5501.

**Section 2.** That the City Auditor is hereby authorized to transfer said funds (cash only) to the General Fund, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5513, OCA 442020.

**Section 3.** That the City Auditor is hereby authorized and directed to make payments in accordance with the Downtown Office Incentive Program agreements as follows: \$11,830.57 to BHDP Architecture; \$15,891.23 to Brady, Ware & Shoenfeld; \$21,780.00 to Eye Center of Columbus; \$19,789.49 to FirstMerit Bank; \$6,057.05 to Floyd Browne Group; \$159,768.85 to GatesMcDonald & Company; \$3,045.89 to GSP/OH Inc.; \$10,636.14 to Knowledge Management Interactive, Inc.; \$251,633.73 to OhioHealth Corporation; \$122,335.01 to Plante & Moran and Affiliates; \$29,614.35 to Princeton Information, \$96,050.55 to Resource Interactive; \$8,226.71 to S4 Consulting; \$53,595.27 to SBC Advertising; and \$19,152.24 to Viamedia Broadband Advertising Partners.

**Section 4.** That the expenditure of \$829,407.08, or so much as may be necessary, be and is hereby authorized from the Development Department, Economic Development Division, Department 44-02, General Fund, Fund 010, OCA Code 442020, DOI Payments From Non-Tax Revenues, Object Level Three 5513.

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

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**Legislation Number:** 0969-2009

**Drafting Date:** 06/29/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**1. BACKGROUND**

During the plan development phase of the Parsons/Livingston Improvement Project it was discovered a number of stone, block or railroad tie retaining walls within the project corridor encroach into the public rights-of-way. To secure Federal/State funding encroachments into public rights-of-way must be removed or must be specifically permitted by the local public agency ("LPA") prior to the LPA certifying all necessary right-of-way is acquired and available for use as a part of any Federal/State funded project. The following legislation authorizes the Director of the Department of Public Service to execute any documents necessary to grant easements for existing retaining walls within the project corridor that encroach into the public rights-of-way as required prior to certification that all right-of-way is clear and available for construction of the Parsons/Livingston Avenue Roadway Improvements Project, a Federal/State funded project.

**2. Emergency Justification**

The City must be in a position to certify all necessary right-of-way is acquired and available for use as a part of this project on or before November 15, 2009. Emergency action is requested to allow for document preparation, execution and recording prior to this date.

**Title**

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements for existing retaining walls within those public rights-of-way needed for the Parsons/Livingston

Avenue Roadway Improvements Project and to declare an emergency.

**Body**

**WHEREAS**, during the plan development phase of the Parsons/Livingston Avenue Roadway Improvements Project a number of stone, block or railroad tie retaining walls within the project corridor encroach into the public rights-of-way; and

**WHEREAS**, to secure Federal/State funding all encroachments into public rights-of-way must be removed or must be specifically permitted by the local public agency ("LPA") prior to the LPA certifying all necessary right-of-way is acquired and available for use as a part of a Federal/State funded project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of the Department to execute those documents necessary to grant encroachment easements for existing retaining walls that encroach into the public rights-of-way needed for the Parsons/Livingston Avenue Roadway Improvements Project for the preservation of the public health, peace, property, safety and welfare; now, therefore

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

**Section 1.** That the Director of the Department of Public Service be and is hereby authorized to execute those documents necessary to grant the following described encroachment easements; to-wit:

**0.003 Acre Encroachment Easement (Parcel 37 - Stone Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over, and across the right-of-way of Livingston Avenue, (width varies), and described as follows:

BEGINNING at the southwesterly corner of Lot 81 as shown on that subdivision entitled "John W. Andrews Amended Plat and Resubdivision" of record in Plat Book 4, Page 446 and in the northerly right-of-way line of Livingston Avenue;

Thence South 86°02'10" East, a distance of 34.00 feet, with said northerly right-of-way line and the southerly line of said Lot 81, to a southeasterly corner thereof;

Thence across the right-of-way of Livingston Avenue, the following courses:

South 02°33'40" West, a distance of 3.60 feet, to a point;

North 86°02'10" West, a distance of 34.00 feet, to a point;

North 02°33'40" East, a distance of 3.60 feet, to the Point of Beginning, containing 0.003 acre (122.4 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.002 Acre Encroachment Easement (Parcel 40 - Block Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the southeasterly corner of Lot 83 ½ as shown on that subdivision entitled "John W. Andrews Amended Plat and Resubdivision" of record in Plat Book 4, Page 446 and in the northerly right-of-way line of Livingston Avenue;

Thence across the right-of-way of Livingston Avenue the following courses:

South 02°33'40" West, a distance of 1.00 foot, to a point;

North 86°02'10" West, a distance of 2.86 feet, to a point;

South 63°59'33" West, a distance of 4.00 feet, to a point;

North 86°02'10" West, a distance of 27.63 feet, to a point;

North 02°33'40" East, a distance of 3.00 feet, to the southwesterly corner of Lot 83 ½ and in said northerly right-of-way line;

Thence South 86°02'10" East, a distance of 34.00 feet, with said northerly right-of-way line and the southerly line of said Lot 83 ½, to the Point of Beginning, containing 0.002 acre (92.8 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.002 Acre Encroachment Easement (Parcel 44 - Stone Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the northwesterly corner of Lot 2 as shown on that subdivision entitled "Clairmont" of record in Plat Book 5, Page 180 and in the southerly right-of-way line of Livingston Avenue;

Thence across the right-of-way of Livingstone Avenue, the following courses;

North 03°37'59" East, a distance of 3.00 feet, to a point;

South 86°02'10" East, a distance of 30.00 feet, to a point;

South 03°37'59" West, a distance of 3.00 feet, to the northeasterly corner of said Lot 2 and in said southerly right-of-way;

Thence North 86°02'10" West, a distance of 30.00 feet, with said southerly right-of-way line and the northerly line of said Lot 2, to the Point of Beginning, containing 0.002 acre (90.0 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.004 Acre Encroachment Easement (Parcel 54 - Stone/Block Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the northwesterly corner of Lot 12 as shown on that subdivision entitled "Clairmont" of record in Plat Book 5, Page 180 and in the southerly right-of-way line of Livingston Avenue;

Thence across the right-of-way of Livingston Avenue, the following courses:

North 03°37'59" East, a distance of 5.00 feet, to a point;

South 86°02'10" East, a distance of 32.00 feet, to a point;

South 03°37'59" West, a distance of 5.00 feet, to the northeasterly corner of said Lot 12 and in said southerly right-of-way;

Thence North 86°02'10" West, a distance of 32.00 feet, with said southerly right-of-way line and the northerly line of said Lot 12, to the Point of Beginning, containing 0.004 acre (160.0 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.004 Acre Encroachment Easement (Parcel 55 - Stone/Block Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the northwesterly corner of Lot 13 as shown on that subdivision entitled "Clairmont" of record in Plat Book 5, Page 180 and in the southerly right-of-way line of Livingston Avenue;

Thence across the right-of-way of Livingston Avenue, the following courses:

North 03°37'59" East, a distance of 5.00 feet, to a point;

South 86°02'10" East, a distance of 32.00 feet, to a point;

South 03°37'59" West, a distance of 5.00 feet, to the northeasterly corner of said Lot 13 and in said southerly right-of-way;

Thence North 86°02'10" West, a distance of 32.00 feet, with said southerly right-of-way line and the northerly line of said Lot 13, to the Point of Beginning, containing 0.004 acre (160.0 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.004 Acre Encroachment Easement (Parcel 56 Stone/Block Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the northwesterly corner of Lot 14 as shown on that subdivision entitled "Clairmont" of record in Plat Book 5, Page 180 and in the southerly right-of-way line of Livingston Avenue;

Thence across the right-of-way of Livingston Avenue, the following courses:

North 03°37'59" East, a distance of 5.00 feet, to a point;

South 87°19'19" East, a distance of 21.84 feet, to a point;

South 83°16'35" East, a distance of 10.18 feet, to a point;

South 03°37'59" West, a distance of 5.00 feet, to the northeasterly corner of said Lot 14 and in said southerly right-of-way;

Thence North 86°02'10" West, a distance of 32.00 feet, with said southerly right-of-way line and the northerly line of said Lot 14, to the Point of Beginning, containing 0.004 acre (167.8 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

#### **0.003 Acre Encroachment Easement (Parcel 59 Block Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over, and across the right-of-way of Gilbert Street (50 foot width), and described as follows:

BEGINNING at the southwesterly corner of Lot 85 as shown on that subdivision entitled "John W. Andrews Amended Plat and Resubdivision" of record in Plat Book 4, Page 446 and at the intersection of the northerly right-of-way line of Livingston Avenue (width varies) with the easterly right-of-way line of Gilbert Street;

Thence across the right-of-way of Gilbert Street, the following courses;

North 34°07'30" West, a distance of 3.41 feet, to a point of curvature;

With the arc of a curve to the right, having a central angle of 36°41'09", a radius of 20.00 feet, an arc length of 12.81 feet, a chord bearing and distance of North 15°46'55" West, 12.59 feet, to a point of tangency;

North 02°33'40" East, a distance of 8.65 feet, to a point;

South 87°26'20" East, a distance of 6.00 feet, to said easterly right-of-way line and the westerly line of said Lot 85;

Thence South 02°33'40" West, a distance of 23.34 feet, with said easterly right-of-way line and the westerly line of said Lot 85, to the Point of Beginning, containing 0.003 acre (111.3 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

#### **0.005 Acre Encroachment Easement (Parcel 59 Block Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over, and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the southwesterly corner of Lot 85 as shown on that subdivision entitled "John W. Andrews Amended Plat and Resubdivision" of record in Plat Book 4, Page 446 and at the intersection of the northerly right-of-way line of Livingston Avenue with the easterly right-of-way line of Gilbert Street (50 foot width)

Thence South 86°02'10" East, a distance of 101.98 feet, with said northerly right-of-way line, the southerly line of said Lot 85, the southerly line of Lots 86 and 87 as shown on said "John W. Andrews Amended Plat and Resubdivision", to the southeasterly corner of said Lot 87 and the intersection of the northerly right-of-way line of Livingston Avenue with the westerly right-of-way line of a 19 foot wide alley;

Thence across the right-of-way of Livingston Avenue, the following courses;

South 02°33'40" West, a distance of 2.25 feet, to a point;

North 86°02'10" West, a distance of 96.40 feet, to a point;

North 70°50'57" West, a distance of 5.82 feet, to a point;  
North 02°33'40" East, a distance of 0.72 feet, to the Point of Beginning, containing 0.005 acre (225.2 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.001 Acre Encroachment Easement (Parcel 62 - Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over, and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the southwesterly corner of Lot 90 as shown on the subdivision entitled "John W. Andrews Amended Plat and Resubdivision" of record in Plat Book 4, Page 446 and in the northerly right-of-way line of Livingston Avenue;

Thence South 86°02'10" East, a distance of 17.28 feet, with said northerly right-of-way line and the southerly line of said Lot 90, to a point;

Thence across the right-of-way of Livingston Avenue, the following courses:

South 03°57'50" West, a distance of 1.90 feet, to a point;

North 86°02'10" West, a distance of 17.23 feet, to a point;

North 02°33'40" East, a distance of 1.90 feet, to the Point of Beginning, containing 0.001 acre (32.8 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.004 Acre Encroachment Easement (Parcel 66 - Railroad Tie Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over, and across the right-of-way of Livingston Avenue (width varies), and described as follows:

BEGINNING at the northwesterly corner of Lot 7 as shown on that subdivision entitled "Old Orchard Addition" of record in Plat Book 5, Page 170-171 and in the southerly right-of-way line of Livingston Avenue;

Thence across the right-of-way of Livingston Avenue, the following courses:

North 03°37'59" East, a distance of 5.00 feet, to a point;

South 86°02'10" East, a distance of 32.00 feet, to a point

South 03°37'59" West, a distance of 5.00 feet, to the northeasterly corner of said Lot 7 and in said southerly right-of-way;

Thence North 86°02'10" West, a distance of 32.00 feet, with said southerly right-of-way line and the northerly line of said Lot 7, to the Point of Beginning, containing 0.004 acre (160.0 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

**0.005 Acre Encroachment Easement (Parcel 70 - Block Wall)**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 15, Township 5, Range 22, Refugee Lands, being on, over, and across the right-of-way of Livingston Avenue (width varies) and Ohio Avenue (60 foot width), and described as follows:

BEGINNING at the northeasterly corner of the tract conveyed to Raleigh Lee Carroll and Billie J. Carroll Trustees of record in Instrument Number 200602020021226, in the northerly line of Lot 12 as shown on that subdivision entitled "Old Orchard Addition" of record in Plat Book 5, Page 170-171 and in the southerly right-of-way line of Livingston Avenue;

Thence North 86°02'10" West, a distance of 33.00 feet, with said southerly right-of-way line, said northerly line, and the northerly line of Lot 11 as shown on said "Old Orchard Addition" to the northwesterly corner of said Lot 11 and the intersection of said southerly right-of-way line with the easterly right-of-way line of Ohio Avenue;

Thence South 03°37'59" West, a distance of 10.24 feet, with said easterly right-of-way line and the westerly line of said Lot 11, to a point;

Thence across the right-of-way of Ohio Avenue and Livingston Avenue, the following courses:

North 86°22'01" West, a distance of 4.70 feet, to a point;

North 03°37'59" East, a distance of 14.97 feet, to a point;  
South 86°02'10" East, a distance of 37.70 feet, to a point;  
South 03°37'59" west, a distance of 4.70 feet, to the Point of Beginning, containing 0.005 acre  
(225.4 square feet), more or less.

All references are to the records of the Recorder's Office, Franklin County, Ohio.

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

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**Legislation Number:** 0975-2009

**Drafting Date:** 06/29/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

#### **BACKGROUND:**

This ordinance authorizes the Franklin County Municipal Court Judges to engage in the three year contract with a potential fourth year for security guard services in the Municipal Court building at 375 S. High St. with Willo Security, Inc. (Willo). Formal bid SA003273 was done and closed on June 8, 2009. Year one per hour rate is \$15.75 and the overtime rate is \$23.63. Year two per hour rate is \$16.30 and the overtime rate is \$24.45. Year three per hour rate is \$16.85 and the overtime rate is \$25.28. Year four per hour rate is \$17.25 and the overtime rate is \$25.88.

Emergency action is requested in order to continue uninterrupted services.

**Contract Compliance Number:** Willo Security, Inc. 34-1808997

**FISCAL IMPACT:** Funding for this expenditure in the amount of \$315,000 is budgeted and available within the Municipal Court Judges 2009 special projects fund for court security.

### **Title**

To authorize the Municipal Court Judges, through the Administrative/Presiding Judge, to enter into the first year of a potential four-year contract with Willo Security, Inc., for the provision of security guard services in the Municipal Court Building, to authorize the expenditure of \$315,00.00 from the Municipal Court Special Projects Fund; and to declare an emergency (\$315,000.00).

### **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 the first year of a potential four-year 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 enter into a contract for security services with Willo Security, Inc. effective August 1, 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 enter into said 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:**

**SECTION 1.** That the Franklin County Municipal Court Judges, through the Administrative and Presiding Judge, be and is hereby authorized to enter into the first year of a potential four-year contract between the Franklin County Municipal Court Judges and Willo Security, Inc., for the provision of contractual security guard services in the Municipal Court building.

**SECTION 2.** That the expenditure of \$315,000.00 beginning August 1, 2009 to July 31, 2010 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 if the Mayor neither approves nor vetoes the same.

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**Legislation Number:** 0985-2009

**Drafting Date:** 06/30/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**Background:** Since 1974, the Columbus Health Department ("City") has provided primary health care services to the City's medically underserved residents through contracts with community-based health providers. More specifically, since 1998 the Columbus Health Department has contracted with the Columbus Neighborhood Health Center, Inc. ("CNHC"), a not-for-profit corporation, to provide primary health care services to medically underserved patients at the City's neighborhood health centers. The City and CNHC now desire to enter into a lease agreement for the use of that City new medical office facility located at 2300 West Broad Street, commonly known as the Columbus West Family Health and Wellness Center. The proposed lease is for a period of five (5) consecutive one (1) year terms, commencing upon completion of the construction of the facility and the issuance of a final certificate of occupancy, and subject to the renewal of CNHC's annual contract as the City's provider of primary health care services for its neighborhood health centers.

This ordinance authorizes the Director of the Department of Finance and Management to execute those documents necessary to enter into a lease agreement with CNHC for that real property located at 2300 West Broad Street, commonly known as the Columbus West Family Health and Wellness Center. The rent proceeds will be deposited in the City's "Neighborhood Health Center Capital Reserve Fund", established for the support of the City's neighborhood health center facilities, to assist in covering the expenses related to the repair and replacements of building interior and exterior components, or for the replacement cost of the associated equipment or furnishings that have reached the end of their useful life as defined by IRS depreciation guidelines.

**Fiscal Impact:** The City will receive rental funds for the term of the lease which shall be deposited in Neighborhood Health Center Capital Reserve Fund. Annual rent payments will be finalized based upon the City's 2010 contract with Columbus Neighborhood Health Center, Inc. and will be graduated to increase over the term of the lease based on market rates and estimated building component repair and replacement costs and replacement costs of fully depreciated associated

equipment or furnishings.

**Title**

To authorize the Director of the Department of Finance and Management to execute on behalf of the Columbus Health Department (Lessor), those documents necessary to enter into a lease agreement with the Columbus Neighborhood Health Centers, Inc. (Lessee) for the use of the City's neighborhood health center located at 2300 West Broad Street, commonly known as the Columbus West Family Health and Wellness Center, to provide primary health care services to the City's medically underserved residents; and to declare an emergency.

**Body**

WHEREAS, since 1974, the Columbus Health Department ("City") has provided primary health care services to the City's medically underserved residents through contracts with community-based health centers; and

WHEREAS, more specifically, the Columbus Health Department has contracted with the Columbus Neighborhood Health Center, Inc. ("CNHC"), a not-for-profit corporation, to provide primary health care services to medically underserved patients at its neighborhood health centers since 1998; and

WHEREAS, the City and CNHC now desire to enter into a lease agreement for the use of that City owned medical office facility located at 2300 West Broad Street, currently under construction and nearing completion, commonly known as the Columbus West Family Health and Wellness Center; and

WHEREAS, the proposed lease is for a period of five (5) consecutive one (1) year terms commencing upon the completion of construction and the issuance of a final certificate of occupancy , subject to the renewal of CNHC's annual contract as the City's provider of primary health care services for its neighborhood health centers; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to authorize the Director of the Department of Finance and Management to execute, on behalf of the City, those documents necessary to enter into a lease agreement with the Columbus Neighborhood Health Center, Inc. ("Lessee"), a Ohio non-profit corporation for that real property known as 2300 West Broad Street, commonly known as the Columbus West Family Health and Wellness Center, to be used as a "neighborhood health center" to benefit the public health for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

**Section 1.** That the Director of the Department of Finance and Management, on the behalf of the City, be, and hereby is, authorized to execute those documents as approved by the Department of Law, Division of Real Estate, necessary to enter into a lease agreement by and between the City of Columbus, ("Lessor"), and the Columbus Neighborhood Health Center, Inc. ("Lessee"), a Ohio non-profit corporation for that real property known as 2300 West Broad Street, Columbus West Family Health and Wellness Center, to be used as a "neighborhood health center" to benefit the public health.

**Section 2.** That the terms and conditions of the lease shall be in form approved by the City Attorney's Office and shall include the following:

The lease shall be effective for a period of five (5) consecutive one (1) year terms commencing upon the completion of construction and the issuance of a final certificate of occupancy, with two options to renew, subject to the renewal of Lessee's annual contract with the Columbus Health Department as its provider of primary health care services for its neighborhood health centers.

The Lessee's annual rent shall be deposited in Neighborhood Health Center Capital Reserve Fund held by the City, established for the support of the City's neighborhood health centers, to assist in covering the expenses related to the repair and replacements of building interior and exterior components, or for the replacement cost of the associated equipment or furnishings that have reached the end of their useful life as defined by IRS depreciation guidelines.

Such other terms and conditions as agreed to and approved by the City Attorney.

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

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**Legislation Number:** 0990-2009

**Drafting Date:** 07/01/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### Explanation

Background: The City of Columbus ("City"), pursuant to Ordinance 0181-2006, entered into an option agreement with Gowdy Partners LLC ("Gowdy"), an Ohio limited liability company, for the conveyance of up to 2.529 acres of City owned land, commonly known as 739 W. Third Avenue/681 W. Third Avenue. The City, pursuant to Ordinance 0892-2008, also entered into a real estate purchase contract with Gowdy Partners III, LLC for the sale of an additional 4.849 acres of said real property. Ordinance 1742-2008, authorized the Director of Finance and Management to amend the real estate purchase contract with Gowdy Partners III, LLC, to make necessary changes to the terms of the real estate purchase contract, including reducing the acreage from 4.849 acres to 4.674 acres. Gowdy and Gowdy Partners III, LLC intend to purchase the above-referenced City owned properties for redevelopment as their Gowdy North Project. A common driveway is necessary to provide sufficient ingress and egress to and from the Gowdy North Project, as well as the remainder of the City's property, to W. Third Avenue. Gowdy Partners III, LLC has agreed to pay all the costs associated with the construction of the common driveway; to construct the common driveway to the standards as approved by the City; to be responsible for future maintenance and upkeep of the common driveway; and to make additional site improvements on the City's remaining property as are necessary as a result of the construction of the common driveway.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the benefit to the City, which will result from the construction and installation of a common driveway and other site improvements on City property.

### Title

To authorize the Director of the Department of Finance and Management to enter into, grant and accept a Common Driveway Easement and Maintenance Agreement with Gowdy Partners III, LLC, an Ohio limited liability company, for the purpose of providing sufficient access to W. Third Avenue and to grant a Work Agreement to Gowdy Partners III, LLC, for the purpose of allowing Gowdy Partners III, LLC or its' agents, to enter onto City owned property to construct the common driveway and other site improvements, and the extent they may be applicable, to waive the competitive bidding and Land Review Commission requirements of the Columbus City Codes (1959) Revised; and to declare an emergency.

### Body

WHEREAS, The City of Columbus, pursuant to Ordinance 0181-2006, entered into an option agreement with Gowdy Partners LLC, an Ohio limited liability company, for the conveyance of up to 2.529 acres of City owned land, Franklin County Tax Parcel Number 010-067230, located on the southwest corner of W. Third Avenue and Olentangy River Road, commonly known as 739 W. Third Avenue/681 W. Third Avenue; and,

WHEREAS, The City of Columbus, pursuant to Ordinance 0892-2008, also entered into a real estate purchase contract with Gowdy Partners III, LLC, an Ohio limited liability company, for the sale of an additional 4.849 acres of said real

property; and,

WHEREAS, The City of Columbus, pursuant to Ordinance 1742-2008, authorized the Director of Finance and Management to amend the real estate purchase contract with Gowdy Partners III, LLC, to make necessary changes to the terms of the real estate purchase contract, including reducing the acreage from 4.849 acres to 4.674 acres; and,

WHEREAS, Gowdy Partners LLC and Gowdy Partners III, LLC intend to purchase the above-referenced City owned properties for redevelopment as their Gowdy North Project; and,

WHEREAS, A common driveway is necessary to provide sufficient ingress and egress to and from the Gowdy North Project, as well as the remainder of the City's property, to W. Third Avenue; and,

WHEREAS, Gowdy Partners III, LLC has agreed to pay all the costs associated with the construction of the common driveway; and,

WHEREAS, Gowdy Partners III, LLC has agreed to construct the common driveway to the standards as approved by the City of Columbus and in such a manner and material thickness as is necessary to support City Emergency Fire Apparatus (Fire Trucks) and other commercial vehicles; and,

WHEREAS, Gowdy Partners III, LLC has agreed to be responsible for future maintenance and upkeep of the common driveway; and,

WHEREAS, Gowdy Partners III, LLC has agreed to make additional site improvements on the City's remaining property as are necessary as a result of the construction of the common driveway; and,

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of the Department of Finance and Management to execute those documents, as approved by the Real Estate Division, Department of Law, to enter into, grant and accept a Common Driveway Easement and Maintenance Agreement and Work Agreement with Gowdy Partners III, LLC, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the Director of the Department of Finance and Management be and hereby is authorized to execute those documents, as approved by the Real Estate Division, Department of Law, necessary to enter into, grant and accept a Common Driveway Easement and Maintenance Agreement with Gowdy Partners III, LLC, an Ohio limited liability company.

Section 2. That the Director of the Department of Finance and Management be and hereby is authorized to execute those documents, as approved by the Real Estate Division, Department of Law, necessary to grant a Work Agreement to Gowdy Partners III, LLC, an Ohio limited liability company, for the purpose of allowing Gowdy Partners III, LLC or its' agents, to enter onto the City's property, commonly known as Franklin County Tax Parcel Number 010-067230, located on the southwest corner of W. Third Avenue and Olentangy River Road, for the purpose of constructing the common driveway and other necessary site improvements.

Section 3. 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 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.

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**Legislation Number:** 0992-2009

**Drafting Date:** 07/01/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** One property currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. One parcel, 861-63 E. 5th Avenue (010-020390), will be sold to Mr. David L. Keen, the adjacent property owner. The property will be transferred by deed and recorded in the Official Records of the County Recorder's Office.

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

**EMERGENCY JUSTIFICATION:** Emergency action is requested in order to expedite the transfer to David L. Keen to start landscaping and other improvements that will enhance the neighborhood and his adjacent property.

### **Title**

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one vacant parcel of real property (861-863 E. 5th Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

### **Body**

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

**WHEREAS**, a proposal for the sale of one parcel which has been acquired pursuant to Sections 5722.04 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

**WHEREAS**, such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

**WHEREAS**, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; and

**WHEREAS**, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate so neighborhood enhancement can

begin immediately, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now therefore,**

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

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

PARCEL NUMBER: 010-020390  
ADDRESS: 861-63 E. 5th Avenue, Columbus, Oh. 43201  
PRICE: \$5,850 plus recording fee of \$28.00  
USE: Side Yard Lot

Being Lot Number Nineteen(19) of Biddleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14A, Recorder's Office, Franklin County, Ohio.

Except:

Being a 6 foot strip of land off the entire northerly end of Lot Number 19 in Biddleman's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 8, page 14A, Recorder's Office, Franklin County, Ohio, and extending from the westerly property line to the easterly property line, a distance of 35 feet; containing 210 square feet.

District/Parcel: 010-020390  
Address: Fifth Avenue

**Section 2.** That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

**Section 3.** That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

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

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**Legislation Number:** 0993-2009

**Drafting Date:** 07/02/2009

**Current Status:** Passed

**Version:** 2

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** The purpose of this ordinance is to give the Mayor of the City of Columbus the authority to enter into a consortium agreement with the organizations and government entities listed below for the purpose of submitting a competitive application to the U.S. Department of Housing and Urban Development (HUD) under the Neighborhood Stabilization Program 2. In addition, this legislation seeks authorization from Columbus City Council for the Mayor, as the Lead Applicant for the Consortium, to apply for and accept grant funds from HUD under the Neighborhood Stabilization Program. A Notice of Funding Availability (NOFA) was published by HUD on May 4, 2009 under the American Reinvestment and Recovery Act of 2009 (Public Law 111-005) (Recovery Act) for additional activities under Division B, Title III of the Housing and Economic Recovery Act of 2008 (Public Law 110-289) (HERA), as amended, for the purpose of assisting in the redevelopment of abandoned and foreclosed homes under the Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes heading, referred to as the Neighborhood Stabilization Program 2 (NSP2).

The City of Columbus is the Lead Applicant in a local consortium that is forming to respond to aforementioned NOFA.

The NSP 2 Consortium will be an association <[http://en.wikipedia.org/wiki/Professional\\_body](http://en.wikipedia.org/wiki/Professional_body)> of eight organizations and government entities applying for NSP2 funds, as well as, pooling their resources and services for achieving a common goal: Creating vital, healthy neighborhoods by implementing strategies that build a stronger housing real-estate market in weak-market areas of Columbus and Franklin County. Members of the NSP2 Consortium will include: The City of Columbus, Franklin County, Affordable Housing Trust of Columbus and Franklin County, Campus Partners, Columbus Housing Partnership, ~~Columbus Metropolitan Housing Authority~~, Community Development Collaborative of Greater Columbus, and Habitat for Humanity of Greater Columbus. **The Consortium members will provide information to area commissions and civic associations on proposed projects and seek input from those stakeholders.**

The grant request will not exceed \$65,000,000.

It is requested that this legislation be declared an emergency so that the grant application can be submitted by its July 17, 2009 deadline.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the Mayor of the City of Columbus to enter into a consortium agreement for the purpose of submitting a competitive application to the U.S. Department of Housing and Urban Development under the Neighborhood Stabilization Program 2; to authorize the Mayor, as the Lead Applicant of the NSP2 Consortium, to apply for and accept grant funds from the U.S. Department of Housing and Urban Development under the Neighborhood Stabilization Program 2; and to declare an emergency.

Body

WHEREAS, A Notice of Funding Availability (NOFA) was published by HUD on May 4, 2009 under the American Reinvestment and Recovery Act of 2009 (Public Law 111-005) (Recovery Act) for additional activities under Division B, Title III of the Housing and Economic Recovery Act of 2008 (Public Law 110-289) (HERA), as amended, for the purpose of assisting in the redevelopment of abandoned and foreclosed homes under the Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes heading, referred to as the Neighborhood Stabilization Program 2 (NSP2); and

WHEREAS, the NSP2 program is designed to allow local consortiums to submit applications for funding under the Neighborhood Stabilization Program 2 (NSP2); and

WHEREAS, the City is the Lead Applicant in a local consortium being formed to apply for funding under NSP2 that includes Franklin County, Affordable Housing Trust of Columbus and Franklin County, Campus Partners, Columbus Housing Partnership, ~~Columbus Metropolitan Housing Authority~~, Community Development Collaborative of Greater Columbus, Habitat for Humanity of Greater Columbus; and

**WHEREAS, if funding is obtained, Consortium members will work with area commissions and civic associations on proposed projects and seek input on their development proposals.**

WHEREAS, these NSP2 grant funds are being sought to build a stronger housing real-estate market in weak-market areas of Columbus and Franklin County through the acquisition, demolition, rehabilitation and redevelopment of foreclosed, abandoned and vacant properties; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that emergency action is necessary so that the grant application can be submitted by its July 17, 2009 deadline, all for the preservation of public health, peace, property, safety and welfare; now therefore,

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

Section 1. That the Mayor of the City of Columbus, or his designee, is hereby authorized to enter into a consortium agreement for the purpose of applying for grant funds from the U.S. Department of Housing and Urban Development under the Neighborhood Stabilization Program 2.

Section 2. That the Mayor of the City of Columbus, or his designee, is hereby authorized to submit a grant application to the U.S. Department of Housing and Urban Development and to accept these grant funds if awarded to the City of Columbus.

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

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**Legislation Number:** 0995-2009

**Drafting Date:** 07/02/2009

**Current Status:** Passed

**Version:** 1

**Matter Type:** Ordinance

### **Explanation**

**BACKGROUND:** The purpose of this ordinance is to give the Director of the Department of Development the authority to enter into an agreement of understanding with Wagenbrenner Development, Inc. in conjunction with a Clean Ohio Revitalization Fund Round 7 grant application, of up to \$3 million, and to authorize the application the Department of Development intends to submit to the Ohio Department of Development for site cleanup at the former 3M site (aka, former Auld site) at 1206 N. Fourth St. in the Weinland Park Neighborhood of Columbus. An agreement of understanding, along with this ordinance, is required for the application of Clean Ohio grant funds.

The former 3M site was used for metal finishing operations from 1920 to 2000 when operations closed. It has remained vacant since 2000 and, since that time, has been a blighting influence in the Weinland Park Neighborhood of Columbus.

The site consists of vacant industrial buildings on 3.4 acres. It was recently acquired by Wagenbrenner Development, Inc. who plans to invest approximately \$24 million to clean the site and construct a mixed use development of approximately 110 residential units with street level commercial space, which is consistent with the Weiland Park Development Plan.

Remediation activities will involve demolition and asbestos removal on site along with removal of various chemical contaminants.

The agreement of understanding sets forth the essential roles of both the developer and the Department of Development in undertaking site cleanup and subsequent redevelopment. The agreement of understanding does not subject the City to liability for any site contamination, which may exist at or near the redevelopment site.

This legislation is submitted as an emergency to meet the Clean Ohio Program Round 7 grant application deadline of July 20, 2009.

**FISCAL IMPACT:** There are no costs to the City of Columbus associated with applying for Clean Ohio Round 7 grant funding. If the application is approved by the State, the City of Columbus will receive up to \$3 million in grant funding for environmental clean up at this site.

### **Title**

To authorize and direct the Director of the Department of Development to enter into an agreement of understanding with Wagenbrenner Development, Inc. in conjunction with a Clean Ohio Revitalization Fund Round 7 grant application of up to \$3 million and to authorize the application the Columbus Department of Development plans to submit to the Ohio Department of Development for site clean up at the former 3M site at 1206 N. Fourth St. in the Weinland Park Neighborhood of Columbus; and to declare an emergency.

**Body**

**WHEREAS**, the State of Ohio, Clean Ohio Program will award up to \$3 million per project to communities throughout Ohio for the purpose of cleanup and redevelopment of contaminated or abandoned properties known as "brownfields"; and

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

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

**WHEREAS**, Clean Ohio grant funding will greatly complement the efforts of the Columbus Department of Development in helping to cleanup and redevelop brownfield properties in Columbus; and

**WHEREAS**, the Columbus Department of Development has identified a brownfield property which may be eligible for Clean Ohio Program Round 7 grant funding at the site formerly known as the 3M site in Weinland Park and Wagenbrenner Development, Inc. has agreed to partner with the City to clean up and redevelop the site for commercial and residential use; and

**WHEREAS**, an emergency exists in the usual daily operation of City Council in that it is immediately necessary to express its support for the application described herein in order to meet the Clean Ohio Program Round 7 grant application deadline of July 20, 2009, all for the preservation of public health, peace, property, safety and welfare; **Now, Therefore,**

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

**Section 1.** That the Director of the Columbus Department of Development is hereby authorized and directed to enter into an agreement of understanding with Wagenbrenner Development, Inc. for the redevelopment of the former 3M site at 1206 N. Fourth St. in the Weinland Park Neighborhood of Columbus and is authorized to submit an associated application for Round 7 grant funding, of up to \$3 million, to the Ohio Department of Development for cleanup at the site under the Clean Ohio Revitalization Fund Program.

**Section 2.** That for 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.

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**Legislation Number:** 0996-2009

**Drafting Date:** 07/02/2009

**Version:** 1

**Current Status:** Passed

**Matter Type:** Ordinance

**Explanation**

**BACKGROUND:** Pursuant to ordinance 1455-07, passed by Columbus City Council on September 24, 2007, the Department of Development applied for, and was awarded, a Clean Ohio grant of \$102,000 from the Ohio Department of Development to perform a Phase 2 environmental assessment at the Kimball Midwest site at 580 West Goodale in Columbus. The Phase 2 environmental assessment was complete during the second quarter of 2009.

The purpose of this legislation is to authorize the Director of the Department of Development to apply for Clean Ohio grant funding, of up to \$750,000.00, to the Ohio Department of Development, to receive and administer the grant and to authorize the developer, JDS Goodale, LLC, to apply the grant funding toward the environmental clean up work at the project site to prepare for redevelopment.

JDS Goodale, LLC acquired the 4.2 acre site in March 2006 with the intention of razing the minor buildings on the site,

redeveloping the three (3) story concrete structure and incorporating it into the project plans. With the tracts located within the Downtown District, and its proximity to the downtown area, the site lends itself to urban downtown living. The site is situated along the Olentangy River and has an unobstructed view of the downtown skyline.

Current development plans are to construct a mixed use residential and commercial complex. The total estimated development cost will be approximately \$15-20 million.

This legislation is submitted as an emergency to commence the Clean Ohio grant process immediately.

**FISCAL IMPACT:** No funding is required for this legislation. There is no cost to the City of Columbus to apply for the grant.

**Title**

To authorize and direct the Director of the Department of Development to enter into an agreement of understanding with JDS Goodale, LLC and to apply to the Ohio Department of Development for Clean Ohio grant funding of up to \$750,000 for the environmental clean up and redevelopment of the Kimball Midwest site at 580 West Goodale Blvd. in Columbus; and to declare an emergency.

**Body**

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

**WHEREAS**, the Columbus Department of Development has been involved with brownfield redevelopment since 1996 through its administration of the Columbus Brownfield Redevelopment Program and its associated task force; and

**WHEREAS**, Clean Ohio grant funding is available for environmental clean up and will greatly compliment the efforts of the Department of Development in helping to clean up and redevelop brownfield properties in Columbus; and

**WHEREAS**, the Department of Development has identified a brownfield property, which is eligible for Clean Ohio grant funds, at the Kimball Midwest site, 580 West Goodale Blvd., where environmental clean up is required before redevelopment can occur; and

**WHEREAS**, Kimball Midwest site owner and developer, JDS Goodale LLC, intends to redevelop the site with commercial space and residential units investing approximately \$15-20 million; and

**WHEREAS**, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of the Department of Development to apply for Clean Ohio grant funding for the Kimball Midwest site in order to commence the Clean Ohio grant process immediately, all for the preservation of public health, peace, property, safety and welfare; now therefore,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to enter into an agreement of understanding with JDS Goodale, LLC and apply for Clean Ohio grant funding, of up to \$750,000.00, to the Ohio Department of Development, for the environmental clean up and redevelopment of the Kimball Midwest site at 580 West Goodale Blvd. in Columbus.

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



# 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/V/SFB.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 - July 21, 2009 11:00 am

SA003277 - POLICE INTELLIGENCE CASE MANAGMENT SYST.

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

NOTE: This change order is to add an ADDENDUM that provides questions and answers and the extends the opening date. The addendum is to be returned with your proposal submission.

1.1 Scope:

The Columbus Division of Police is seeking bids through this Request for Proposal (RFP) to acquire and implement an Intelligence/Case Management System with the latest technology available. The preferable system will be compatible and be able to fully interface with the Division of Police utilizing Microsoft SQL Server.

The Division of Police is a service to the public and operates 24 hours/7 days a week for both sworn and civilian staff. It is vital that systems for public safety and officer safety such as an Intelligence/Case Management Identification System be available to investigative personnel during all hours of operation. Support staff maintains and updates the information. Sworn staff must have access to the data from all environments including, but not limited to remote sites, as well as the Central Headquarters.

The start date of the contract will be based on the date on the executed contract page for a term of three (3) years. This contract may be renewed for maintenance and software support on its anniversary date for two (2) additional one-year renewals beyond the initial term contingent upon mutual agreement of both parties.

1.2 Classification:

Submit one (1) original unbound and five (5) copies that includes addendum. So that the evaluation is fair for all proposals, we need a uniform proposal format. Bidders are advised that City of Columbus Division of Police desires that proposals prepared in response to this RFP be submitted on recycled paper, and that all copies be printed on both sides of paper. While the appearance of proposals is important, and professionalism in proposal presentation should not be neglected, the use of non-recyclable or non-recycled glossy materials is discouraged. In addition, it is requested that proposals be in flat bound form to facilitate filing. Please do not submit proposals in loose-leaf binders

Bidders must describe their organizational size and structure, and state to what extent they are based locally, regionally, nationally, or internationally as well as their relationship to any parent firms, sister firms or subsidiaries.

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: June 27, 2009

BID OPENING DATE - July 23, 2009 11:00 am

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003303 - Andritz Decanter Centrifuge Parts & Serv

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids for a Universal Term Contract for the purchase of Andritz Decanter Centrifuge Parts and Services for use by the Jackson Pike Wastewater Treatment Plant. The equipment is used in the sludge dewatering process at the plant. The contract will be in effect for a period of two (2) years to and including December 31, 2011. The estimated amount spent annually from this contract is \$75,000.00.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of Andritz Decanter Centrifuge Parts and Services. All orders will be based on as needed basis. Items listed are considered items that will be ordered more often from this contract. Bidders are being asked to quote on items listed, service hourly and over-time rates and to submit a price list for items not specifically listed. No substitutes will be accepted.

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: June 24, 2009

BID OPENING DATE - July 29, 2009 2:00 am

SA003323 - Online Credit Card Payment Services

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope:

1.1.1 It is the intent of the City of Columbus, the Franklin County Municipal Court, Clerk of Court to obtain formal bids to establish a contract for the purchase of support for Online Credit Card Payment Services utilized at the Franklin County Municipal Court, Clerk of Court, Accounting Division, 375 South High Street, 3rd Street, Columbus, Ohio 43215. The service period is for one (1) year.

1.2 Classification:

1.2.1 Proposals will be received by the Franklin County Municipal Court, Clerk of Court located at 375 South High Street, 3rd Floor, Columbus, Ohio 43215 Attn: Ken Euman, Assistant Fiscal Administrator.

1.2.2 To be eligible for consideration, all vendors must meet the following requirements:

A. Vendor affirms that it has at least five (5) years experience processing merchant card transactions through major credit/debit card processing networks.

B. Vendor affirms that it has provided services similar in nature to that requested by the Clerk in this RFP.

C. All services provided shall be in accordance with and governed by applicable statutes and regulations, including the National Automated Clearing House Association (NACHA) Operating Rules and the Federal Reserve Bank Regulation E.

D. Payment Card Industry Security Standards

1. Vendor shall comply with all Payment Card Industry (PCI) security standards, including:

2. Storing cardholder information relating to transactions appropriately, including authorizations, settlements, reversals, etc.

3. Transmitting cardholder transactions appropriately.

E. Backup and Disaster Recovery

1. Vendor shall have an adequate backup and disaster recovery plan, relating to both technical and environmental situations, as dictated by industry best practice and make a summary of such plan available to the Clerk.

2. Vendor shall have an adequate disaster continuance plan in case of isolated and regional natural disasters.

3. Vendor will provide in writing as response to this RFP the prescribed backup and disaster recovery plan.

1.3 Questions

All questions must be submitted by 7/20/2009 at 5:00 p.m. EST via email to Roy Ball at

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ballr@fcmccclerk.com and must include the company name, address and contact name followed by the question. The final addendum listing questions and answers will be communicated to each vendor via email by 7/22/2009 at 10:00 a.m. EST.

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: July 15, 2009

BID OPENING DATE - July 30, 2009 11:00 am

SA003279 - PU/ADM/VULCAN SCREENING PRESS UNIT

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids to purchase Vulcan Screening Press Unit for use by the Southerly Wastewater Treatment Plant. This equipment will be used for the influent screening process.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase one (1) complete Vulcan Screening Press Unit. All installation requirements will be done by the City of Columbus Southerly Wastewater Treatment Plant personnel.

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: July 01, 2009

SA003312 - Penn Valley Pumps & Pump Parts UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids for a Universal Term Contract for the purchase of Penn Valley Pumps and Pump Parts for use by the Jackson Pike Wastewater Treatment Plant. The contract will be in effect for a period of two (2) years to and including December 31, 2011. The estimated amount spent annually from this contract is \$50,000.00.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of 6" Penn Valley Simplex Double Disc Bare Shaft Pump, 4" Penn Valley Simplex Double Disc Bare Shaft Pump and various replacement parts for both pumps as identified. All orders will be based on as needed basis. Installation requirements will be handled by Sewerage and Drainage Plant personnel. No substitutes will be accepted.

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: June 24, 2009

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA003314 - PURCHASE OF VACCINES UTC

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: The City of Columbus, Public Health Department (CPH), seeks to establish a Universal Term contract for the purchase of vaccines on an as needed basis. The City estimates that \$175,000.00 will be spent annually for this contract. The contract will expire December 31, 2012.

1.2 Classification: Vaccines to be bid on are: Immunoglobulin, Fluzone, Flumist, Hepatitis A Child 2-dose, Gardasil, Menactra, MMR-II, Rotateq, Adacel, Varivax.. Items will be delivered to 240 Parsons Ave., Immunization Clinic, Columbus, OH 43215.

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: June 26, 2009

SA003320 - WATER/DIESEL CAB&CHASSIS W/9 FOOT DUMP

1.1 Scope: It is the intent of the City of Columbus, Public Utilities Department, to obtain formal bids to establish a contract(s) for the purchase of two (2) Diesel powered, heavy-duty cab and chassis with a minimum G.V.W. rating of 17,500 pounds equipped with a 9-foot dump body.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the purchase and delivery, and warranty service of new and unused diesel powered, heavy-duty cab and chassis with a minimum G.V.W. rating of 17,500 pounds equipped with a 9-foot dump body.

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: July 09, 2009

BID OPENING DATE - August 5, 2009 3:00 pm

SA003302 - 75 KW Generator Transport & Installation

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: Sealed proposals will be received by the Director of Public Utilities of the City of Columbus 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 August 5, 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: 75 KW GENERATOR TRANSPORT AND INSTALLATION SERVICES.

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.  
ORIGINAL PUBLISHING DATE: July 14, 2009

BID OPENING DATE - August 7, 2009 4:00 pm

SA003315 - Utility Ticket Management Proposal

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

UTILITY TICKET MANGEMENT PROPOSAL

SCOPE

It is the intent of the City of Columbus, Department of Public Utilities to solicit proposals for a utility ticket management contract for the Damage Prevention Program. The awarded company will manage an established web based One Call utility ticket management program for the Department of Public Utilities, Damage Prevention Program.

The City of Columbus, OH has a service area of approximately 80 square miles. We receive approximately 150,000 tickets per year from the Ohio Utilities Protection Service and will have approximately 20 users of the selected ticket management system. The Damage Prevention Program is required to provide underground utility locating for:

- o Electric
- o Sanitary Sewer
- o Storm Sewer
- o Water

The Damage Prevention Program has a statutory requirement to respond to all locate requests within 48 hours from the time the call is placed. Failure to locate utilities correctly could result in service interruption and damage.

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. For assistance in obtaining bid packet, contact Sue McQuirt 614-645-7079.

ORIGINAL PUBLISHING DATE: June 26, 2009

BID OPENING DATE - August 12, 2009 3:00 pm

SA003317 - CIP 650344-100001 SWWTP Support Faciliti

THE CITY BULLETIN  
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CIP #650344-100001

CONTRACT S77: SOUTHERLY WASTEWATER TREATMENT PLANT, SUPPORT FACILITIES

SCOPE: The City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage is receiving proposals for SOUTHERLY WASTEWATER TREATMENT PLANT, SUPPORT FACILITIES. The work for which proposals are invited consists of the demolition and removal of existing facilities (1 building); renovation, construction, and repurposing of existing facilities (4 buildings); and construction of additional facilities (1 building); all to provide adequate maintenance and operations support and asset management of the upgraded treatment plant. This work includes material hazard abatement, as well as site, architectural, structural, mechanical, and electrical work. All work shall be completed within the Milestone dates established in the Contract.

CLASSIFICATION: There is a Pre-Bid Conference for this Bid. Prevailing Wage Rates apply. A ten percent (10%) proposal bond is required for this bid, and a one hundred percent (100%) performance and payment bond will be required for the making of a contract.

For additional information concerning this bid, including procedures for obtaining a copy of the bidding documents 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 "View Open Solicitations" listing under the "Solicitations" tab.

ORIGINAL PUBLISHING DATE: July 02, 2009

BID OPENING DATE - August 13, 2009 11:00 am

SA003322 - Water-Differential Pressure Transmitters

#### 1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Division of Power and Water, Hap Cremean Water Plant, to obtain formal bids for the purchase of Differential Pressure Transmitters, Software and Modem to replace existing older equipment in the filtration stage of the water treatment process.

1.2 Classification: The bid proposal specifies Siemens manufactured equipment, although bids for alternate manufactured equipment will be evaluated if they meet the minimum specifications. All installation requirements will be handled by City of Columbus personnel.

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: July 14, 2009

# Public Notices

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The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

**City of Columbus  
City Bulletin Report**

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

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**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) <<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.

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**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.

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**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 Meeting Notice

**Contact Name:** Carl Williams

**Contact Telephone Number:** (614) 645-2932

**Contact Email Address:** [CGWilliams@columbus.gov](mailto: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.

- No July Meeting  
*August Recess - No Meeting*
- Thursday, September 17, 2009
- Thursday, October 15, 2009
- Thursday, November 19, 2009  
*Holiday Recess - No Meeting*

*Meeting dates and times subject to change*

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**Legislation Number:** PN0060-2005

**Drafting Date:** 02/23/2005

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Published Columbus City Health Code

**Contact Name:** Richard Hicks

**Contact Telephone Number:** 654-6189

**Contact Email Address:** [rickh@columbus.gov](mailto:rickh@columbus.gov)

To view the most current City Health Code, please visit:  
<http://www.publichealth.columbus.gov/>

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**Legislation Number:** PN0140-2009

**Drafting Date:** 06/08/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

Notice/Advertisement Title: Health, Housing and Human Services Committee & Workforce Development Committee Meeting

Contact Name: James Ragland

Contact Telephone Number: (614) 645-8580

Contact Email Address: [jragland@columbus.gov](mailto:jragland@columbus.gov)

**Body**

Councilmember Tavares' Health, Housing and Human Services Committee / Workforce Development Committee meeting schedule is listed below. Unless otherwise noted, meeting time and location is 5:30 p.m. in the Columbus City Council Chambers. A picture ID is needed to enter City Hall.

Meeting Chair: Councilmember Charleta B. Tavares

Agendas will be posted on the Columbus City Council Website ([www.columbuscitycouncil.org](http://www.columbuscitycouncil.org)) as soon as they are available.

**2009**

Wednesday, January 21, 2009

Wednesday, February 4, 2009

Wednesday, February 18, 2009

Wednesday, March 4, 2009

Wednesday, March 25, 2009

Wednesday, April 8, 2009

Wednesday, April 22, 2009

Wednesday, May 6, 2009

Wednesday, May 20, 2009

Wednesday, June 3, 2009

Wednesday, July 1, 2009

Wednesday, July 15, 2009

August Recess

Wednesday, September 2, 2009

Wednesday, September 16, 2009

Wednesday, October 7, 2009

Wednesday, October 21, 2009

Wednesday, November 4, 2009

Wednesday, November 18, 2009

Wednesday, December 2, 2009

Wednesday, December 16, 2009

Meeting dates and times subject to change

**Legislation Number:** PN0147-2009

**Drafting Date:** 06/23/2009

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

Columbus Art Commission July 2009 Meeting Schedule  
Lori Baudro  
645-6986  
lsbaudro@columbus.gov

**Body**

The Columbus Art Commission is scheduled to hold two meetings in July 2009:

- Business Meeting (no applications heard)  
8:30 to 10:30 a.m. on Wednesday, July 8, 2009  
At the King Arts Complex, 867 Mt. Vernon Ave., Columbus OH
- Regular Commission Meeting  
6:00 to 8:00 p.m. on Thursday, July 23, 2009  
At the Columbus Health Department room 119-C, 240 Parson's Avenue, Columbus OH

For more information contact: Lori Baudro at (614) 645-6986 or lsbaudro@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.

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**Legislation Number:** PN0154-2009

**Drafting Date:** 07/01/2009

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

Columbus Graphics Commission August 18, 2009 Public Hearing  
David J. Reiss  
645-7973  
djreiss@columbus.gov

**Body**

Please see attached Columbus Graphics Commission Public Hearing Agenda

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**Legislation Number:** PN0156-2009

**Drafting Date:** 07/09/2009

**Version:** 1

**Current Status:** Clerk's Office for Bulletin

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** City Council Zoning Agenda for 07/20/2009  
**Contact Name:** Shezronne Zaccardi  
**Contact Telephone Number:** 614-645-1695  
**Contact Email Address:** sezaccardi@columbus.gov

**Body**

**REGULAR MEETING NO. 37**  
**CITY COUNCIL (ZONING)**

**JULY 20, 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**

**0907-2009**

To rezone 4393 WINCHESTER PIKE (43232), being 17.76± acres located on the south side of Winchester Pike, 2480± feet west of South Hamilton Road, From: R-1, Residential District, To: L-AR-4, Limited Apartment Residential District (Rezoning # Z09-008).

**0924-2009**

To rezone 280 EAST WHITTIER STREET (43230), being 2.5± acres located at the northeast corner of East Whittier and Jaeger Streets, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z09-005)

**0940-2009**

To rezone 1382 GRANDVIEW AVENUE (43212), being 0.81± acres located on the east side of Grandview Avenue, 125± feet north of West Third Avenue, From: C-4, Commercial and L-P-1, Limited Parking Districts, To: CPD, Commercial Planned Development District (Rezoning # Z09-012).

**0984-2009**

To grant a Variance from the provisions of Sections 3363.01, M-manufacturing district, and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 974 SOUTH FRONT STREET (43206), to permit an existing single-family dwelling with no parking spaces in the M, Manufacturing District (Council Variance # CV09-015).

**1310-2008**

To rezone 5157 NEW ALBANY ROAD (43054), being 0.31± acres located at the northwest corner of New Albany and Fodor Road, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District. (Rezoning # Z07-031)

**0859-2009**

To 5923 CHESTNUT HILL DRIVE (43230), being 4.3± acres located on the south side of Chestnut Hill Drive, 400± feet east of North Hamilton Road, From: L-C-4, Limited Commercial District, To: L-AR-12, Limited Apartment Residential and L-M, Limited Manufacturing Districts (Rezoning # Z09-006).

**0860-2009**

To grant a variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1 apartment residential district use; and 3333.255, Perimeter yard, of the City codes, for the property located at 5923 CHESTNUT HILL DRIVE (43230), to permit two-family dwellings within a multi-family residential development with a reduced perimeter yard in the L-AR-12, Limited Apartment Residential District (Council Variance # CV09-004).

**0508-2008**

To grant a Variance from the provisions of Sections 3332.02, R, Rural District and 3332.38, Private garage, for the property located at 2005 DYER ROAD (43123), to permit two single-family dwellings with a garage which exceeds 720 square feet, on a lot zoned in the R, Rural District. (Council Variance #CV06-065)

**Legislation Number:** PN0157-2009

**Drafting Date:** 07/13/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Board of Zoning Adjustment July 28, 2009 Public Hearing

**Contact Name:** David J. Reiss

**Contact Telephone Number:** 645-7973

**Contact Email Address:** djreiss@columbus.gov

**Body**

**AGENDA**

**BOARD OF ZONING ADJUSTMENT**

**CITY OF COLUMBUS, OHIO**

**JULY 28, 2009**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, JULY 28, 2009** at **6:00 P.M.** in the First Floor Hearing Room of the Building Services Division, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Building Services Division, 757 Carolyn Avenue, 645-7314.

**SPECIAL NOTE TO THE APPLICANT:** It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

**SIGN LANGUAGE INTERPRETER:** An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

**AGENDA IS ATTACHED**

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**Legislation Number:** PN0158-2009

**Drafting Date:** 07/14/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: July 9, 2009

**Contact Name:** Patricia Rae Grove

**Contact Telephone Number:** (614) 645-7881

**Contact Email Address:** prgrove@columbus.gov

**Body**

Please see Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: July 9, 2009

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**Legislation Number:** PN0159-2009

**Drafting Date:** 07/15/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Notice/Advertisement Title:** Please see Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: July 9, 2009

**Contact Name:** Patricia Rae Grove

**Contact Telephone Number:** (614) 645-7881

**Contact Email Address:** prgrove@columbus.gov

**Body**

Please see Public Service Director's Orders - Placement of Traffic Control Devices as Recommended by the Transportation Division - Effective Date: July 9, 2009

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**Legislation Number:** PN0160-2009

**Drafting Date:** 07/15/2009

**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, August 10, 2009: Staber Industries, Inc., 4800 Homer Ohio Lane, Groveport, Ohio 43125; Shasta Beverages, Inc., 4685 Groveport Road, Obetz, Ohio 43207; Tosoh SMD, Inc., 3600 Gantz Road, Grove City, Ohio 43123; Boehringer Ingelheim Roxane, Inc. (Wilson), 1809 Wilson Road, 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., July 20, 2009 through August 7, 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).

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**Legislation Number:** PN0161-2009

**Drafting Date:** 07/16/2009

**Current Status:** Clerk's Office for Bulletin

**Version:** 1

**Matter Type:** Public Notice

**Title**

**Public Notice**

**Notice/Advertisement Title:** Required Authorizations from the Director of Public Utilities Prior To Work On City Water and Sewer Lines

**Contact Name:** Dan Hanket  
**Contract Telephone Number:** (614) 645-3753  
**Contract E-mail:** [DJHanket@columbus.gov](mailto:DJHanket@columbus.gov)

**Body**

**OFFICIAL NOTICE  
RULES AND REGULATION NO. 09-02  
BY THE ORDER OF THE  
DIRECTOR OF PUBLIC UTILITIES**

**See Required Authorizations From The Director of Public Utilities Prior To Work On City Water and Sewer Lines Effective July 22, 2009.**

By Order Of:  
Tatyana Arsh, P.E.  
Director  
Department of Public Utilities

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**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](mailto: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**

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**AGENDA**  
**GRAPHICS COMMISSION**  
**CITY OF COLUMBUS, OHIO**  
**AUGUST 18, 2009**

The Columbus Graphics Commission will hold a public hearing on the following applications on **TUESDAY, AUGUST 18, 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.



- 01. Application No.:** 09320-00163  
**Location:** 5461 NEW ALBANY ROAD WEST (43054), located at the intersection of New Albany Road and New Albany Road West.  
**Area Comm./Civic:** Northland Community Council  
**Existing Zoning:** CPD, Commercial Planned Development District  
**Request:** Graphics Plan(s) to Section(s):  
3382.07, Graphics plan.  
To amend an existing graphics plan.  
**Proposal:** A wall sign.  
**Applicant(s):** Robert Schorr  
10601 Lithopolis Road  
Canal Winchester, OH 43110  
**Property Owner(s):** New Albany Associates, LP  
101 Kappa Drive  
Pittsburgh, PA 15238  
**Attorney/Agent:** Signvision Company, c/o Jim Gray  
987 Claycraft Drive  
Columbus, OH 43219  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** [JFFreise@Columbus.gov](mailto:JFFreise@Columbus.gov)#<http://JFFreise@Columbus.gov#>

- 02. Application No.:** 09320-00165  
**Location:** 747 WORTHINGTON WOODS BLVD. (43085), located at the southwest corner of Worthington Woods Blvd., and Sancus Blvd.  
**Area Comm./Civic:** Far North Columbus Community Coalition  
**Existing Zoning:** LC-4, Commercial District  
**Request:** Variance(s) to Section(s):  
3375.14, Temporary use sign standards.  
To increase the allowable temporary on-premises signs to be displayed on a lot to advertise real estate office in a residential subdivision from 2 to 8 or 12.  
3375.14, Temporary use sign standards.  
To increase allowable aggregate graphic area from thirty-two (32) square feet to 108.8 square feet.  
3375.14, Temporary use sign standards.  
To reduce the required setback from 2' to 0'.  
**Proposal:** To allow temporary real estate signs.  
**Applicant(s):** Alexander Square, LLC, c/o Nicholas I. King  
470 Olde Worthington Rd.  
Westerville, OH 43082  
**Property Owner(s):** Applicant  
**Attorney/Agent:**  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#
- 03. Application No.:** 09320-00166  
**Location:** 1150 ALUM CREEK DRIVE (43209), located on the west side of the I-70 eastbound off-ramp to Alum Creek Dr.  
**Area Comm./Civic:** None  
**Existing Zoning:** M, Manufacturing District  
**Request:** Variance(s) to Section(s):  
3377.05, C. Tables of elements for on-premises ground signs.  
To increase the overall height of a ground sign with freeway frontage from 35 ft. to 75 ft.  
**Proposal:** To construct a 75 ft. tall ground sign, oriented to I-70.  
**Applicant(s):** Ed Anderson; c/o All Star Sign Co.  
112 S. Glenwood Ave.  
Columbus, Ohio 43222  
**Property Owner(s):** Lomax Realty, L.L.C.  
2903 Fallstaff Rd.  
Baltimore, Maryland 21209  
**Attorney/Agent:** Same as applicant.  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

- 04. Application No.: 09320-00168**  
**Location:** **875 OLENTANGY RIVER ROAD (43212)**, located on the west side of Olentangy River Road, approximately 200' north of Goodale Blvd.  
**Area Comm./Civic:** None  
**Existing Zoning:** CPD, Commercial Planned Development District  
**Request:** Graphics Plan(s) to Section(s):  
3382.07, Graphics plan.  
To allow an existing graphics plan.  
**Proposal:** A medical facility.  
**Applicant(s):** Ohio State University Medical Center, c/o Smith and Hale  
37 West Broad Street  
Columbus, OH 43215  
**Property Owner(s):** Gowdy Partners II, LLC  
1533 Lake Shore Dr.  
Columbus, OH 43204  
**Attorney/Agent:** David Hodge  
37 West Broad Street  
Columbus, OH 43215  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#
- 05. Application No.: 09320-00169**  
**Location:** **364 WEST LANE AVE. (43201)**, located at the northeast corner of Lane and Marble Avenues.  
**Area Comm./Civic:** University Area Review Board and University Area Commission  
**Existing Zoning:** AR-4, Apartment Residential District  
**Request:** Miscellaneous Graphic(s) to Section(s):  
3375.12, Graphics requiring Graphics Commission approval  
To permit the installation of a banner.  
**Proposal:** Riverwatch Tower Condominium Association.  
**Applicant(s):** Orange Barrel Media  
3400 Southwest Blvd.  
Grove City, Ohio 43123  
**Property Owner(s):** Riverwatch Tower Condominium Association  
364 West Lane Ave.  
Columbus, Ohio 43201  
**Attorney/Agent:** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#

**AGENDA  
BOARD OF ZONING ADJUSTMENT  
CITY OF COLUMBUS, OHIO  
JULY 28, 2009**

**THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M., AFTER ANY APPEAL(S):**

- 1. Application No.: 09310-00106**  
**Location:** 3223 MORSE ROAD (43231), located on the south side of Morse Road, approximately 200' east of Westerville Road.  
**Area Comm./Civic:** North East Area Commission  
**Existing Zoning:** LARLD, Apartment Residential District  
**Request:** Variance(s) to Section(s):  
3333.23, Minimum side yard permitted.  
To reduce the minimum side yard from 5' to 0'.  
3342.28, Minimum number of parking spaces required.  
To reduce the minimum number of parking spaces from 84 to 33.  
3333.25, Side or rear yard obstruction.  
To allow a structure (8 ft. fence) in the side yard.  
**Proposal:** A 3 story, 42 unit apartment building.  
**Applicant(s):** Samantha A. Shuler  
1680 Watermark Drive  
Columbus, OH 43215  
**Property Owner(s):** Dogwood Glenn, LLC, c/o Community Housing Network, Inc.  
1680 Watermark Drive  
Columbus, OH 43215  
**Case Planner:** Dave Reiss, 645-6350  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#
  
- 2. Application No.: 09310-00116**  
**Location:** 1297 OAKLAND PARK (43224), located on the south side of Oakland Park, approximately 220' east of Karl Road.  
**Area Comm./Civic:** North Linden Area Commission  
**Existing Zoning:** R-3, Residential District  
**Request:** Variance(s) to Section(s):  
3332.26, Minimum side yard permitted.  
To reduce the minimum side yard from 3' to 1' along the east lot line.  
**Proposal:** To construct a carport.  
**Applicant(s):** Roger Runion  
8467 St.Rte. 316 W.  
Orient, OH 43146  
**Property Owner(s):** Salvatore Lipari  
1297 Oakland Park Ave.  
Columbus, OH 43224  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#
  
- 3. Application No.: 09310-00127**  
**Location:** 6166 BRISTOL RIDGE DRIVE (43110), located northeast of the intersection of Brice Rd. & Winchester Pk.  
**Area Comm./Civic:** Southeast Community Coalition  
**Existing Zoning:** NC & NG, Neighborhood Center and Neighborhood General District  
**Request:** Variance(s) to Section(s):  
3320.17 B. 8., Mandatory Elements.  
To not provide play equipment for children in at least one civic space in a Traditional Neighborhood Development (TND) district developed with single-family dwellings.  
3320.19, Private buildings.

To not provide a garage for some Neighborhood Center lots when units are not accessed by an alley or lane.

**Proposal:** To allow development in a Traditional Neighborhood Development (TND) district that does not include play equipment for children in a district containing one-family dwellings and that does not include a garage for Neighborhood Center units which are not accessed by an alley or lane.

**Applicant(s):** Village Communities; c/o David Hodge; Smith & Hale, L.L.C.  
37 W. Broad St., Suite 725  
Columbus, Ohio 43215

**Property Owner(s):** Glen at Schirm Farms L.L.C., et. al.  
470 Olde Worthington Rd.  
Westerville, Ohio 43082

**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

4. **Application No.:** 09310-00134  
**Location:** 135 PRESTON DRIVE (43209), located at the northwest corner of Preston Drive and Barton Place.  
**Area Comm./Civic:** None  
**Existing Zoning:** RRR, Restricted Rural Residential District  
**Request:** Variance(s) to Section(s):  
3332.21, Building lines.  
To reduce the building line from 25' to 16'.  
**Proposal:** To construct a fireplace.  
**Applicant(s):** Mary Weiler  
135 Preston Drive  
Columbus, OH 43209  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#

5. **Application No.:** 09310-00135  
**Location:** 1070 MICHIGAN AVE. (43201), located on the east side of Michigan Ave., approximately 150' north of West Second Ave.  
**Area Comm./Civic:** Harrison West Society  
**Existing Zoning:** R-2F, Residential District  
**Request:** Variance(s) to Section(s):  
3332.14, R-2F area district requirements.  
To reduce the lot area from 6,000 sq.ft. to 2,626 sq.ft.  
3332.05, Area district lot width requirements.  
To reduce lot width from 50' to 30'.  
3342.28, Minimum number of parking spaces required.  
To reduce the minimum number of parking spaces from 4 to 0.  
**Proposal:** To legitimize a two family dwelling.  
**Applicant(s):** Tim Schwerling  
1059 Michigan Ave.  
Columbus, OH 43201  
**Property Owner(s):** Applicant  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#

6. **Application No.:** 09310-00138  
**Location:** 2129 SUNBURY ROAD (43219), located at the southwest corner of East 5th Ave. and Sunbury Road.  
**Area Comm./Civic:** North Central Area Commission  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):

3342.28, Minimum number of parking spaces required.  
To reduce the minimum number of parking spaces from 8 to 0.

**Proposal:** A change of use from residential to a beauty salon.  
**Applicant(s):** Dino Smith and Stacia Williams  
6288 Alissa Ln.  
Columbus, OH 43213  
**Property Owner(s):** Pillar Properties, LLC  
PO Box 13321  
Columbus, OH 43213  
**Case Planner:** Jamie Freise, 645-6350  
**E-mail:** JFFreise@Columbus.gov#http://JFFreise@Columbus.gov#

7. **Application No.:** 09310-00136  
**Location:** 282 EAST KANAWHA AVENUE (43214), located on the north side of E. Kanawha Ave., 250 ft. east of Foster Ave.  
**Area Comm./Civic:** Clintonville Area Commission  
**Existing Zoning:** SR, Suburban Residential District  
**Request:** Variance(s) to Section(s):  
3332.26, Minimum side yard permitted.  
To reduce the minimum side yard from 5 ft. to 3 ft.  
**Proposal:** To construct a room addition onto a single-family dwelling.  
**Applicant(s):** Same as owner.  
**Property Owner(s):** Tom Eastwood  
282 E. Kanawha Ave.  
Columbus, Ohio 43214  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#
8. **Application No.:** 09310-00140  
**Location:** 224 WALHALLA ROAD (43202), located at the southwest corner of E. California Ave. & Calumet St.  
**Area Comm./Civic:** Clintonville Area Commission  
**Existing Zoning:** RRR, Restricted Rural Residential District  
**Request:** Variance(s) to Section(s):  
3332.25, Maximum side yards required.  
To reduce the sum of the widths of the required side yards from 20% (12 ft.) to approximately 8.5% (5 ft.).  
3332.26, Minimum side yard permitted.  
To reduce the minimum side yard from 7.5 ft. to 2.5 ft. (5 ft.).  
**Proposal:** To construct a deck at a single-family residence.  
**Applicant(s):** Same as owner.  
**Property Owner(s):** Gregory S. Baker  
224 Walhalla Rd.  
Columbus, Ohio 43202  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#
9. **Application No.:** 09310-00141  
**Location:** 715 MARION ROAD (43207), located on the south side of Marion Rd., approximately 880 ft. west of Champion Ave.  
**Area Comm./Civic:** Columbus South Side Area Commission  
**Existing Zoning:** M, Manufacturing District  
**Request:** Special Permit & Variance(s) to Section(s):  
3389.07, Impound lot, junk yard or salvage yard.  
To permit the establishment of a salvage/recycling operation.  
3342.24, Surface.  
To maintain a gravel surface for driveways, aisles and parking.

**Proposal:** To establish a recycling facility.  
**Applicant(s):** B.S.S. Waste; c/o Donald Plank; Plank and Brahm  
145 E. Rich St.  
Columbus, Ohio 43215  
**Property Owner(s):** Cra-Co Investments, L.L.C.; c/o Donald Plank; Plank and Brahm  
145 E. Rich St.  
Columbus, Ohio 43215  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

**10. Application No.:** 09310-00142  
**Location:** 935-951 NORTH HIGH STREET (A.K.A. 925-941 NORTH HIGH STREET) (43201), located at the southwest corner of W. 2nd Ave. & N. High St.  
**Area Comm./Civic:** Victorian Village Commission  
**Existing Zoning:** C-4, Commercial District  
**Request:** Variance(s) to Section(s):  
3342.28, Minimum number of parking spaces required.  
To reduce the minimum number of required parking spaces from 53 to 0.  
**Proposal:** To convert first floor office/retail space into a parking garage and to construct a 3 story addition to the existing building for offices and dwelling units on the 2nd - 4th floors.  
**Applicant(s):** Wood Real Estate, L.L.C.; c/o Donald Plank; Plank and Brahm  
145 E. Rich St.  
Columbus, Ohio 43215  
**Property Owner(s):** Same as applicant.  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

**11. Application No.:** 09310-00143  
**Location:** 764 SOUTH SIXTH STREET (43206), located on the east side of S. Sixth St., 62.5 ft. south of Frankfort St.  
**Area Comm./Civic:** German Village  
**Existing Zoning:** R-2F, Residential. District  
**Request:** Variance(s) to Section(s):  
3332.25, Maximum side yards required.  
To reduce the maximum side yards required from 20% of the width of the lot (6.25 ft.) to as little as 11.8% of the width of the lot (3.7 ft.)  
3332.26, Minimum side yard permitted.  
To reduce the minimum side yard from 3 ft. to as little as 0.2 ft. along the north lot line.  
**Proposal:** To construct an addition onto a single-family dwelling.  
**Applicant(s):** Robert Pomante  
949 Oakland Park Ave.  
Columbus, Ohio 43206  
**Property Owner(s):** David & Cindy Holloway  
764 S. Sixth St.  
Columbus, Ohio 43206  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

**HOLDOVER CASE(S):**

**12. Application No.:** 09310-00061  
**Location:** 33 EAST 17TH AVENUE (43201), located at the southeast corner of E. 17th Ave. & Pearl Al.  
**Area Comm./Civic:** University Area Commission  
**Existing Zoning:** AR-4, Apartment Residential District  
**Request:** Variance(s) to Section(s):

3333.355, Rooftop telecommunication installation.

To allow the installation of a rooftop telecommunication antenna on a building that is not 60 ft. in height.

**Proposal:** To permit the installation of a rooftop antenna on a residential apartment building.  
**Applicant(s):** T-Mobile; c/o LJS Development  
140 Sherwood Dr.  
McMurray, Pennsylvania 15317  
**Property Owner(s):** Buckeye Real Estate  
48 E. 15th Ave.  
Columbus, Ohio 43201  
**Case Planner:** Dave Reiss, 645-7973  
**E-mail:** DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMENDED BY THE  
TRANSPORTATION DIVISION  
EFFECTIVE DATE: JULY 9, 2009

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

**PARKING REGULATIONS**

The parking regulations on the 891 foot long block face along the S side of ALLEGHENY AVE from VIRGINALEE RD E extending to STELZER RD shall be

Range in feet	Code Section	Regulation
0 - 510	2151.01	(STATUTORY RESTRICTIONS APPLY)
510 - 610	2105.14	BUS STOP ONLY
610 - 891	2105.17	NO STOPPING ANYTIME

The parking regulations on the 3158 foot long block face along the W side of BELVIDERE AVE from SULLIVANT AVE extending to BROAD ST shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 170	2151.01	(STATUTORY RESTRICTIONS APPLY)
170 - 184		NAMELESS ALLEY
184 - 713	2151.01	(STATUTORY RESTRICTIONS APPLY)
713 - 727		NAMELESS ALLEY
727 - 1445	2151.01	(STATUTORY RESTRICTIONS APPLY)
1445 - 1460		NAMELESS ALLEY
1460 - 1951	2151.01	(STATUTORY RESTRICTIONS APPLY)
1951 - 1974	2105.03	HANDICAPPED PARKING ONLY
1974 - 2190	2151.01	(STATUTORY RESTRICTIONS APPLY)
2190 - 2204		NAMELESS ALLEY
2204 - 2362	2151.01	(STATUTORY RESTRICTIONS APPLY)
2362 - 2382	2105.03	HANDICAPPED PARKING ONLY
2382 - 2450	2105.17	NO STOPPING ANYTIME
2450 - 2692	2151.01	(STATUTORY RESTRICTIONS APPLY)
2692 - 2800	2105.17	NO STOPPING ANYTIME
2800 - 2932	2151.01	(STATUTORY RESTRICTIONS APPLY)
2932 - 2945		NAMELESS ALLEY
2945 - 3108	2151.01	(STATUTORY RESTRICTIONS APPLY)
3108 - 3158	2105.17	NO STOPPING ANYTIME

The parking regulations on the 496 foot long block face along the S side of HILDRETH AVE from GRAHAM ST extending to JOHNSON ST shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 113	2151.01	(STATUTORY RESTRICTIONS APPLY)
113 - 136	2105.03	HANDICAPPED PARKING ONLY
136 - 346	2151.01	(STATUTORY RESTRICTIONS APPLY)
346 - 369	2105.03	HANDICAPPED PARKING ONLY
369 - 496	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 677 foot long block face along the E side of INDIANOLA AVE from MAYNARD AVE extending to CLINTON ST shall be

Range in feet	Code Section	Regulation
0 - 35	2105.17	NO STOPPING ANYTIME
35 - 647	2105.17	NO PARKING 8AM - 2PM SEC THURS APR 1 - NOV 1 FOR STREET CLEANING
647 - 677	2105.17	NO STOPPING ANYTIME

The parking regulations on the 300 foot long block face along the E side of LINWOOD AVE from KOSSUTH ST extending to COLUMBUS shall be

Range in feet	Code Section	Regulation
0 - 235	2151.01	(STATUTORY RESTRICTIONS APPLY)
235 - 255	2105.03	HANDICAPPED PARKING ONLY
255 - 300	2105.17	NO STOPPING ANYTIME

The parking regulations on the 332 foot long block face along the S side of MADISON AVE from EIGHTEENTH ST extending to NINETEENTH ST shall be

Range in feet	Code Section	Regulation
0 - 224	2151.01	(STATUTORY RESTRICTIONS APPLY)
224 - 269	2105.17	NO STOPPING ANYTIME
269 - 292	2105.03	HANDICAPPED PARKING ONLY
292 - 332	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 327 foot long block face along the S side of REFUGEE RD S from ALUM CREEK DR extending to EAST TERMINUS shall be

Range in feet	Code Section	Regulation
0 - 327	2105.17	NO PARKING ANY TIME

The parking regulations on the 335 foot long block face along the N side of REFUGEE RD S from ALUM CREEK DR extending to EAST TERMINUS shall be

Range in feet	Code Section	Regulation
0 - 335	2105.17	NO PARKING ANY TIME

The parking regulations on the 440 foot long block face along the W side of SUMMIT ST from OAKLAND AVE extending to WYANDOTTE AVE shall be

Range in feet	Code Section	Regulation
0 - 101	2105.14	BUS STOP ONLY
101 - 410	2105.17	NO PARKING 8AM - 4PM - 2ND THURSDAY APR. 1 - NOV. 1 FOR STREET SWEEPING
410 - 440	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: MARK KELSEY, PUBLIC SERVICE DIRECTOR

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE  
TRANSPORTATION DIVISION  
EFFECTIVE DATE: JULY 9, 2009

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Transportation Division, the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

**SECTION 2105.09      TURNS AT INTERSECTIONS**

**Mandatory turn lanes shall be removed as follows:**

HANOVER ST at NATIONWIDE BLVD

The southbound traffic in the lane second from the west curb shall no longer be required to turn left.

**PARKING REGULATIONS**

The parking regulations on the 583 foot long block face along the E side of HANOVER ST from NATIONWIDE BLVD extending to BRODBELT LANE shall be

Range in feet	Code Section	Regulation
0 - 117	2105.17	NO STOPPING ANYTIME
117 - 167	2105.15	NO PARKING LOADING ZONE
167 - 583	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: MARK KELSEY, PUBLIC SERVICE DIRECTOR

OFFICIAL NOTICE

RULES AND REGULATIONS NO: 09-02  
BY ORDER OF  
THE DIRECTOR PUBLIC UTILITIES

Effective July 22, 2009

Pursuant to Columbus City Code §1131.02 and §1103.06, the Director of the Department of Public Utilities (“DPU”) hereby adopts, establishes, and publishes these rules and regulations to be effective on July 22, 2009. These rules and regulations are in addition to any requirements presently established or as may be established from time to time by Ordinance or Resolution of City Council or by rules and regulations that may be adopted by the Department of Public Utilities or other offices, boards, commissions, agencies, divisions, or departments of the City.

DIRECTOR’S REGULATIONS PURSUANT TO CITY CODE CHAPTERS 1103 and 1131 TO ESTABLISH REQUIRED AUTHORIZATIONS FROM THE DPU DIRECTOR PRIOR TO WORK ON CITY WATER AND SEWER LINES.

Pursuant to Columbus City Code, the Director establishes the following procedures for obtaining contractor authorizations to work on the City’s water or sewer lines.

PURPOSE: The purpose of this rule and regulation is to ensure that contractors who work on the City’s water and sewer lines have the minimum qualifications and experience.

A. Current licensed sewer contractors working on City sewer lines

1. Licensed sewer contractors under City Code § 4114 as of July 22, 2009 must submit a pre-approval application on a form prescribed by the DPU Director to the DPU Contractor Review Committee, 910 Dublin Road, Columbus, Ohio 43215 no later than August 31, 2009 to continue to work on sewer lines after that date.
2. No additional bond or fee will be required.
3. Failure to timely submit the application will disqualify the company or individual from working on City sewer lines until the required authorization and license are obtained.

B. Current licensed sewer contractors working on City water lines

1. Currently licensed sewer contractors that have demonstrated prior experience in the installation and/or repair of water systems (including water service lines and taps) must submit a pre-approval application on a form prescribed by the DPU Director to the DPU Contractor Review Committee, 910 Dublin Road, Columbus, Ohio 43215 no later than August 31, 2009 to continue to work on City water lines after that date.
2. The sewer license will be converted to a water/sewer contractor license by the Licensing Section.
3. No additional bond or fee will be required.
4. Failure to timely submit the application will disqualify the company or individual from working on both City water and sewer lines until the required authorization and license are obtained.

C. New applications

1. Application

Contractors who wish to work on City sewer and/or water lines must complete a pre-approval application on a form prescribed by the DPU Director to the DPU Contractor Review Committee, 910 Dublin Road, Columbus, Ohio 43215.

2. Minimum Experience

Applicants for a sewer authorization and license, a water authorization and license, or a combined water/sewer license shall provide evidence in writing that they have:

- a. at least three years of cumulative work experience under the supervision of a Columbus or other recognized jurisdiction's licensed contractor on sewer lines, water systems (including water service lines and taps), or combined sewer and water lines or systems; or
- b. a current, valid license as a contractor in another recognized city, county, or state to work on sewer, water, or combined sewer/water lines or systems; or
- c. two full years of experience working on sewer lines, water systems, or combined sewer/water lines or systems.

3. Interview

Applicants must successfully pass an in-person interview conducted by an appointed DPU review panel at the DPU administrative offices located at 910 Dublin Road, Columbus Ohio 43215 prior to issuance of the authorization.

4. Upon approval of the application and issuance of the authorization, DPU will forward it to the Licensing Section of Building Services within the Department of Development for final review and approval and issuance of the license.

5. Applicants must complete the licensing process with Building Services by obtaining a \$25,000 surety bond, providing proof of insurance, and paying all applicable fees to the Licensing Section.

D. Expiration and Renewal of DPU Authorization

1. Beginning Fall Quarter 2009, Director authorizations shall expire at the end of the quarter designated for persons whose surnames initial letter falls within that quarter's range as follows:

Quarter	Range of Initials	Expiration Date
Fall	A through F	December 31
Winter	G through L	March 31
Spring	M through R	June 30
Summer	S through Z	September 30

2. Failure to renew and/or complete the renewal process of a Director's authorization under this rule within thirty calendar days following its expiration shall require a new application.

E. Oversight of Authorizations and Licenses

1. Pursuant to CC 4114.003, the Boards of Review will continue to exercise their oversight of Department of Development issued licenses
2. The DPU Director will exercise oversight of DPU authorizations and may revoke a sewer, water, or combined sewer/water authorization for good cause shown.

Date: \_\_\_\_\_

\_\_\_\_\_  
Tatyana Arsh, P.E., Director  
Department of Public Utilities