

Columbus City Bulletin



Bulletin #50
December 12, 2009

Proceedings of City Council

Saturday December 12, 2009



SIGNING OF LEGISLATION

Legislation was signed by Council President Michael C. Mentel on the night of the Council meeting, Monday, *December 7, 2009*; by Mayor, Michael B. Coleman on *Tuesday, December 8, 2009*; and attested by the City Clerk, prior to Bulletin publishing with the exception of Ordinance 1578-2009 which was signed by President Pro Tem Hearcel F. Craig.

The City Bulletin Official Publication of the City of Columbus

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

Council Journal (minutes)



City of Columbus

Journal - Final

Columbus City Council

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

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

Monday, December 7, 2009

5:00 PM

Columbus City Council

Columbus City Council

Journal

December 07, 2009

REGULAR MEETING NO. 55 OF COLUMBUS CITY COUNCIL, DECEMBER 7, 2009 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

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

READING AND DISPOSAL OF THE JOURNAL

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

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

C0032-2009

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF WEDNESDAY DECEMBER 2, 2009:

New Type: C2
To: Incredible Nutrition LLC
DBA Incredible Nutrition LLC
5461 Bethel Sawmill Center
Columbus OH 43235
Permit # 4136618

New Type: C1, C2
To: Campus Pit Stop LLC
DBA Campus Pit Stop
868 W Lane Ave
Columbus OH 43212
Permit # 1219529

New Type: D1
To: Fu Sakura Japanese Steak House Inc
4210 Stelzer Rd
Columbus OH 43219
Permit # 76771690005

New Type: C1, C2, D6
To: M & A Food I LLC
DBA Food Market
1945 Lockbourne Rd
Columbus OH 43207
Permit # 53777990005

New Type: D2
TO: CH Inc
SE Corner Stelzer & McCutcheon
Columbus OH 43219
Permit # 11643750105

New Type: D5
To: CH Inc
SE Corner of Stelzer &
McCutcheon Rd Outlot
Columbus OH 43219
Permit # 11643750090

Liquor Agency Contract
To: Kroger Co
150 W Sycamore St
Columbus OH 43215
Permit # 48850890515

Liquor Agency Contract
To: BVM Ohio Inc
6150 Sunbury Rd Unit B
Columbus OH 43081
Permit # 0349502

Transfer Type: D5, D6
To: BVM Ohio Inc
6150 Sunbury Rd Unit B
Columbus OH 43081
From: A K Group Inc
6150 Sunbury Rd Unit B
Columbus OH 43081
Permit # 0349502

Transfer Type: C1, C2
To: Asad Ali 786 Inc
DBA Lockbourne Marathon
1509 Lockbourne Rd
Columbus OH 43206
From: Elza Inc
DBA Lockbourne Marathon
1509 Lockbourne Rd
Columbus OH 43206
Permit # 0280840

Transfer Type: D5
To: AR Ventures LLC
DBA 3 Monkeys Bar & Grill
7520 High Cross Blvd
Columbus OH 43235
From: Yong Mi II LLC
DBA Sunset Grill
1884 Tamarack Circle S & Patio
Columbus OH 43229
Permit # 0006393

Transfer Type: C1, C2
To: Junaid Inc
DBA Smoke Outlet
2471 E Dublin Granville Rd
Columbus OH 43229
From: Ibrahim I Inc
DBA Smoke Outlet
2471 E Dublin Granville Rd
Columbus OH 43229
Permit # 4410989

Transfer Type: C1, C2, D6
To: Maram Investments LLC
DBA Manor Carryout
579-81 Wedgewood Dr
Columbus OH 43228
From: Amir Investments Ltd
DBA Manor Carryout
579-81 Wedgewood Dr
Columbus OH 43228
Permit # 5520106

Advertise: 12/12/2009
Return: 12/18/2009

Read and Filed

RESOLUTIONS OF EXPRESSION

MILLER

0199X-2009

To Honor and Recognize December 10, 2009 as Human Rights Day in Columbus, Ohio

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

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

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

ADDITIONS OR CORRECTIONS TO THE AGENDA

FIRST READING OF 30-DAY LEGISLATION**FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY**

- 0178X-2009** FR To reaffirm the role of the Economic Stabilization Fund ("Rainy Day Fund") in allowing the City to maintain and continue basic services during an economic downturn, natural disaster, or catastrophe and to establish as a goal a balance of \$50 million in the fund by the end of 2014.
Read for the First Time
- 1573-2009** FR To authorize and direct the Finance & Management Director to enter into contracts for the option to purchase OEM Small Engine and Lawn Mower Parts on an as needed basis with Century Equipment and Reynolds Farm Equipment, LLC to authorize the expenditure of two dollars to establish the contracts from the Mail, Print Services and UTC Fund. (\$2.00)
Read for the First Time
- 1580-2009** FR To authorize the Finance and Management Director to expend \$200,000.00 from the Construction Management Capital Improvement Fund for various facility renovations. (\$200,000.00)
Read for the First Time
- 1586-2009** FR To authorize and direct the Finance and Management Director to enter into four (4) contracts for the option to purchase Automobiles with Byers Ford, Ricart Properties Inc. dba Ricart Ford, Gollings Arena Dodge Inc., and Bob McDorman Chevrolet, to authorize the expenditure of four (4) dollars to establish the contracts from the Mail, Print Services, and UTC Fund. (\$4.00)
Read for the First Time
- 1589-2009** FR To authorize the Finance and Management Director to modify a contract with Kone, Inc. for the maintenance and service of elevators in various City facilities under the purview of the Facilities Management Division; and to authorize the expenditure of \$10,500.00 from the General Fund. (\$10,500.00)
Read for the First Time

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

- 1560-2009** FR To authorize the City Auditor to establish the "Parking Meter Program" Special Revenue Fund, for the Department of Public Service's Division of Mobility Options.
Read for the First Time
- 1606-2009** FR To authorize the Director of Public Service to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for a concrete deck overlay project on the James Road bridge over US-33. (\$0)
Read for the First Time

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- 1647-2009** FR To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Agreement with Teng & Associates, Inc. as provided in Columbus City Council Resolution Number 0088X-2007, adopted June 4, 2007.

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

- 0177X-2009** FR To consider adoption of PURPA Standards Pursuant to the Energy Policy Act of 2005 and Energy Independence and Security Act of 2007.

Read for the First Time

- 1408-2009** FR To authorize the Director of Public Utilities to enter into a professional engineering services agreement with Stantec Consulting Services Inc., for Plum Ridge Sewer System Inflow & Infiltration Remediation Project in order to comply with the consent order as contained in the Wet Weather Management Plan; to authorize the transfer and appropriation of \$26,851.51 within the Sanitary B.A.B.s (Build America Bonds) Fund; to authorize expenditure of \$1,526,851.51 from the Sanitary B.A.B.s (Build America Bonds) Fund, and to amend the 2009 Capital Improvement Budget, (\$1,526,851.51)

Read for the First Time

- 1467-2009** FR This legislation authorizes the Director of Public Utilities to modify an existing professional engineering services contract for the Clintonville Main Rehabilitation Project with Malcolm Pirnie, Inc. for purposes of completing the required engineering services and the transfer within and expenditure of \$23,897.00 from the Sanitary B.A.B.s (Build America Bonds) Fund for the Division of Sewerage and Drainage; and to amend the 2009 Capital Improvement Budget. (\$23,897.00)

Read for the First Time

- 1474-2009** FR To authorize the Director of Public Utilities to enter into an agreement with Stantec Consulting Services, Inc. for professional engineering services for the Division of Power and Water (Power) Geographical Information System Project; and to authorize the expenditure of \$199,321.60 from the Electricity Build America Bonds Fund; for the Division of Power and Water. (\$199,321.60)

Read for the First Time

- 1513-2009** FR To authorize the Director of Public Utilities to enter into a professional design services agreement with Chester Engineers, Inc. for the Southerly Wastewater Treatment Plant Corrosion Prevention and Protective Coating Systems Consultant Project; to authorize the transfer \$477,837.99 and expend a total of \$499,041.67 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; and to amend the 2009 Capital Improvements Budget, for the Division of Sewerage and Drainage. (\$499,041.67).

Read for the First Time

- 1514-2009** FR To authorize the Director of Public Utilities to modify the professional services contract with M-E Companies; and to expend \$59,361.96 from the Storm B.A.B.s Fund for costs in connection with the Lockbourne Road Stormwater System Improvements Project, for the Division of Sewerage and Drainage. (\$59,361.96)

Read for the First Time

- 1527-2009** FR To authorize the Director of Public Utilities to enter into a contract modification with Korda/Nemeth Engineering, Inc. for the Idlewild Drive Storm Sewer Improvements Project; to authorize the transfer of \$101,194.00

within the Storm B.A.B.s Fund; to authorize the amendment of the 2009 Capital Improvements Budget; and to authorize the expenditure of \$101,194.00 from the Storm B.A.B.s Bond Fund for the Division of Sewerage and Drainage. (\$101,194.00)

Read for the First Time

- 1557-2009** FR To authorize the Director of Public Utilities to enter into a planned modification for Specialized Machining & Fabrication Services with Uni-Facs Steel Works, LLC for the Division of Sewerage and Drainage; and to authorize the expenditure of \$100,000.00 from the Sewerage System Operating Fund. (\$100,000.00)

Read for the First Time

- 1568-2009** FR To authorize the Director of Public Utilities to execute a contract with Danbert Inc. for construction of the Markison Avenue Area Water Line Improvements Project; for the Division of Power and Water; to provide for payment of inspection, material testing and related services to the Transportation Division; to authorize the appropriation and transfer of \$1,316,242.09 from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund; to authorize the appropriation and expenditure of \$1,316,242.09 from the Ohio Water Development Authority (OWDA) Fund; and to authorize an amendment to the 2009 Capital Improvements Budget. (\$1,316,242.09)

Read for the First Time

- 1579-2009** FR To authorize the Director of Public Utilities to enter into an agreement with the Consolidated Electrical Cooperative, Inc. for the Division of Power and Water's Upground Reservoir Aid-to-Construction Project in accordance with the sole source provisions of the Columbus City Codes; to authorize the appropriation and transfer of \$2,921,808 from the Water System Reserve Fund to the Ohio Water Development Authority (OWDA) Fund; to authorize the appropriation and expenditure of \$2,921,808 from the Ohio Water Development Authority (OWDA) Fund; and to amend the 2009 Capital Improvements Budget. (\$2,921,808)

Read for the First Time

- 1582-2009** FR To authorize and direct the Finance and Management Director to enter into four (4) contracts for the option to purchase Hitachi Sludge Collector Parts with VC Chains, Inc., BDI, Kaman Industrial Technologies Corporation and Motion Industries, to authorize the expenditure of \$4.00 to establish the contracts from the Mail, Print Services and UTC Fund. (\$4.00)

Read for the First Time

- 1603-2009** FR To authorize and direct the Finance and Management Director to enter into seven (7) contracts for the option to purchase Water Meters with Badger Meter, Inc., Elster AMCO Water, Inc., Hersey Meters Co., H. D. Supply Waterworks, Metron Farnier, LLC, Ferguson Waterworks, and Neptune Equipment; and to authorize the expenditure of \$7.00 to establish the contracts from the Mail, Print Services and UTC Fund. (\$7.00).

Read for the First Time

- 1615-2009** FR To authorize the Director of the Department of Public Utilities to execute those instruments necessary to release a portion of an existing sanitary sewer easement, on that real property commonly known as Bishop

Watterson High School, at the request of Frederick F. Campbell, successor to James A. Griffin, successor to Edward J. Herrmann, Bishop of the Roman Catholic Diocese of Columbus.

Read for the First Time

- 1624-2009** FR To authorize the Director of Public to enter into an agreement with American Structurepoint, Inc. for professional engineering services for the Briggs Road Area Water Line Improvements Project; to authorize a transfer within the Water Works Enlargement Voted Bonds Fund; to authorize expenditures from the Water Works Enlargement Voted Bonds Fund and the Water Build America Bonds Fund; for the Division of Power and Water; and to amend the 2009 Capital Improvements Budget. (\$206,818.35)

Read for the First Time

- 1631-2009** FR To authorize the Director of Public Utilities to enter into a Twelfth Modification of the Lease and Transfer Agreement by and between the Solid Waste Authority of Central Ohio and the City of Columbus.

Read for the First Time

WORKFORCE DEVELOPMENT COMMITTEE: TAVARES, CHR. TYSON MILLER MENTEL

- 1619-2009** FR To authorize the Mayor of the City of Columbus to enter into a Memorandum of Understanding to define the roles and responsibilities of the JOBLEaders Career Center; and to authorize the appropriation and expenditure of \$33,939.00 from the Neighborhood Economic Development Fund to the Central Ohio Workforce Development Corporation. (\$33,939.00)

Read for the First Time

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

- 1409-2009** FR To amend Chapter 2313 of Columbus City Codes, 1959, by enacting new Section 2313.021, which addresses the unauthorized removal of free print publications from distribution locations.

Sponsors: Priscilla Tyson

Read for the First Time

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

- 1625-2009** FR To rezone 3871 STELZER ROAD (43219), being 12.56± acres located at the northwest corner of Stelzer Road and Colliery Avenue, From: R-1 Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z09-019).

Read for the First Time

- 0702-2009** FR To rezone 3100 COOPER ROAD (43081), being 21.18± acres located east of the intersection of Forest Hills Boulevard and Cooper Road, From: L-AR-12, Limited Apartment Residential District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z08-066).

Read for the First Time

CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION

PALEY

- 0181X-2009** CA To Recognize and Congratulate COSI on their Tenth Anniversary on the Riverfront.

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

Adopted

- 0182X-2009** CA To congratulate Dr. Carl Kohrt on his accomplishments as president of COSI's board of trustees

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

Adopted

TAVARES

- 0184X-2009** CA To recognize and congratulate Carol E. Ware for her dedicated service as the Music and Worship Arts Ministry Director at Second Baptist Church

Sponsors: Charleta B. Tavares and Priscilla Tyson

Adopted

FINANCE: MENTEL, CHR. TAVARES CRAIG PALEY

- 1576-2009** CA To authorize and direct the Finance and Management Director to modify past, present and future contracts and purchase orders with Absolute Air, Inc. to reflect a new name and new Federal ID number, and to declare an emergency.

Approved

- 1588-2009** CA To authorize and direct the Finance & Management Director to enter into three (3) UTC contracts for the option to purchase Office Chairs with Commercial Works, Inc., Continental Office Environments, and King Business Interiors, Inc., to authorize the expenditure of three (3) dollars to establish the contract from the Mail, Print Services and UTC Fund. (\$3.00)

Approved

- 1617-2009** CA To authorize and direct the Finance and Management Director to enter into three (3) contracts for the option to purchase Light Duty Trucks with Ricart Properties Inc. dba Ricart Ford, White Allen Chevrolet, Inc., and 32 Ford Mercury, Inc., to authorize the expenditure of three (3) dollars to establish the contracts from the Mail, Print Services, and UTC Fund. (\$3.00)

Approved

- 1623-2009** CA To authorize the Finance and Management Director to increase a contract for the Facilities Management Division with Pad Door Systems for the maintenance and repair of overhead garage doors and entrance doors; to authorize the expenditure of \$20,000.00 from the General Fund; and to declare an emergency. (\$20,000.00)

Approved

- 1654-2009** CA To authorize and direct the Finance and Management Director to modify and extend the current option contracts for Office Papers (recycled) with RIS Paper Company and Sterling Paper Company; and to declare an emergency.

Approved

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

1539-2009 CA To authorize the Director of Public Service to enter into a contract with DLZ, Inc., for a professional services engineering contract for the Joyce Avenue Phase 2 project; to authorize the expenditure of \$478,644.83 from the Streets and Highways G.O. Bonds for the Division of Design and Construction and \$343,407.67 from the Storm B.A.B.s Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$822,052.50)

Approved

1551-2009 CA To authorize the Director of Finance and Management to establish purchase orders with Toter, Incorporated for the purchase of mechanized collection containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$184,249.35 or so much thereof as may be needed from the Gov'l Build America Bonds (B.A.B.s) Fund and the Refuse G.O. Bonds Fund; and to declare an emergency.(\$184,249.35)

Approved

1554-2009 CA To authorize the Director of Finance and Management to establish purchase orders with Rotonics Manufacturing, Incorporated, for the purchase of mechanized collection containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$813,000.00 or so much thereof as may be needed from the Gov'l Build America Bonds (B.A.B.s) Fund; and to declare an emergency. (\$813,000.00)

Approved

1566-2009 CA To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Traffic Sign Posts and Street Name Sign Posts for the Department of Public Service with Allied Municipal Supply and Firelands Supply Company; to authorize the expenditure of two dollars to establish the contracts from the Mail, Print Services, and UTC Fund; and to declare an emergency. (\$2.00)

Approved

1567-2009 CA To authorize and direct the Finance and Management Director to enter into three contracts for the option to purchase Aluminum Sign Blanks for the Department of Public Service with US Standard Sign Company, Osburn Associates, Inc. and IbisTek Apparel, Inc.; to authorize the expenditure of three dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$3.00)

Approved

1585-2009 CA To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Traffic Signal Detector Equipment for the Department of Public Service with Path Master, Inc. and Baldwin & Sours, Inc.; to authorize the expenditure of two dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$2.00)

Approved

1587-2009 CA To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Traffic Signal Controller Equipment

for the Department of Public Service with Path Master, Inc.; Baldwin & Sours, Inc.; and Doron Distribution; to authorize the expenditure of three dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$3.00)

Approved

- 1593-2009** CA To authorize the Director of Public Service to enter into contracts with other agencies to sell salt previously purchased by the City of Columbus; and to declare an emergency. (\$0.00)

Approved

- 1594-2009** CA To authorize the Director of Public Service to extend for one year the existing agreement with Computran Systems Engineering, L.L.C. for software maintenance for the Division of Planning and Operations downtown signal system processor per the sole-source provisions of the Columbus City Codes, 1959; to authorize the expenditure of \$22,749.42 or so much thereof as may be needed for this purpose from the Street Construction Maintenance and Repair Fund; and to declare an emergency. (\$22,749.42)

Approved

- 1597-2009** CA To authorize the expenditure of \$100,000.00 or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund for acquisition costs incurred by the City Attorney's Office, Real Estate Division, for various projects within the Department of Public Service Division of Design and Construction; to amend the 2009 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$100,000.00)

Approved

**MINORITY AND SMALL BUSINESS DEVELOPMENT: CRAIG, CHR. MILLER
TAVARES MENTEL**

- 1618-2009** CA To authorize the Director of the Department of Development to amend the agreement with the Northland Alliance Inc. by extending the expiration date of the agreement to December 31, 2010, by changing the Scope of Services and by modifying the contract budget; and to declare an emergency.

Approved

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

- 1336-2009** CA To authorize the Director of Public Safety to modify the current contract with MED3000, Inc. for EMS billing, collection, and reporting services for the Division of Fire; to expend \$720,000.00 from the General Fund; and to declare an emergency. (\$720,000.00)

Approved

- 1473-2009** CA To amend the 2009 Capital Improvements Budget; to authorize the City Auditor to transfer \$1,995.61 between projects within the Safety Voted Bond Fund; to authorize the Finance and Management Director to modify and increase a contract on behalf of the Facilities Management Division with Matrix Systems, Inc. for service and maintenance of security systems; to authorize the expenditure of \$41,199.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$41,199.00)

Approved

- 1523-2009** CA To authorize and direct the Public Safety Director to modify the existing

contract to purchase the next generation proprietary system software upgrades from Motorola, Inc. for the National Incident Based Reporting System for the Division of Police in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$30,000.00 from Law Enforcement Seizure Fund; and to declare an emergency. (\$30,000.00)

Approved

- 1559-2009 CA To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Advanced Engineering Consultants, Ltd. for professional services for the design and construction of interior energy efficient lighting upgrades for up to twenty-eight (28) City of Columbus fire stations; to authorize the expenditure of \$122,000.00 from the Energy Efficiency and Conservation Block Grant; and to declare an emergency. (\$122,000.00)

Approved

- 1575-2009 CA To authorize and direct the Public Safety Director to enter into contract with the Mansfield Crime Lab for DNA weapons case analysis services for the Division of Police, to authorize the expenditure of \$60,000.00 from the Law Enforcement Contraband Seizure Funds; and to declare an emergency. (\$60,000.00)

Approved

- 1581-2009 CA To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Heapy Engineering for professional services for the design and construction of the HVAC and electrical lighting upgrade and retrofit for the Central Safety Building, 120 Marconi Boulevard; to authorize a transfer between object levels; and to authorize the expenditure of \$154,200.00 from the Energy General Government Grants Fund; and to declare an emergency. (\$154,200.00)

Approved

- 1583-2009 CA To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for the renovation of the turn-out gear laundry facility for the Fire Division, to authorize the expenditure of \$186,441.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$186,441.00)

Approved

- 1591-2009 CA To authorize the Finance and Management Director to expend \$268,751.00, or so much thereof as may be necessary, to reimburse the General Fund for construction and building renovation expenses incurred by the Office of Construction Management; to amend the 2009 CIB; to authorize the transfer of \$6,082.48 within the Safety Voted Bond Fund; to authorize the transfer of \$73,951.00 within the Construction Management Capital Improvement Fund; to authorize the City Auditor to cancel the balance of certain suffixes on a previously established Auditor's Certificate; to authorize an expenditure from the Construction Management Capital Improvement Fund and the Safety Voted Bond Fund; and to declare an emergency. (\$268,750.00)

Approved

- 1628-2009 CA To authorize the Director of Public Safety to enter into an agreement with the Ohio Traffic Safety Office, State of Ohio, to participate in the High

Visibility Enforcement Overtime 2010 project; to authorize an appropriation of \$96,859.01 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs associated with this project; and to declare an emergency. (\$96,859.01).

Approved

- 1629-2009** CA To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the FY09 Justice Assistance Grant (JAG) program from the Bureau of Justice Assistance, Office of the Justice Programs via the Franklin County Office of Homeland Security and Justice Programs; to authorize an appropriation of \$460,477.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police for the grant activities; and to declare an emergency. (\$460,477.00)

Approved

- 1642-2009** CA To authorize and direct the Director of Public Safety to pay prisoner medical bills to Ohio Health Corporation, Mount Carmel Hospital, and the Franklin County Sheriff's Office, for the Division of Police, to authorize the expenditure of \$121,477.82 from the General Fund; and to declare an emergency. (\$121,477.82)

This Matter was Approved on the Consent Agenda.

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

- 1571-2009** CA To amend ordinance 1478-2008 to extend the signing deadline for the Jobs Growth Incentive Agreement with Equity Inc.

Approved

- 1596-2009** CA To authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code; and to declare an emergency.

Approved

- 1633-2009** CA To appropriate monies deposited in the East Broad TIF Funds to be used to pay or reimburse costs of the Commercial Public Infrastructure Improvements and the Residential Public Infrastructure Improvements in accordance with the terms of the TIF Ordinance and the TIF Agreement; and to declare an emergency.

Approved

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENTEL

- 1339-2009** CA To authorize the Director of the Department of Technology, on behalf of the Division of Building Services, to modify and extend an existing agreement, with Accela, Inc. to continue with upgrades and enhancements to a computer system; and to declare an emergency. (\$0.00)

Approved

- 1340-2009** CA To authorize the Director of the Department of Technology to modify, extend and increase a contract with Lawson Software for continued services and deliverables for the Central Payroll and Human Resources Information Management System; to authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology, to establish a purchase order for the acquisition of hardware from Smart Solutions, from a

Universal Term Contract and for software from Software House International from a State Term Contract; to authorize the expenditure of \$488,212.52 from the Information Services Bond Fund; and to declare an emergency (\$488,212.52)

Approved

- 1553-2009** CA To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology to establish purchase order from an existing Universal term contract (UTC) with Pomeroy IT Solutions for the acquisition of equipment associated with the Metronet's Disaster Recovery Center Project; to authorize the expenditure of \$121,505.90 from the Department of Technology's Information Services Bond Fund; and to declare an emergency. (\$121,505.90)

Approved

- 1612-2009** CA To authorize the City Treasurer to modify contracts for various banking services; to authorize the expenditure of up to \$102,300 from the General Fund; and to declare an emergency. (\$102,300.00)

Approved

- 1649-2009** CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Cisco Equipment and Smartnet Maintenance for the Department of Technology, to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Approved

- 1650-2009** CA To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase PGP Security Products and Support for the Department of Technology, to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Approved

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

- 1495-2009** CA To authorize and direct the Franklin County Municipal Court Clerk to enter into a contract with Ferrarelli, Inc. for the purchase of printed certified mailers in accordance with sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of \$10,635.00 from the Municipal Court Clerk general fund; and to declare an emergency. (\$10,635.00)

Approved

- 1521-2009** CA To authorize and direct the Franklin County Municipal Court Clerk to enter into a contract with NashWest LLC for software support for the Municipal Court Clerk case management system; to authorize the expenditure of \$144,000.00; and to declare an emergency. (\$144,000.00)

Approved

- 1599-2009** CA To authorize and direct the Franklin County Municipal Court Clerk to modify and extend the contract with Huntington National Bank for the provision of bank and credit card services; to authorize an expenditure of \$68,000.00 from the General Fund; and to declare an emergency. (\$68,000.00)

Approved

- 1608-2009 CA To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Big Walnut Augmentation Rickenbacker Interceptor (BWARI) Lockbourne Intermodal Subtrunk Project, and to declare an emergency.

Approved

- 1620-2009 CA To authorize the Director of Finance and Management to execute an Assignment and Assumption of Lease Agreement with Riversouth Holdings, LLC; and to declare an emergency.

Approved

- 1622-2009 CA To authorize the Franklin County Municipal Court Judges, through the Administrative and Presiding Judge, to contract with Alvis House to provide a work release program as an alternative for incarceration consistent with public safety; to authorize the expenditure of up to an amount not to exceed \$140,000 from the Court's governmental grant fund; and to declare an emergency. (\$140,000.00)

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

- 1418-2009 CA To authorize and direct the City Auditor to transfer \$518,733.32 within the Sanitary B.A.B.s (Build America Bonds) Fund; to amend the 2009 Capital Improvement Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$0)

Approved

- 1465-2009 CA To authorize the Director of Finance and Management to establish a purchase order with Just In Time Sales Corp for the purchase of Siemens Gas Analyzers for the Division of Sewerage and Drainage, and to authorize the expenditure of \$133,500.00 from the Sewerage System Operating Fund. (\$133,500.00)

Approved

- 1496-2009 CA To authorize the Director of Public Utilities to execute a construction contract with John Eramo & Sons, Inc.; for the Gibbard Avenue Area Water Line Improvements Project; for the Division of Power and Water; to provide for payment of inspection, material testing and related services to the Transportation Division; and to authorize the appropriation and expenditure of \$603,714.20 within the Ohio Water Development Authority (OWDA) Fund. (\$603,714.20)

Approved

- 1498-2009 CA To authorize and direct the Finance and Management Director to modify and extend the contract for the Water Division for the option to purchase Weed and Vegetation Management with TruGreen ChemLawn and Hickman Lawn Care, Inc.

Approved

- 1515-2009 CA To authorize the Director of Public Utilities to execute a construction contract with Nickolas Savko & Sons, Inc.; to provide for payment of inspection, material testing and related services to the Transportation Division; to

authorize the expenditure of \$729,958.31 for the Snouffer Road Stormwater System Improvements Project, for the Division of Sewerage and Drainage; and to declare an emergency. (\$729,958.31)

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

Abstained: 1 - Craig

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

- 1516-2009** CA To authorize the Director of Public Utilities to execute a construction contract with John Eramo & Sons, Inc.; to provide for payment of inspection, material testing and related services to the Transportation Division; to authorize the expenditure of \$790,415.83 for the Dewberry/Evergreen Roads Stormwater System Improvements Project, for the Division of Sewerage and Drainage; and to declare an emergency. (\$790,415.83)

Approved

- 1528-2009** CA To authorize the Director of Public Utilities to enter into a service agreement in accordance with sole source provisions of the Columbus City Code with Tom Synnott Associates AKA tsa/Advet for the upgrade of Falcon/DMS software for the Department of Public Utilities, and to authorize the expenditure of \$24,800.00 from the Sewerage System Operating Fund and \$9,000.00 from the Water Operating Fund. (\$33,800.00)

Approved

- 1548-2009** CA To authorize the Director of Public Utilities to enter into a contract with Kiemle-Hankins Co. for the reconditioning of a high service pump motor for the Division of Power and Water; and to authorize the expenditure of \$42,000.00 from the Water System Operating Fund. (\$42,000.00)

Approved

- 1555-2009** CA To authorize the City Attorney to expend \$4,025,000.00 from the Sanitary B.A.B.s (Build America Bonds) Fund for the OSIS Augmentation and Relief Sewer (OARS) Project, to authorize the transfer of a total of \$4,025,000.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; to amend the 2009 Capital Improvement Budget and to declare an emergency. (\$4,025,000.00)

Approved

- 1562-2009** CA To authorize the Director of Finance to establish Blanket Purchase Orders for Heating Oil from an established State of Ohio Cooperative Purchase Contract with Great Lakes Petroleum Company. for the Division of Sewerage and Drainage, to authorize the expenditure of \$575,000.00 from the Sewerage System Operating Fund, and to declare and emergency. (\$575,000.00)

Approved

- 1564-2009** CA To authorize the Director of Public Utilities to apply for, accept, and enter into an Ohio Water Development Authority Local Government Agency Loan Program loan agreement for the financing of the Lazelle Road Water Tank construction project; to designate a dedicated repayment source for the loan; and to declare an emergency.

Approved

1602-2009 CA To authorize the City Auditor to allow the Division of Power and Water's capital bond fund to reimburse the operating fund in the amount of \$103,086.97 for labor and equipment costs incurred in the installation of various street lighting; to amend the 2009 Capital Improvement Budget; and to declare an emergency. (\$103,086.97)

Approved

1613-2009 CA To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Screw Conveyor Parts with ML Separation & Conveying, Inc., in accordance with sole source provisions; to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$1.00)

Approved

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

1572-2009 CA To amend the 2009 CIB; to authorize and direct the City Auditor to appropriate \$60,662.47 to the Development Department; to authorize the Director of the Development Department to amend a contract with Civil and Environmental Consultants for environmental clean up work at the Wheatland Avenue Property in the Hilltop Area; to authorize the expenditure of \$60,662.47 from the Housing Preservation Fund; and to declare an emergency. (\$60,662.47)

Approved

1590-2009 CA To authorize and direct the Board of Health to enter into a contract with Columbus Neighborhood Health Center for shared occupancy expenses at three WIC offices; to authorize the expenditure of \$27,300 from the Health Department Grants Fund; and to declare an emergency. (\$27,300)

Approved

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL

1541-2009 CA To authorize the appropriation of \$134,066.00 and to transfer \$671,754.00 within the Recreation and Parks Operating Fund to allow the Department to continue to operate through to the end of 2009 without interruption; and to declare an emergency. (\$805,820.00)

Approved

1542-2009 CA To authorize and direct the Director of Recreation and Parks to enter into contract with the Franklin Park Conservatory for the administration and implementation of the Franklin Park Master Plan; to authorize the expenditure of \$200,000.00 from the Voted 1999/2004 Recreation and Parks Bond Fund; and to declare an emergency. (\$200,000.00)

Approved

APPOINTMENTS

A0115-2009 CA Reappointment of James Chester, Attorney at Law, 4846 Riverside Drive, Columbus, Ohio 43220 to serve on the Board of License Appeals with a new term expiration date of December 31, 2012. (resume attached)

Read and Approved

A0116-2009 CA Reappointment of Carl Fielding, 5529 Godown Road, Columbus, Ohio 43235 to serve on the Board of License Appeals with a new term expiration

date of December 31, 2012. (resume attached)

Read and Approved

- A0117-2009** CA Reappointment of Gilbert J. Gradisar, Attorney at Law, 5747 Perimeter Drive, Suite 105, Dublin, Ohio 43017 to serve on the Board of License Appeals with a new term expiration date of December 31, 2012 (resume attached).

Read and Approved

- A0119-2009** CA Reappointment of James Johnson, Driving Park Area Commission, 1084 Berkeley Road, Columbus, Ohio 43206 to serve on the Board of License Appeals with a new term expiration date of December 31, 2012 (resume attached)

Read and Approved

- A0122-2009** CA Appointment of Nick Cipiti of 4040 N. High St. #37 Columbus, Ohio 43214 to serve on the Clintonville Area Commission with a term expiration date of July 1, 2012 (resume attached).

Read and Approved

- A0123-2009** CA Appointment of Donna Bartee of 187 Southgate Dr. Columbus, Ohio 43207 to serve on the Far South Columbus Area Commission with a term expiration date of July 1, 2012 (resume attached).

Read and Approved

- A0124-2009** CA Appointment of Timothy Straker of 255 East Beck St. Columbus, Ohio 43206 to serve on the Historic Resources Commission with a term expiration date of June 30, 2010 (resume attached).

Read and Approved

- A0125-2009** CA Appointment of Greg Lawson of 1508 Meadow Rd. Columbus, Ohio 43212 to serve on the Fifth by Northwest Area Commission with a term expiration date of January 1, 2011 (resume attached).

Read and Approved

- A0126-2009** CA Appointment of Stephen Wittmann of the Wittmann Co. 330 W. Spring St. Suite 300 Columbus, Ohio 43215 to serve on the Downtown Commission with a term expiration date of June 1, 2012 (resume attached).

Read and Approved

- A0127-2009** CA Reappointment of Michael O. Gordon, 1696 Kenwick Road, Columbus Ohio 43209, to serve on the Tax Incentive Review Council with a new term expiration date of November 1, 2011 (resume attached).

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

Abstained: 1 - Ms. Tavares

Affirmative: 6 - Ginther, Craig, Tyson, President Mentel, Miller and Paley

Passed The Consent Agenda

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

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

EMERGENCY, TABLED AND 2ND READING OF 30-DAY LEGISLATION**PUBLIC SERVICE & TRANSPORTATION: CRAIG, CHR. MILLER
TAVARES MENDEL****1611-2009**

To authorize the Director of Public Service to expend \$1,300,000.00 or so much thereof as may be necessary to reimburse the Street Construction, Maintenance and Repair Fund for traffic sign and signal installation, permanent pavement marking, roadway improvement design and construction expenses, salaries, overhead, overtime, materials and other direct costs incurred by the Fund in connection with the Division of Planning and Operations' capital improvements program in 2009; and to authorize the expenditure of \$1,300,000.00 from the Gov'l Build America Bonds (B.A.B.s) Fund for the of Division of Planning and Operations; and to declare an emergency. (\$1,300,000.00)

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

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

1644-2009

To authorize the Director of Public Service to apply to The Home Depot Foundation Building healthy Communities grant to help facilitate Plant Pride on Parsons a beautification effort along the Parsons Avenue corridor leading into Columbus' Southside neighborhoods with highly visible destination areas and accept said grant if awarded; to authorize the appropriation of up to \$2,500.00 of gift cards within the General Government Grant Fund; to authorize the expenditure of \$2,500.00 in Home Depot gift cards or so much thereof as may be needed for this purpose from the General Government Grant Fund and to declare an emergency. (\$2,500.00 in gift cards)

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

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

1656-2009

To authorize the Director of Public Service to enter into agreement with the Director of the Ohio Department of Transportation for this Rich Street Bridge Construction project; to amend the 2009 C.I.B.; to authorize the transfer of funds within the Gov'l Build America Bonds (B.A.B.s) Fund and to the Fed-State Highway Engineering Fund; to authorize the expenditure of \$2,698,118.47 from the within the Fed-State Highway Engineering Fund for the Division of Design and Construction; and to declare an emergency. (\$2,698,118.47)

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

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

1560-2009

To authorize the City Auditor to establish the "Parking Meter Program" Special Revenue Fund, for the Department of Public Service's Division of Mobility Options.

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

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

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

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

**MINORITY AND SMALL BUSINESS DEVELOPMENT: CRAIG, CHR. MILLER
TAVARES MENTEL**

1605-2009

To authorize the Director of the Department of Development to enter into a contract with the Community Capital Development Corporation for the administration of the Energy Efficiency and Conservation Block Grant Revolving Loan Program; to authorize the expenditure of \$1,100,000 from the General Government Grant Fund; and to declare an emergency. (\$1,100,000)

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

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

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

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

RECONVENED: 8:10 P.M.

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

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

SAFETY : GINTHER, CHR. PALEY CRAIG MENTEL

0185X-2009

To object to the renewal of liquor permit number 02837680005 held by ARUBA INC, doing business as ARUBA CLUB and/or FOURTH QUARTER LOUNGE, located at 4281 EASTLAND SQ DR, COLUMBUS, OH 43232, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0186X-2009

To object to the renewal of liquor permit number 2494767 held by FRANCIS ELOCHUKWU, doing business as BRETNELL MINI MART, located at 2070 LEONARD AVE UNIT F, COLUMBUS, OH 43219, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0187X-2009

To object to the renewal of liquor permit number 1573700 held by CLUB ICE LLC, doing business as CLUB ICE, located at BLDGS 1 & 2 MEZZ & PATIO & BSMT, 40 E LONG ST 1ST FL ONLY, COLUMBUS, OH 43215, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0188X-2009

To object to the renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0189X-2009

To object to the renewal of liquor permit number 2284453 held by JEFFERY ALLEN DOUGLAS, doing business as JEFF'S PLACE, located at 1402 JOYCE AV 1ST FL & PATIO, COLUMBUS, OH 43219, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0190X-2009

To object to the renewal of liquor permit number 25020390010 held by ELZA INC, doing business as LOCKBOURNE MARATHON, located at 1509 LOCKBOURNE RD, COLUMBUS, OH 43206, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0191X-2009

To object to the renewal of liquor permit number 0951115 held by BRIANNA INC, doing business as LONG & 20TH CARRYOUT, located at 1032 E LONG ST 1ST FL, COLUMBUS, OH 43203, and to declare an emergency

Sponsors: Andrew Ginther

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

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

0192X-2009

To object to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0193X-2009

To object to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0194X-2009

To object to the renewal of liquor permit number 9832225 held by YMA LLC, doing business as PAY LESS AUTO SERVICE, located at 744 E HUDSON ST, COLUMBUS, OH 43211, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0195X-2009

To object to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

0196X-2009

To object to the renewal of liquor permit number 87355580005 held by SWEENEYS CONVENIENT FOOD MART INC, doing business as SWEENEY'S, located at 4432 WALFORD ST, COLUMBUS, OH 43219, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

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

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

0197X-2009

To object to the renewal of liquor permit number 04357750005 held by BAR TEC INC, doing business as ZENO'S, located at 384 W THIRD AV & BSMT, COLUMBUS, OH 43201, and to declare an emergency.

Sponsors: Andrew Ginther

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

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

1359-2009

To authorize and direct the Finance and Management Director to issue a purchase order for custom tilt-cab pumpers for the Division of Fire from an existing Universal Term Contract with Ferrara Fire Apparatus; to authorize the expenditure of \$1 million from the Governmental Build America Bond Fund; and to declare an emergency. (\$1,000,000.00)

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

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

1616-2009

To authorize and direct the City Auditor to transfer \$1,554,930.00 from Public Safety's Governmental Build American Bond Funds to the Central Ohio Data Sharing Grant Fund to meet the City's twenty-five percent Grant Fund match needed for the purchase of police communication and mug shot equipment for Central Ohio Public Safety Agencies; and to declare an emergency. (\$1,554,930.00)

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

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

DEVELOPMENT: GINTHER, CHR. CRAIG TYSON MENTEL

1578-2009

To authorize the Director of Finance and Management or the Mayor to execute on behalf of the City a Cooperative Agreement among the Franklin County Convention Facilities Authority, Franklin County, and the City describing the parties' agreements regarding the acquisition, construction, installation, equipping and financing of a full-service convention center hotel; to amend Chapter 2155 of the Columbus City Codes, 1959, by the enactment of new Section 2155.11 to provide for the creation of the City's Parking Meter Contribution Fund in order to comply with the terms of the Cooperative Agreement; to amend Chapter 371 of the Columbus City Codes, 1959, by the enactment of new Section 371.18 to provide for the

payment of the hotel-motel excise taxes receipts attributed to the convention center hotel to the Franklin County Convention Facilities Authority for use as required under the terms of the Cooperative Agreement; and to declare an emergency. Section 55(b) of the City Charter.

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

Absent@vote: 1 - President Mentel

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

1639-2009

To dissolve the Enterprise Zone Agreement with Carr Supply, Inc.; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

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

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

1640-2009

To dissolve the Enterprise Zone Agreement between the City of Columbus and Farber Specialty Vehicles, Inc. and its affiliate Farber Development I LLC; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

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

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

1641-2009

To dissolve the Enterprise Zone Agreement between the City of Columbus and Weiler-Bowen, Limited; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

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

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

ADMINISTRATION: MILLER, CHR. PALEY TAVARES MENDEL

1115-2009

To amend the Fire Management Compensation Plan, Ordinance No. 0664-2006, by amending Section 3, Executive Fire Pay Plan; Section 5, Titles Used and Pay Ranges Applied to Classes; Section 6, Additional Allowances; Section 8, Insurances; Section 12, Special Leave With Pay; and Section 13, Vacation Leave; and to declare an emergency.

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

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

1630-2009

To amend Ordinance No. 1150-2007, the Management Compensation Plan, by amending Sections 4(D), 10(F), and 16(G); and to declare an emergency.

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

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

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

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

1672-2009

To amend Ordinance No. 0676-2006, the Police Management Compensation Plan, by amending Sections 3(B), 5(G), and 7(K); and to declare an emergency.

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

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

JUDICIARY & COURT ADMINISTRATION: PALEY, CHR CRAIG TYSON MENTEL

1315-2009

To authorize the City Attorney to impose, collect and remit to the City of Columbus administrative fees in connection with the "Culture of Prostitution Initiative Fund"; 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:

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

UTILITIES: PALEY, CHR. CRAIG GINTHER MENTEL

1482-2009

To authorize the Director of Public Utilities to execute a construction contract with Terrace Construction Co., Inc.; for the Main Street Water Line Cleaning and Lining Project; for the Division of Power and Water; and to authorize the appropriation and expenditure of \$1,093,198.68 within the Ohio Water Development Authority (OWDA) Fund. (\$1,093,198.68)

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

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

1509-2009

To authorize the Director of Public Utilities to execute a contract with George J. Igel & Company Inc., for the Naghten Street Sewer Rehabilitation Project; to authorize the appropriation, transfer and expenditure of \$4,003,599.55 from the Sanitary Sewer Reserve Fund to the Ohio Water Pollution Control Loan Fund (WPCLF); and to authorize the transfer and the expenditure of \$1,467,354.75 from the Sanitary B.A.B.s (Build America Bonds) Fund for the WPCLF non-eligible portion of said contract and for the Construction Administration and Inspection services with the Department of Transportation - Construction Inspection Services; and amends the 2009 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$5,470,954.30)

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

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

1632-2009 To authorize the Director of Public Utilities to enter into a professional construction management services agreement with H.R. Gray & Associates Inc. for the Wastewater Treatment Facilities Professional Construction Management project; to authorize the expenditure of \$1,810,636.00 within the Sanitary B.A.B.s (Build America Bonds) Fund, for the Division of Sewerage and Drainage; and to declare an emergency (\$1,810,636.00)

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

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

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

1522-2009 To authorize the Director of the Department of Development to enter into a contract with Murphy Epon, Inc. to prepare and perform a number of media campaigns for Lead Safe Columbus; to authorize the expenditure of \$83,000 from the General Government Grant Fund; and to declare an emergency. (\$83,000.00)

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

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

1645-2009 To authorize and direct the Director of the Department of Finance and Management, on behalf of the Columbus Health Department, to renew four existing lease contracts for the period of October 1, 2009 through September 30, 2010, and to enter into a lease agreement with Columbus Center For Human Services Inc. for the lease of clinic space for the WIC program, for the period of late November 2009 through September 30, 2010; to authorize the expenditure of \$184,439.50 from the Health Department Grants Fund; and to declare an emergency (\$184,439.50)

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

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

WORKFORCE DEVELOPMENT COMMITTEE: TAVARES, CHR. TYSON MILLER MENTEL

1619-2009 To authorize the Mayor of the City of Columbus to enter into a Memorandum of Understanding to define the roles and responsibilities of the JOBLEaders Career Center; and to authorize the appropriation and expenditure of \$33,939.00 from the Neighborhood Economic Development Fund to the Central Ohio Workforce Development Corporation. (\$33,939.00)

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

Abstained: 2 - Ginther and Ms. Tavares
Affirmative: 5 - Craig, Tyson, President Mentel, Miller and Paley

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

Abstained: 2 - Ginther and Ms. Tavares
Affirmative: 5 - Craig, Tyson, President Mentel, Miller and Paley

RECREATION & PARKS: TYSON, CHR. TAVARES PALEY MENTEL**1500-2009**

To authorize the Director of Recreation and Parks to enter into an agreement with Delaware County for the development of a one mile section of the Ohio to Erie Trail along the west side of the Hoover Reservoir and to authorize an expenditure of \$50,000.00 from the Voted 1999/2004 Recreation and Parks bond fund; and to declare an emergency. (\$50,000.00)

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

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

RULES & REFERENCE: MENTEL, CHR. GINTHER CRAIG PALEY

1409-2009

To amend Chapter 2313 of Columbus City Codes, 1959, by enacting new Section 2313.021, which addresses the unauthorized removal of free print publications from distribution locations.

Sponsors: Priscilla Tyson

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

Abstained: 2 - Ginther and Ms. Tavares

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

ADJOURNMENT

ADJOURNED: 9:50 P.M.

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

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



City of Columbus

Journal - Final

Zoning Committee

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

Priscilla Tyson, Chair; All Members

Monday, December 7, 2009

6:30 PM

Zoning Committee

Zoning Committee

Journal

December 07, 2009

REGULAR MEETING NO. 56 OF CITY COUNCIL (ZONING), DECEMBER 7, 2009 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

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

READING AND DISPOSAL OF THE JOURNAL

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

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

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

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

1480-2009

To rezone 6050 CLEVELAND AVENUE (43231), being 0.5± acres located at the northeast corner of Cleveland Avenue and Bella Via Avenue, From: R-1, Residential District, To: L-C-2, Limited Commercial District. (Rezoning # Z09-025)

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

Abstained: Craig

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

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

Abstained: Craig

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

1512-2009

To rezone 764 WEST RICH STREET (43222), being 1.2± acres located at the northwest corner of West Rich and South Green Streets, From: AR-1, Apartment Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z09-001).

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

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

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

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

1558-2009

To rezone 7630 SAWMILL ROAD (43016), being 0.6± acres located at the southeast corner of Sawmill Road and Summer Drive, From: C-2, Commercial District, To: CPD, Commercial Planned Development District (Rezoning # Z09-023).

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

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

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

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

1563-2009

To rezone 4925 EAST MAIN STREET (43227), being 0.66± acres located on the south side of East Main Street, 200± feet east of Country Club Road, From: L-C-4, Limited Commercial District, To: L-M, Limited Manufacturing District. (Rezoning # Z09-028)

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

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

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

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

1600-2009

To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3356.11, C-4 district setback lines; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at 77 EAST RUSSELL STREET (43215), to permit three single-family dwellings on separate lots with decreased setback lines and a reduction in the required number of parking spaces in the C-4, Commercial District (Council Variance # CV09-019).

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

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

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

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

1614-2009

To rezone 1250 BRADY DRIVE (43231), being 1.82± acres located on the east side of Brady Drive, 426± feet south of Hampstead Drive, From: L-AR-12, Limited Apartment Residential, and C-2, Commercial Districts, To: L-M, Limited Manufacturing District (Rezoning # Z09-027).

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

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

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

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

1637-2009

To amend Ordinance #3024-90, passed January 23, 1990, for property located at 5316 TUTTLE CROSSING BOULEVARD (43220), by amending the limitation overlay text in Section 9 as it pertains to building and parking setbacks. (Z90-104A)

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

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

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

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

0672-2009

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; 3332.27, Rear yard; 3332.28, Side or rear yard obstruction; 3342.12, Lighting; 3342.15, Maneuvering; Section 3342.17, Parking lot screening; 3342.26, Wheel stop device and 3372.521(B), Supplemental parking requirements, of the Columbus City Codes for the property located at 35 & 37 WEST OAKLAND AVENUE (43201), to develop a 25 space parking lot with reduced development standards in the R-2F, Residential District. (Council Variance #CV08-027).

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

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

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

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

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

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

0805-2009

To rezone 3855 ALKIRE ROAD (43123), being 23.67± acres located at the southwest corner of Alkire and Southwestern Roads, From: PUD-6, Planned Unit Development District, To: PUD-6, Planned Unit Development and L-AR-12, Limited Apartment Residential Districts (Rezoning # Z08-042).

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

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

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

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

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

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

ADJOURNED: 7:58 P.M.

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

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

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: 0181X-2009

Drafting Date: 11/24/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To Recognize and Congratulate COSI on their Tenth Anniversary on the Riverfront.

Body

WHEREAS, COSI is Columbus' dynamic hands-on science center, featuring over 300 interactive exhibitions and over 100,000 square feet of exhibit space; and

WHEREAS, COSI also offers a variety of special events, family programs, camps, and more; and

WHEREAS, COSI was recently named the #1 science center in the country by *Parents* magazine; and

WHEREAS, COSI celebrates ten years of science, learning, and fun at its world-class, 320,000 square foot building at 333 West Broad Street; and

WHEREAS, COSI's building was designed around the former Central High School, which was built in 1924 and is listed on the National Register of Historic Places; and

WHEREAS, the opening of COSI's building on November 6, 1999, garnered widespread international publicity, from architectural magazines in Japan to *Vogue* to *Time* magazine's two-page spread; and

WHEREAS, the building was designed by world famous architect Arata Isozaki, whose vision for the project celebrated COSI's past and embraced its future; and

WHEREAS, the facility continues to draw thousands of visitors downtown, with last year's total number of visitors the highest since 2004; now, therefore

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

That this Council does hereby recognize and congratulate COSI on their tenth anniversary on the riverfront.

Legislation Number: 0182X-2009

Drafting Date: 11/24/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To congratulate Dr. Carl Kohrt on his accomplishments as president of COSI's board of trustees

Body

WHEREAS, during his six years on the board, Dr. Carl Kohrt was instrumental in reconnecting COSI to the community, seeing COSI through some difficult financial times, leading and mentoring the board and the next generation of COSI leaders, and helping to create the new business model for COSI's success; and

WHEREAS, Dr. Kohrt was highly instrumental in WOSU coming to COSI and becoming the first PBS station operating inside a science center; and

WHEREAS, Dr. Kohrt was essential in forming a very critical partnership with the private sector and local government investors to give COSI seed money to develop new ways of doing business and create new programming; and

WHEREAS, many corporations have stronger relationships with COSI because of Dr. Kohrt's personal involvement; and

WHEREAS, Dr. Kohrt was instrumental in the development of the Ohio STEM Learning Network, a network of public and private organizations and resources working to design, start, and operate STEM related educational organizations in Ohio; and

WHEREAS, in honor of Dr. Kohrt, COSI has created the "Dr. Carl F. Kohrt Excellence in Science Teaching Fellowship," to be awarded annually to a Central Ohio educator who is new to teaching science; now therefore,

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

That this Council does hereby recognize and congratulate Dr, Carl Kohrt on his accomplishments as president of COSI's board of trustees.

Legislation Number: 0184X-2009

Drafting Date: 11/30/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To recognize and congratulate Carol E. Ware for her dedicated service as the Music and Worship Arts Ministry Director at Second Baptist Church

Body

WHEREAS, Carol E. Ware is a native of Cleveland, Ohio and a graduate of Cleveland Public Schools and Bowling Green State University in Bowling Green, Ohio. She is a Senior Health Program Administrator with the Ohio Department of Job & Family Services in Columbus; and

WHEREAS, as a former member of Gethsemane Baptist Church in Cleveland, Ohio, Ms. Ware was exposed to the music ministry at age five where she sang and directed the children's choir under the supervision of her paternal grandmother, Williette Firmsbanks Thompson, who was the minister of music and an original member of The Wings Over Jordan Choir; and

WHEREAS, Carol E. Ware has sung in a variety of choirs, chorales and ensembles in Cleveland and the Gospel Choir at Bowling Green. She has participated in the Gospel Meets Symphony and Simultaneous Revival Choirs in Columbus; and

WHEREAS, Carol E. Ware he has been an active member of the Second Baptist Church for the past 24 years and currently serves as Music and Worship Arts Ministry Servant Leader and Co-Chair of the Communications Committee; and

WHEREAS, in her local community, Ms. Ware has served as a volunteer for various community groups including "Choices" Battered Women's Shelter, the Holy Rosary Family Shelter, the Rosemont Center for Girls, and the Adopt-a-School Program. She was a member of the Advisory Board of the local UNCF and a recipient of the UNCF Meritorious Service Award; and

WHEREAS, Ms. Ware was also recognized for her commitment to public service by the Columbus Chapter of "Coalition for 100 Black Women" as a recipient of their "Mawanawake Award"; and

WHEREAS, for over 33 years, Ms. Ware has been an active member of Delta Sigma Theta Sorority, Inc. and has served in a variety of leadership roles including Past Midwest Regional Director and currently a member of the National Executive Board; now therefore,

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

That this Council does hereby recognize and congratulate Carol E. Ware for her dedicated service as the Music and Worship Arts Ministry Director at Second Baptist Church.

Legislation Number: 0185X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 02837680005 held by ARUBA INC, doing business as ARUBA CLUB and/or FOURTH QUARTER LOUNGE, located at 4281 EASTLAND SQ DR, COLUMBUS, OH 43232, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 02837680005 held by ARUBA INC, doing business as ARUBA CLUB and/or FOURTH QUARTER LOUNGE, located at 4281 EASTLAND SQ DR, COLUMBUS, OH 43232; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 02837680005 held by ARUBA INC, doing business as ARUBA CLUB and/or FOURTH QUARTER LOUNGE, located at 4281 EASTLAND SQ DR, COLUMBUS, OH 43232.

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

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

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

Legislation Number: 0186X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 2494767 held by FRANCIS ELOCHUKWU, doing business as BRENTNELL MINI MART, located at 2070 LEONARD AVE UNIT F, COLUMBUS, OH 43219, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 2494767 held by FRANCIS ELOCHUKWU, doing business as BRENTNELL MINI MART, located at 2070 LEONARD AVE UNIT F, COLUMBUS, OH 43219; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 2494767 held by FRANCIS ELOCHUKWU, doing business as BRENTNELL MINI MART, located at 2070 LEONARD AVE UNIT F, COLUMBUS, OH 43219.

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

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

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

Legislation Number: 0187X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 1573700 held by CLUB ICE LLC, doing business as CLUB ICE, located at BLDGS 1 & 2 MEZZ & PATIO & BSMT, 40 E LONG ST 1ST FL ONLY, COLUMBUS, OH 43215, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 1573700 held by CLUB ICE LLC, doing business as CLUB ICE, located at BLDGS 1 & 2 MEZZ & PATIO & BSMT, 40 E LONG ST 1ST FL ONLY, COLUMBUS, OH 43215; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 1573700 held by CLUB ICE LLC, doing business as CLUB ICE, located at BLDGS 1 & 2 MEZZ & PATIO & BSMT, 40 E LONG ST 1ST FL ONLY, COLUMBUS, OH 43215.

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

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

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

Legislation Number: 0188X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as

EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 9116341 held by 2110 LEONARD AVENUE LLC, doing business as EAST SIDE MARKET, located at 2110 LEONARD AV 1ST FL & BSMT, COLUMBUS, OH 43219.

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

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

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

Legislation Number: 0189X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 2284453 held by JEFFERY ALLEN DOUGLAS, doing business as JEFF'S PLACE, located at 1402 JOYCE AV 1ST FL & PATIO, COLUMBUS, OH 43219, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 2284453 held by JEFFERY ALLEN DOUGLAS, doing business as JEFF'S PLACE, located at 1402 JOYCE AV 1ST FL & PATIO, COLUMBUS, OH 43219; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 2284453 held by JEFFERY ALLEN DOUGLAS, doing business as JEFF'S PLACE, located at 1402 JOYCE AV 1ST FL & PATIO, COLUMBUS, OH 43219.

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

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

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

Legislation Number: 0190X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 25020390010 held by ELZA INC, doing business as LOCKBOURNE MARATHON, located at 1509 LOCKBOURNE RD, COLUMBUS, OH 43206, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 25020390010 held by ELZA INC, doing business as LOCKBOURNE MARATHON, located at 1509 LOCKBOURNE RD, COLUMBUS, OH 43206; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 25020390010 held by ELZA INC, doing business as LOCKBOURNE MARATHON, located at 1509 LOCKBOURNE RD, COLUMBUS, OH 43206.

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

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

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

Legislation Number: 0191X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 0951115 held by BRIANNA INC, doing business as LONG & 20TH CARRYOUT, located at 1032 E LONG ST 1ST FL, COLUMBUS, OH 43203, and to declare an emergency

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 0951115 held by BRIANNA INC, doing business as LONG & 20TH CARRYOUT, located at 1032 E LONG ST 1ST FL, COLUMBUS, OH 43203; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 0951115 held by BRIANNA INC, doing business as LONG & 20TH CARRYOUT, located at 1032 E LONG ST 1ST FL, COLUMBUS, OH 43203.

Section 2. The City Council hereby finds that the permit holder at such premises has operated the liquor permit business in

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

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

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

Legislation Number: 0192X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 6191022 held by MOSIN INC, doing business as MOBIL MART, located at 2727 CLEVELAND AVE, COLUMBUS, OH 43224.

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

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

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

Legislation Number: 0193X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 8867837 held by THIND PETROLEUM INC, doing business as MORSE QUICK MART, located at 1570 MORSE ROAD, COLUMBUS, OH 43229.

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

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

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

Legislation Number: 0194X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 9832225 held by YMA LLC, doing business as PAY LESS AUTO SERVICE, located at 744 E HUDSON ST, COLUMBUS, OH 43211, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 9832225 held by YMA LLC, doing business as PAY LESS AUTO SERVICE, located at 744 E HUDSON ST, COLUMBUS, OH 43211; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 9832225 held by YMA LLC, doing business as PAY LESS AUTO SERVICE, located at 744 E HUDSON ST, COLUMBUS, OH 43211.

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

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

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

Legislation Number: 0195X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 5379960 held by MJ CLUB 23 LLC, doing business as SLOOPYS, located at 2619 N HIGH ST, COLUMBUS, OH 43202.

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

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

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

Legislation Number: 0196X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 2

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 87355580005 held by SWEENEYS CONVENIENT FOOD MART INC, doing business as SWEENEY'S, located at 4432 WALFORD ST, COLUMBUS, OH ~~43219~~ 43224, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 87355580005 held by SWEENEYS CONVENIENT FOOD MART INC, doing business as SWEENEY'S, located at 4432 WALFORD ST, COLUMBUS, OH ~~43219~~; **43224**; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 87355580005 held by SWEENEYS CONVENIENT FOOD MART INC, doing business as SWEENEY'S, located at 4432 WALFORD ST, COLUMBUS, OH ~~43219~~; **43224**.

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

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

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

Legislation Number: 0197X-2009

Drafting Date: 12/01/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To object to the renewal of liquor permit number 04357750005 held by BAR TEC INC, doing business as ZENO'S, located at 384 W THIRD AV & BSMT, COLUMBUS, OH 43201, and to declare an emergency.

Body

WHEREAS, City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 04357750005 held by BAR TEC INC, doing business as ZENO'S, located at 384 W THIRD AV & BSMT, COLUMBUS, OH 43201; and

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

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

Section 1. The Columbus City Council desires to object, pursuant to 4303.271 and 4303.292, Ohio Revised Code, to the renewal of liquor permit number 04357750005 held by BAR TEC INC, doing business as ZENO'S, located at 384 W THIRD AV & BSMT, COLUMBUS, OH 43201.

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

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

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

Legislation Number: 0199X-2009

Drafting Date: 12/02/2009

Current Status: Passed

Version: 1

Matter Type: Resolution

Title

To Honor and Recognize December 10, 2009 as Human Rights Day in Columbus, Ohio

Body

WHEREAS, the General Assembly of the United Nations approved the Universal Declaration of Human Rights on December 10, 1948, declaring that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world"; and

WHEREAS, the United States has played a pivotal role in the creation of the Universal Declaration; and

WHEREAS, a recommitment by the United States to the principles and ideals of the Universal Declaration is essential for its promise to ensure equality and justice for all at home; and

WHEREAS, the basic human rights addressed in the Universal Declaration include economic, social, and cultural rights, as well as civil and political rights, all considered to be equally important in fostering human dignity and freedom; and

WHEREAS, the Universal Declaration calls for all people and governments at all levels to promote and respect the rights that it recognizes, and provides a standard of achievement for governments throughout the world; and

WHEREAS, each year on December 10, the international community commemorates this event and recommits itself to the broader achievement of human rights and lowering barriers to full public participation; and

WHEREAS, the City of Columbus is proud of their commitment to guarantee civil and human rights for all its residents; and

WHEREAS, in 1990, the City of Columbus established the Columbus Community Relations Commission to help bring civic leaders, business leaders, citizens and elected officials together on issues of ethnic, racial and cultural diversity; and

WHEREAS, December 10, 2009, is the 61st anniversary of the Universal Declaration of Human Rights; now, therefore

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

That this Council does hereby recognize December 10, 2009, as *Human Rights Day* in Columbus, Ohio and reaffirms its support of the work of the Columbus Community Relations Commission.

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

That we do hereby encourage all residents to work together in the coming year on ways that we can achieve greater progress in respecting, protecting, and fulfilling the full range of human rights contained in the Universal Declaration.

Legislation Number: 0672-2009

Drafting Date: 04/28/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Council Variance Application: CV08-027

APPLICANT: Susan F. Martin, c/o Laura MacGregor Comek, Attorney; 500 South Front Street, Suite 1200; Columbus, OH 43215.

PROPOSED USE: A ~~new twenty five (25)~~ **19-space** space parking lot with reduced development standards located in the rear yard of existing dwellings in the R-2F, Residential District.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Disapproval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is requesting a Council Variance to construct a ~~25~~ **19** space parking lot in the rear yards of 35 and 37 West Oakland Avenue in order to provide parking for tenants of their surrounding buildings. Additional variances to various parking standards are requested as well. Staff supports the variances to allow the proposed parking lot since such lots are not unusual in this area and since additional off-street parking is needed in the area. ~~The properties are deep enough that there would still be roughly 19 percent of the rear lot area left as unpaved rear yard.~~ Furthermore, the applicant or affiliates own ten of the twelve properties surrounding the proposed parking lot so most of the people viewing it will be the applicant's or affiliate's tenants.

Title

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District; ~~3332.27, Rear yard~~; 3332.28, Side or rear yard obstruction; 3342.12, Lighting; 3342.15, Maneuvering; Section 3342.17, Parking lot screening; 3342.26, Wheel stop device and 3372.521(B), Supplemental parking requirements, of the Columbus City Codes for the property located at **35 & 37 WEST OAKLAND AVENUE (43201)**, to develop a ~~25~~ **19** space parking lot with reduced development standards in the R-2F, Residential District. (Council Variance #CV08-027).

Body

WHEREAS, by application #CV08-027, the owner of property at **35 & 37 WEST OAKLAND AVENUE (43201)**, is requesting a Variance to permit two existing two-unit and one existing six-unit building in the R-2F, Residential District on

one parcel with reduced development standards; and

WHEREAS, Section 3333.037, R-2F, Residential District Use, does not permit parking lots in the R-2F, Residential District; and

~~**WHEREAS**, Section 3332.27, Rear yard, requires each dwelling, residence or principal building to be erected so as to provide a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes an unpaved rear yard comprising approximately nineteen point seven (19.7) percent of the total lot area; and~~

WHEREAS, Section 3332.28, Side or rear yard obstruction, requires the area in a required side or rear yard to be open and unobstructed from the established grade to the sky, while the applicant proposes to pave approximately six (6) percent of the required side and rear yards; and

WHEREAS, Section 3342.12, Lighting, requires that any parking lot containing ten (10) or more parking spaces which is used during non-daylight hours shall be illuminated during such hours to provide an average intensity of not less than one-half (1/2) foot candles of light as measured at the surface of the parking space, while the applicant proposes no lighting other than the existing City street lights in the alley; and

WHEREAS, Section 3342.15, Maneuvering, requires every parking space to have sufficient access and maneuvering area which may include an aisle, circulation area or improved alley, while the applicant proposes to allow vehicles to maneuver across existing interior property lines; and

WHEREAS, Section 3342.17, Parking lot screening, requires screening of parking lots within eighty (80) feet of residentially zoned property, while the applicant proposes to provide screening in accordance with the site plan which would not include all eligible residences; and

WHEREAS, Section 3342.26, Wheel stop device, requires the applicant to provide wheel stops because the proposed parking lot extends to the property line, while the applicant proposes to not provide wheel stop devices; and

WHEREAS, Section 3372.521(B), Supplemental parking requirements, requires that each parking space shall be no less than eight (8) feet wide and eighteen (18) feet long, while the applicant proposes to permit parking spaces divided by an interior lot which would result in each parking space measuring less eight (8) feet wide and eighteen (18) feet long on each side of the lot line; and

WHEREAS, The University Area Commission recommends disapproval; and

WHEREAS, City Departments recommend approval because he applicant is requesting a Council Variance to construct a ~~25~~ 19 space parking lot in the rear yards of 35 and 37 West Oakland Avenue in order to provide parking for tenants of their surrounding buildings. Additional variances to various parking standards are requested as well. Staff supports the variances to allow the proposed parking lot since such lots are not unusual in this area and since additional off-street parking is needed in the area. ~~The properties are deep enough that there would still be roughly 19 percent of the lot area left as unpaved rear yard.~~ Furthermore, the applicant or affiliates own ten of the twelve properties surrounding the proposed parking lot so most of the people viewing it will be the applicant's or affiliate's tenants; and

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

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **35 & 37 WEST OAKLAND AVENUE (43201)**, in using said property as desired and; now, therefore:

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

SECTION 1. That a variance from the provisions of Sections 3332.037, R-2F, ~~Residential District; 3332.27, Rear yard;~~ 3332.28, Side or rear yard obstruction, 3342.15, Maneuvering; Section 3342.17, Parking lot screening, 3342.26, Wheel stop device and 3372.521(B), Supplemental parking requirements, of the Columbus City Codes for the property located at **35 & 37 WEST OAKLAND AVENUE (43201)**, insofar as said sections prohibit a parking lot ~~which would leave approximately nineteen point seven (19.7) percent of the rear yard open, with pavement covering approximately six (6) percent of the rear yard;~~ with maneuvering across existing property lines, without wheel stop devices and without lighting, and with property lines dividing parking spaces making them technically less than eight (8) feet wide and eighteen (18) feet long, said property being more particularly described as follows:

35 & 37 WEST OAKLAND AVENUE (43201), being 0.24± acres located on the south side of West Oakland Avenue, 187± west of North High Street, and being more particularly described as follows:

Legal Description

Begin Lot No. 54 in George Williams, Jr's Mt. Auburn Addition, as the said lot is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 322, Recorder's Office Franklin County, Ohio.

Prior Instrument Reference: 18681A04
Parcel No.: 010-042505
Street Address: 37 West Oakland Avenue
Columbus, Ohio

Begin Lot No. 55 of George Williams, Jr.'s Mt. Auburn Addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book No. 3, page 322, Recorder's Office, Franklin County, Ohio.

Prior Instrument Reference: 18680J17
Parcel No.: 010-010298
Street Address: 35 West Oakland Avenue
Columbus, Ohio

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a 25 space parking lot or those uses permitted in the R-2F, Residential District.

SECTION 3. That this ordinance is further conditioned on a commitment by the owner to maintain the existing building footprints in conformance with the site plan titled, "**PARKING LOT CONCEPT PLAN FOR 35 & 37 WEST OAKLAND AVE. SITE PLAN (Alternate 2)**," signed by Laura McGregor Comek, applicant, dated ~~April 23, November 18, 2009~~. The Subject Site shall be developed in accordance with the site plans and exhibits. The site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time of development and engineering plans are completed. Any slight adjustment to the plans shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

SECTION 4. That this ordinance is further conditioned upon:

- 1). **The Site will be for area residents only. No commercial parking shall be permitted.**
- 2). **The parking shall be by permit only.**
- 3). **The Owner/Applicant shall use parking stickers/decals to denote permitted parking.**

- 4). **No game-day parking sales shall be permitted.**
- 5). **The lot shall be posted with signage indicating Private Parking, Violators Will be Towed.**
- 6). **The Owner/Applicant shall monitor compliance (i.e., use of a tow company).**

SECTION 5. That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

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

Legislation Number: 0805-2009

Drafting Date: 05/28/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

REZONING APPLICATION # Z08-042

APPLICANT: Alkire Woods LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, Ohio 43215.

PROPOSED USE: Single and multi-family residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Disapproval (2-2) on April 9, 2009.

GREATER HILLTOP AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested PUD-6, Planned Unit Development, and L-AR-12, Limited Apartment Residential Districts would permit ~~214~~ **209** single and multi-family units on 23.67± acres with 4.1± acres of open space and total gross density of ~~9.04~~ **8.83±** units per acre. The PUD notes and limitation text provide customary development standards that are compatible with the surrounding single-family residential development. The requested increase in density from 4.56± units per acre to ~~9.04~~ **8.83±** units per acre can be supported with the proposed landscaping and screening, tree preservation area, and bike path connections to the adjacent city park. The requested rezoning is consistent with the zoning and development patterns of the area.

Title

To rezone **3855 ALKIRE ROAD (43123)**, being 23.67± acres located at the southwest corner of Alkire and Southwestern Roads, **From:** PUD-6, Planned Unit Development District, **To:** PUD-6, Planned Unit Development and L-AR-12, Limited Apartment Residential Districts (Rezoning # Z08-042).

Body

WHEREAS, application #Z08-042 is on file with the Building Services Division of the Department of Development requesting rezoning of 23.67± acres from PUD-6, Planned Unit Development District, to PUD-6, Planned Unit Development and L-AR-12, Limited Apartment Residential Districts; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features, and recognizes that this development has a pedestrian connection from the buildings to the public sidewalk system, access to a city park, and an internal bike path; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested increase in density from 4.56± units per acre to ~~9.04~~ **8.83±** units per acre can be supported with the proposed landscaping and screening, tree preservation area, and bike path connections to the adjacent city park. The requested rezoning is consistent with the

zoning and development patterns of the area; now, therefore:

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

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

3855 ALKIRE ROAD (43123), being 23.67± acres located at the southwest corner of Alkire and Southwestern Roads, and being more particularly described as follows:

Subarea 1
PUD-6
10.281 acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Virginia Military Survey No. 1389 and containing 10.281 acres of land, more or less, said 10.281 acres being part of Alkire Woods, the subdivision plat of same being shown of record in Plat Book 106, Pages 82 and 83, Recorder's Office, Franklin County, Ohio, said 10.281 acres of land being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Alkire Road (County Road No. 11) and Southwestern Road; thence S86°E43'04"E, with the centerline of said Alkire Road, a distance of 34.62 feet, to a point; thence S01°26'55"W, a distance of 40.02 feet to the true point of beginning northeasterly corner of said Alkire Woods in the easterly right-of-way line of said Southwestern Road;

Thence, from said true point of beginning, S01°26'55"W, with the easterly line of said Alkire Woods and with the easterly right-of-way line of said Southwestern Road, a distance of 70.19 feet to a point of curvature;

Thence southwestwardly, with the southeasterly right-of-way of said Southwestern Road, the following three (3) courses and distances:

- 1) with the arc of a curve to the right having a radius of 163.14 feet, a central angle of 67°49'14", an arc length of 193.10 feet and a chord that bears S35°21'32"W, a chord distance of 182.03 feet to a point of reverse curvature;
- 2) with the arc of a curve to the left having a radius of 175.00 feet, a central angle of 49°12'51", an arc length of 150.32 feet and a chord that bears S44°39'43"W, a chord distance of 145.74 feet to a point of reverse curvature;
- 3) with the arc of a curve to the right having a radius of 150.00 feet, a central angle of 17°14'00", an arc length of 45.12 feet and a chord that bears S28°40'18"W, a chord distance of 44.95 feet to a point of reverse curvature in the easterly right-of-way boundary of Sandy Lake Drive (a private street fifty feet in width);

Thence southwardly, with the easterly right-of-way boundary of said Sandy Lake Drive, the following six (6) courses and distances:

- 1) with the arc of a curve to the left having a radius of 20.00 feet, a central angle of 62°18'36", an arc length of 21.75 feet and a chord that bears S06°08'00"W, a chord distance of 20.69 feet to a point of reverse curvature;
- 2) with the arc of a curve to the right having a radius of 125.00 feet, a central angle of 26°E28'14", an arc length of 57.75 feet and a chord that bears S11°47'12"E, a chord distance of 57.24 feet to a point of tangency;
- 3) S01°26'55"W, a distance of 143.52 feet to a point of curvature;
- 4) with the arc of a curve to the left having a radius of 350.00 feet, a central angle of 25°41'40", an arc length of 156.96 feet and a chord that bears S11°23'55"E, a chord distance of 155.65 feet to a point of reverse curvature;

5) with the arc of a curve to the right having a radius of 325.00 feet, a central angle of 25°41'40", an arc length of 145.75 feet and a chord that bears S11°23'55"E, a chord distance of 144.53 feet to a point of tangency;

6) S01°26'55"W, a distance of 245.16 feet to a point in the easterly extension of the southerly right-of-way line of Nottingham Lane (a private street fifty feet in width);

Thence N88°33'05"W, with the southerly right-of-way line of Nottingham Lane and with the southerly line of Lot 95 of said Alkire Woods, a distance of 221.75 feet to a point in the easterly right-of-way line of Kingston Run Drive (a private street fifty feet in width);

Thence S01°26'55"W, with the easterly right-of-way line of said Kingston Run Drive, a distance of 453.00 feet to a point;

Thence N88°33'05"W, a distance of 194.81 feet to a point in the westernmost line of said Alkire Woods;

Thence N01°45'14"E, with the westernmost line of said Alkire Woods, a distance of 1093.30 feet to a northwesterly corner of said Alkire Woods;

Thence S88°13'37"E, with a northerly line of said Alkire Woods, a distance of 116.68 feet to an external corner of said Alkire Woods;

Thence N01°45'06"E, with a westerly line of said Alkire Woods, a distance of 121.77 feet to a northwesterly corner of said Alkire Woods;

Thence S88°15'54"E, with a northerly line of said Alkire Woods, a distance of 118.90 feet to an external corner of said Alkire Woods;

Thence N01°43'43"E, with a westerly line of said Alkire Woods, a distance of 364.39 feet to a northwesterly corner of said Alkire Road in a southerly right-of-way line of said Alkire Road;

Thence S88°32'24"E, with the northernmost line of said Alkire Woods, a distance of 316.47 feet to the true point of beginning and containing 10.281 acres of land, more or less.

The bearings given in the foregoing description are based on the bearings of S01°26'55"W as shown along the easterly line of Alkire Woods, the subdivision plat of same being shown of record in Plat Book 106, Pages 82 and 83, Recorder's Office, Franklin County, Ohio.

To Rezone From: PUD-6, Planned Unit Development District,

To: PUD-6, Planned Unit Development District.

Subarea 2
L-AR-12
13.393 acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Virginia Military Survey No. 1389 and containing 13.393 acres of land, more or less, said 13.393 acres being part of Alkire Woods, the subdivision plat of same being shown of record in Plat Book 106, Pages 82 and 83, Recorder's Office, Franklin County, Ohio, said 13.393 acres of land being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Alkire Road (County Road No. 11) and Southwestern Road; thence S86°43'03"E, with the centerline of said Alkire Road, a distance of 34.62 feet, to a point; thence S01°26'55"W,

with the easterly line of said Alkire Woods, crossing the northeasterly corner of said Alkire Woods at a distance of 40.02 feet, a total distance of 110.21 feet to the true point of beginning at the northernmost corner of Reserve "A" of said Alkire Woods, the same being in the easterly right-of-way line of said Southwestern Road;

Thence, from the true point of beginning, S01°26'55"W, with the easterly line of said Alkire Woods, a distance of 2071.88 feet to the southeasterly corner of said Alkire Woods;

Thence N88°49'58"W, with the southernmost line of said Alkire Woods, a distance of 367.64 feet to a southwesterly corner of said Alkire Woods, the same being in the easterly line of Alkire Place Section Two the subdivision plat of same being shown of record in Plat Book 100, Pages 22 and 23, Recorder's Office, Franklin County, Ohio;

Thence N01°14'46"E, with a westerly line of said Alkire Woods and with the easterly line of said Alkire Place Section Two, a distance of 329.96 feet to an exterior corner of said Alkire Woods, the same being the northeasterly corner of said Alkire Place Section Two;

Thence N88°48'11"W, with a southerly line of said Alkire Woods and , in part, with the northerly line of said Alkire Place Section Two, a distance of 192.76 feet to a southwesterly corner of said Alkire Woods;

Thence N01°45'14"E, with the westerly line of said Alkire Woods, a distance of 236.66 feet to a point;

Thence S88°33'05"E, a distance of 194.81 feet to a point in the easterly right-of-way line of Kingston Run (a private street fifty feet in width);

Thence N01°26'55"E, with the easterly right-of-way line of said Kingston Run Drive, a distance of 453.00 feet to a point in the southerly right-of-way line of Nottingham Lane (a private street fifty feet in width);

Thence S88°33'05"E, with the southerly right-of-way line of Nottingham Lane (A private street fifty feet in width), a distance of 221.74 feet to a point in an easterly right-of-way line of Sandy Lake Drive (a private street fifty feet in width);

Thence northwardly, with the easterly right-of-way boundary of said Sandy Lake Drive, the following six (6) courses and distances:

- 1) N01°26'55"E, a distance of 245.16 feet to a point of curvature;
- 2) with the arc of a curve to the left having a radius of 325.00 feet, a central angle of 25°41'40", an arc length of 145.75 feet and a chord that bears N11°23'55"W, a chord distance of 144.53 feet to a point of reverse curvature;
- 3) with the arc of a curve to the right having a radius of 350.00 feet, a central angle of 25°41'40", an arc length of 156.96 feet and a chord that bears N11°23'55"W, a chord distance of 155.65 feet to a point of tangency;
- 4) N01°26'55"E, a distance of 143.52 feet to a point of curvature;
- 5) with the arc of a curve to the left having a radius of 125.00 feet, a central angle of 26°28'14", an arc length of 57.75 feet and a chord that bears N11°47'12"W, a chord distance of 57.24 feet to a point of reverse curvature;
- 6) with the arc of a curve to the right having a radius of 20.00 feet, a central angle of 62°18'36", an arc length of 21.75 feet and a chord that bears N06°08'00"E, a chord distance of 20.69 feet to a point of reverse curvature in the southeasterly right-of-way line of said Southwestern Road;

Thence northeastwardly, with the southeasterly right-of-way boundary of said Southwestern Road, the following three (3) courses and distances:

- 1) with the arc of a curve to the left having a radius of 150.00 feet, a central angle of 17°14'00", an arc length of 45.12 feet and a chord that bears N28°40'18"E, a chord distance of 44.95 feet to a point of reverse curvature;

2) with the arc of a curve to the right having a radius of 175.00 feet, a central angle of 49°12'51", an arc length of 150.32 feet and a chord that bears N44°39'44"E, a chord distance of 145.74 feet to a point of reverse curvature;

3) with the arc of a curve to the left having a radius of 163.14 feet, a central angle of 67°49'14", an arc length of 193.10 feet and a chord that bears N35°21'32"E, a chord distance of 182.03 feet to a point of tangency at the true point of beginning and containing 13.393 acres of land, more or less.

The bearings given in the foregoing description are based on the bearings of S01°26'55"W as shown along the easterly line of Alkire Woods, the subdivision plat of same being shown of record in Plat Book 106, Pages 82 and 83, Recorder's Office, Franklin County, Ohio.

To Rezone From: PUD-6, Planned Unit Development District,

To: L-AR-12, Limited Apartment Residential District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the PUD-6, Planned Unit Development and L-AR-12, Limited Apartment Residential Districts on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register copies of the approved PUD-6, Planned Unit Development and L-AR-12, Limited Apartment Residential Districts and Application among the records of the Building Services Division as required by Sections 3311.09 and 3370.03 of the Columbus City Codes; said plans being titled, "**OVERALL SITE PLAN EXHIBIT A**," "**PERIMETER LANDSCAPE BUFFERING PLAN EXHIBIT B**," and "**SITE FEATURES PLAN EXHIBIT C**," said text being titled, "**DEVELOPMENT TEXT**," all dated April 15, 2009, and signed by Jill S. Tangeman, Attorney for the Applicant.

DEVELOPMENT TEXT

APPLICATION: Z08-042

Location: 3855 ALKIRE ROAD (43123), being 23.67± acres located at the southwest corner of Alkire and Southwestern Roads (010-275711 through 010-275767 & 435-275796 through 435-275810; Greater Hilltop Area Commission).

Existing Zoning: PUD-6, Planned Unit Development District.

Request: PUD-6, Planned Unit Development, and L-AR-12, Limited Apartment Residential Districts.

Proposed Use: Single and multi-family residential development.

Applicant(s): Alkire Woods LLC; c/o Jill S. Tangeman, Atty.; 52 East Gay Street; Columbus, Ohio 43215.

Property Owner(s): Alkire Woods LLC, et al; 470 Olde Worthington Road; Westerville, OH 43082.

Date: April 15, 2009

Alkire Woods was zoned in 2004 to a PUD-6 to permit a single family residential subdivision. The applicant is now seeking to rezoning the property into two Subareas. Subarea 1 shall remain a PUD-6, with the same standards as set forth in the original rezoning. Subarea 2 shall be rezoned to L-AR-12.

Subarea 1 - PUD-6

Subarea 1 is approximately 10.28 +/- acres and shall be developed in accordance with the Development and the following PUD notes:

1) In Subarea 1, only single family dwellings shall be permitted in that part of Subarea 1 which is identified on the Site Plan attached hereto as Exhibit A. Single family dwellings and townhouse-style multi-family dwellings shall be permitted on the remainder of Subarea 1. A maximum of ~~54~~ **49** units may be built in Subarea 1.

2) The street alignments shall be developed as shown on this plan. However, they are subject to refinement

with final engineering and may be adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The director of the department of development or the director's designee may approve adjustments to the street alignment upon submission of the appropriate data regarding the proposed adjustment.

- 3) Homes may be used as model homes for the purpose of marketing and sales. A manufactured modular building or a model home may be used as a sales office during the development of the project and the construction of homes therein.
- 4) ~~If single family dwellings are built, t~~ The developer shall install one street tree per dwelling unit at regular intervals. If town multi-family units are built, the developer shall install one street tree per 40 feet of building frontage. Street trees shall be 2.5" caliper minimum and species shall not be mixed on individual streets.
- 5) Developer shall install decorative street lamps at City of Columbus standard spacing.
- 6) ~~If single family dwellings are built, t~~ The developer shall install concrete sidewalks on both sides of the private streets except that single-loaded streets shall have sidewalks on the building side of the street only.
- 7) ~~If single family dwellings are built, t~~ The private streets shall have minimum building setback of 12 feet measured from the right of way; porches may not encroach setback areas and the minimum side yard building setback on corner lots shall be 38 feet measured from the centerline of street and 18 feet measured from the centerline of the alley.
- 8) All streets shall be private and shall be at 22 feet in width. All alleys shall be private and shall be at least 12 feet in width. Intersection details including turning radii and tapers will comply with the TND standards for 22' wide streets and 12' alleys. The streets and alleys in the single-family area shall be owned and maintained by the homeowners' association.
- 9) Minimum separation between buildings shall be at least 6 feet, except for permitted encroachments (bay windows and chimneys) which may, if closer than 6 feet, have to be constructed to meet certain fire code ratings.
- 10) ~~If single family dwellings are built, a~~ Abutting lots may have a shared driveway. Any such driveway shall have a minimum width of 10 feet. Vehicles may be maneuvered across the lot line.
- 11) Parking restrictions shall be controlled by appropriate signage displayed within the development and shall include that parking shall be limited to one side of the street and that no parking shall be permitted on either side of any street within 61' of street intersections. Fire hydrants shall be located on the side of the street where no parking is permitted.
- 12) Reserves "A" (+/- .128 acres), "B" (+/- .178 acres); and "C" (+/- 1.01 acres) of Subarea 1 as shown on the development plan are to be owned and maintained by the homeowners' association for the purpose of open space, buffer areas and detention area.
- 13) ~~If single family dwellings are built, h~~ Homes of substantially similar design shall be staggered so they are not next to or directly across the street from each other.
- 14) Utility meters, air-handling equipment etc., shall be set back a minimum of ten (10) feet from the front facade of the buildings.
- 15) Utilities other than sanitary, storm sewer, water and gas shall be located at the rear of the lots.
- 16) ~~If single family dwellings are built, e~~ Each dwelling unit have a front door opening directly to the frontage line on a principal thoroughfare.
- 17) All trash containers shall be stored at the side or rear yard of the house and/or within the garage of the house.

18) Minimum net living area for each dwelling: 1100 square feet.

19) The owner, developer and or the homeowners and/or condominium association must establish and maintain an agreement(s) with private towing company(s), which agreement(s) authorize the private towing company(s) to remove/tow any vehicles parking in restricted areas. There may be one or more such agreements with one or more towing company(s), for any times/lengths, terms, etc., as the association determines, so long as at least one such agreement shall always at all times be in force for the purposes of enforcement/removal/towing as required above.

20) Towing agreements shall be filed with the Division of Fire, Fire Prevention Bureau upon execution of the contract.

21) The owner, developer, or the homeowners and/or condominium association shall designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and the issuance of citations and/or removal of vehicles parked in violation of posted parking restrictions on private streets or alley.

22) Along the west property line, the developer shall install one deciduous tree and/or one evergreen tree per twenty lineal feet. Trees may be clustered as determined by the developer.

23) Southwestern Road extension to be a dedicated public road and constructed at a 26.00' foot wide section with concrete combined curb and gutter.

24) Developer has contributed \$10,000.00 to the county engineer for the improvements of Alkire Road under CS bridge.

25) At the time of development, the developer shall install a 100 foot (storage) westbound left turn lane and a 100 foot (storage) eastbound left turn lane at the intersection of Alkire Road and Southwestern Road. A full width overlay shall be required with this improvement.

26) Developer has removed a group of trees on the south side of Alkire Road west of the entrance to the development to remove a sight distance issue.

27) All streets are private except for Southwestern Road extension.

28) The fronts of the houses shall face Alkire Road on lots 1 thru 6.

29) A fountain/aeration device shall be installed in the existing pond.

30) At the time of development of the single-family homes, the developer shall install a sidewalk along its Alkire Road frontage.

31) A cash payment may be made in lieu of parkland dedication.

Break1

Subarea 2 - L-AR-12

Subarea 2 is approximately 13.393 +/- acres and shall be zoned L-AR-12. A site plan showing street layout, building areas, a community center and pool and reserve area is attached.

1. Permitted Uses: The uses permitted shall be those uses permitted in Section 3333.02 of the Columbus City Zoning Code. Building Nos. 1, 2, 11 and 13 as identified on the Site Plan attached as Exhibit A shall be townhouse-style units.

2. Development Standards: Unless otherwise indicated in this text, the applicable development standards of Chapter 3333 Apartment Districts of the Columbus City Code shall apply.

A. Density, Height and Setback Commitments.

1. The height district shall be H-35, allowing for a mean thirty-five (35) foot height limitation in accordance with the Columbus City Code. Building Nos. 1, 2, 3, 4, 5, 7, 8, 9, 11 and 13 as identified on the Site Plan shall be two-stories.
2. A maximum of 160 units may be built on the site.
3. A community center and pool shall be built on the site. An irrigation system shall be installed at the community center to maintain the grass and plantings around the community center.

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

1. Access shall be in accordance with the review and approval of the City of Columbus Division of Transportation. Parking restrictions shall be controlled by appropriate signage displayed within the development and shall include that parking shall be limited to one side of the street and that no parking shall be permitted on either side of any street within 61' of street intersections. A typical section is attached. Fire hydrants shall be located on the side of the street where no parking is permitted.
2. The owner and/or developer must establish and maintain an agreement(s) with a private towing company(s), which authorizes the private towing company(s) to remove/tow any vehicles parked in the restricted areas. There may be one or more such agreements with one or more towing company(s) for any times/lengths, terms, etc. as the owner and/or developer determines, so long as at least one such agreement will always, at all times be in force for the purposes of enforcements/removal towing as required above. Towing agreements shall be filed annually with the Columbus Division of Fire, Fire Prevention Bureau, Plans Review Office, upon execution of contract.

The owners and/or developer will designate the City of Columbus as an authorized agent for the sole and specific purposes of enforcement of parking restrictions and the issuance of citations and/or removal of vehicles parked in violation of posted parking restrictions on private streets and alleys/lanes.

Intersection details concerning turning radii, parking restrictions and intersection configurations will conform to the Fire Vehicle Access Plan.

3. The private streets shall have minimum building setback of 10 feet measured from the edge of pavement of the private street.
4. All streets shall be private and shall be at 22 feet in width. The streets shall be owned and maintained by the condominium association.
5. The street alignments shall be developed as shown on the site plan. However, they are subject to refinement with final engineering and may be adjusted to reflect engineering, topographical, or other site data established at the time of development and engineering plans are completed. The director of the department of development or the director's designee may approve adjustments to the street alignment upon submission of the appropriate data regarding the proposed adjustment.
6. Sidewalk connections will be made from all buildings in Subarea 2 to the proposed bike path and/or sidewalk network in Subarea 1.

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

1. The developer shall install one street tree per 40 feet of building frontage. Trees may be evenly spaced or grouped. Street trees shall be 2.5" caliper minimum and species shall not be mixed on individual streets.
2. A cash payment may be made in lieu of parkland dedication.

3. Reserve "D" of Subarea 2 (+/- 1.48 acres) and Reserve "E" (+/- 1.34 acres) and the community center and pool shall be maintained by the condominium association.
4. Buffering shall be as shown on Perimeter Landscape Buffering Plan attached hereto as Exhibit B.
5. A bike / walking path shall be installed that connects from the east property line to the south property line as identified on the Site Plan attached as Exhibit A in order to provide connection to the neighboring city park.
6. Minimum tree and plant sizes shall be: Deciduous trees - 2.5" caliper; Evergreen tree - 6 feet in height; Ornamental tree - 1.5" caliper; Shrubs - 18" in height; Perennials and ornamental grasses - 1 gallon.
7. No artificial plants are permitted.
8. Buffer plantings and perimeter fencing shall be installed prior to any construction, subject to any conflict of utility installation.

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

1. Dwelling units may be used as model homes for the purpose of marketing and sales.
2. Brick and/or stone facades shall be used on certain buildings as identified on the Site Features Plan, attached as Exhibit C.
3. Concrete or masonry foundations shall have no more than 16 inch exposure above finished grade for multi-family apartment buildings. This standard shall not apply to townhouse-style units.
- . Carports shall not be permitted.

E. Dumpsters, Lighting, Outdoor Display and Other Environmental Commitments.

1. Developer shall install decorative street lamps at City of Columbus standard spacing.
2. Subject to approval of a Dumpster Waiver, refuse collection shall be provided by private hauler. All residents shall have a private refuse container(s). If a Dumpster Waiver is not granted or revoked by the City of Columbus, or if a future owner requests refuse service by the City of Columbus, dumpsters will be provided in accordance with applicable city code. All dumpsters and waste / refuse collection areas shall be screened from view on all three sides by a masonry wall, wood fence or materials compatible with the building materials and shall be at least 6" taller than the height of the dumpster. The fourth side shall contain a wood gate, which shall also be at least 6" taller than the height of the dumpster.
3. Black decorative street lights and black decorative carriage lights on buildings shall be used. No light spillage onto neighboring properties shall be permitted. All lighting shall be cut-off type fixtures.
4. Interior private street lighting shall not exceed twelve feet in height.
5. Light levels at the community center shall be reduced after hours of operation.
6. A decorative electronic gate shall be installed at the entrance to the Sub-Area. Access to the Sub-Area shall be granted by key card or pad entry only.
7. Perimeter fencing as identified on the Perimeter Landscape Buffering Plan attached as Exhibit B shall be constructed of wood. No vinyl or chain link fencing shall be permitted. Fencing shall be maintained

by the association and shall be stained or painted at least every 4 years.

F. Graphics.

1. All signage and graphics shall conform to the Columbus Graphics Code. Any variances needed from the applicable graphics requirements shall be submitted to the Columbus Graphics Commission.

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

Legislation Number: 1115-2009

Drafting Date: 08/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

An amendment to the Fire Management Compensation Plan (or a new ordinance) is typically made subsequent to the acceptance of a collective bargaining agreement with IAFF Local 67 in order to ensure continued compliance with the intent and spirit of certain provisions pertaining to the executive leave of the Division. This amendment to Ordinance 0664-2006, the Fire Management Compensation Plan, includes changes to the pay structure; a 1% decrease in pension pick-up; an increase in uniform allowance, service credit, vacation leave for employees with more than 20 years of service, and professional time; brings insurance provisions in line with other employee groups; and a 1% increase in employee insurance contribution.

Any costs associated with the changes will be absorbed by the Department of Public Safety's budget.

Emergency action is recommended because some of the provisions of this ordinance are retroactive.

Title

To amend the Fire Management Compensation Plan, Ordinance No. 0664-2006, by amending Section 3, Executive Fire Pay Plan; Section 5, Titles Used and Pay Ranges Applied to Classes; Section 6, Additional Allowances; Section 8, Insurances; Section 12, Special Leave With Pay; and Section 13, Vacation Leave; and to declare an emergency.

Body

WHEREAS, it is necessary to amend certain Sections of the Fire Management Compensation Plan in order to provide a level of differentiation from the bargaining unit; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend the Fire Management Compensation Plan, thereby preserving the public health, peace, property, safety and welfare; Now, Therefore

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

Please see Attachment for the remainder of the Ordinance.

Legislation Number: 1315-2009

Drafting Date: 10/02/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationIn March of 2007, the City Attorney established the Culture of Prostitution Initiative in order to develop non traditional approaches to address street prostitution in the City of Columbus. As part of this initiative, the City Attorney created the John Education Program in July of 2007 to educate persons who have solicited the services of prostitutes on facts and statistics about prostitution, health, family, and community consequences of prostitution, and sex addition. Participants in this program also hear the testimony of former prostitutes and the effect that engaging in prostitution has had on their lives.

In January of 2009, the Prostitution Diversion Program was created to serve individuals who have been charged with criminal offenses stemming from providing or offering to provide sex for hire. To qualify as a candidate for the prostitution diversion program, individuals must have no more than two prostitution related charges and/or convictions on their criminal record and no more than one drug offense charge and/or conviction. The goal of this program is to encourage participants to discontinue the prostitution lifestyle by connecting them with area resource providers and organizations that can assist with housing, employment readiness, drug addiction counseling, and sexual and physical health information and testing.

The purpose of this legislation is to give the City Attorney the authority to impose and collect administrative fees in accordance with a schedule to be established by the City Attorney for the administrative costs that are incurred in connection with this programs as well as to provide for testing for sexually transmitted diseases for individuals charged with prostitution related offenses. Administrative fees will be collected from participating individuals, except that the City Attorney could waive such fees in appropriate circumstances at his discretion. The fees imposed will be collected by the City Attorney and deposited with the Columbus City Treasurer in a Special Revenue Fund that has been established by the City Auditor.

Emergency Designation: This ordinance has been submitted as an emergency measure in order to facilitate funding for these programs at the earliest possible date.

Title

To authorize the City Attorney to impose, collect and remit to the City of Columbus administrative fees in connection with the "Culture of Prostitution Initiative Fund"; and to declare an emergency.

Body

WHEREAS, the City Attorney, through the Zone Initiative Unit, created the John Education Program and the Prostitution Diversion Program as part of the Culture of Prostitution Initiative in an effort to manage the problem of street prostitution in the City of Columbus; and

WHEREAS, there are significant administrative costs and expenses in connection with such programs; and

WHEREAS, it is necessary and advisable to authorize the City Attorney to impose, collect, and remit to the City Treasurer such fees in accordance with a schedule to be established by the City Attorney to offset the administrative costs and expenses of the John Education Program and the Prostitution Diversion Program; and

WHEREAS, such collections will be deposited to the following account: Department 24-01; Fund No. 223; Sub-Fund No. 308; OCA Code 223308 titled Culture of Prostitution Initiative Fund; and

WHEREAS, an emergency exists in the usual daily operation of the City to support the funding of the City Attorney's Culture of Prostitution Initiative and for preservation of the public peace, health, safety, and welfare of the City; now, therefore,

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

Section 1. That the City Attorney be and hereby is authorized and directed to impose, collect, and remit to the Columbus City Treasurer administrative fees in accordance with a schedule to be established by the City Attorney, as the same may

be amended from time to time, for individuals who participate in the John Education Program and the Prostitution Diversion Program as part of the City Attorney's Culture of Prostitution Initiative.

Section 2. That the City Attorney shall collect and remit all such fees imposed to the Columbus City Treasurer, which shall be deposited to the the following special revenue fund: Department 24-01; fund 223; sub-fund 308; OCA Code 223308.

Section 3. That all monies recieved by the City from such sources and deposited in said Fund from time to time are hereby deemed to be appropriated and authorized to be expended for purposes relating to the John Education Program and the Prostitution Diversion Program.

Section 4. That no more than \$25,000 shall be maintained in this special Culture of Prostitution Initiative Fund at any one time with any excess monies reverting to the General Fund.

Section 5. That from such Fund, the City Attorney is hereby authorized to maintain a petty cash fund in the amount of \$1,000 and to expend therefrom such sums as he deems necessary for the purposes hereinabove set forth.

Section 6. For the reasons set forth in the preamble hereof, which is incorporated by reference herein, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1336-2009

Drafting Date: 10/07/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: This legislation authorizes the Director of Public Safety to modify the existing contract with MED3000, Inc. for EMS billing, collection, and reporting services. The City entered into a contract with MED3000, Inc. via ordinance 1508-2007 in October 2007. The term of the contract is for three years ending in October 2010. The contract may be renewed by mutual written agreement of the parties for up to two additional one year terms after October 2010. The Division of Fire's third party EMS reimbursement program was initiated via ordinance #1184-2002, passed in July 2002.

The City of Columbus contracts for the billing, collection, and reporting of those who are transported to hospitals by Columbus Fire Division EMS personnel for emergency medical care. These billing, collection, and reporting services commenced in 2003 and have since generated a multitude of patient care information used by Columbus Fire to better prepare EMS response protocols and, in turn, respond to citizens in a more effective manner. The division also generates reports for various fire organizations that are catalogued nationwide. To date, this program has generated in excess of \$60M in revenue since its inception.

Contract Compliance: 251837785; expires 11/01/2010

Emergency Designation: Emergency action is requested so that EMS billing, collection and reporting services can continue without interruption.

FISCAL IMPACT: The Division of Fire originally budgeted \$1,500,000.00 in the 2009 General Fund budget for EMS billing services. However, due to increases in revenue than were originally anticipated, this modification became necessary, and was projected in the third quarter financial review. The total amount of this year's contract, including this modification, is \$2,220,000. The Division spent \$1,428,699.00 in 2008 for these same services. EMS billing revenues under this contract amounted to \$12.4 million in 2008, and is projected at \$14.7 million in 2009.

collection, and reporting services for the Division of Fire; to expend \$720,000.00 from the General Fund; and to declare an emergency. (\$720,000.00)

Body **WHEREAS**, the City contracts for EMS billing, collection and reporting services, as initiated via Ordinance #1184-2002, passed July 22, 2002; and

WHEREAS, it is necessary to modify the current contract with MED3000, Inc., the City of Columbus' current contractor for EMS billing, collection and reporting services; 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 modify the current contract with MED3000, Inc. so that EMS billing, collection and reporting services can continue without interruption, thereby preserving the public health, peace, property, safety and welfare; Now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Public Safety is hereby authorized to modify the existing contract between the City and MED3000, Inc. for the Division of Fire's EMS billing, collection and reporting services.

SECTION 2. That the expenditure of \$720,000.00, or so much thereof as may be necessary, is hereby authorized to be expended from the General Fund 010, Department of Public Safety 30, Division of Fire 30-04, OCA 301559, OL3 Code 3336 to pay the cost thereof.

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

Legislation Number: 1339-2009

Drafting Date: 10/07/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

ExplanationBACKGROUND:

The Department of Technology, on behalf of the Divisions of Building Services, has a need to modify and extend an existing application agreement (EL006387) with Accela, Inc. This extension, as mutually agreed by the City of Columbus and Accela, will be for an additional twelve months, through December 31, 2010, as a no cost modification. This contract modification and extension is needed to complete work and deliverables in progress under Phase II, with Accela Inc., the owner of the programming code embedded within the software application utilized by the City. Of which Phase II consist of finalizing the Memorandum of Understanding (MOU) reports and implementation of the Accela Citizen Access Payment Engine. The MOU reports are designed to provide the local building industry the status of application intake and processing timeframes, while the Payment Engine will allow the general public to apply for certain types of permits on-line and to also schedule inspections. Also, the original contract was legislated and approved through Ordinance #1323-2006, passed by City Council on July 24, 2006, and modified through EL007472 in 2007 and EL009352 in 2009, in accordance with terms and conditions established with Accela, Inc. that provided language that allows the Department of Technology to modify and extend the contract.

Previous passed ordinances authorized the Director of the Department of Technology to modify a contract on behalf of Building Services and Neighborhood Services. However, passage of ordinance #0359-2009 (passed April 6, 2009), and ordinance #0313-2009, authorized the consolidation of Neighborhood Services into Building Services, along with transfer of funding, thus no longer the need for naming two separate Divisions.

EMERGENCY: Emergency designation is requested as to avoid interruption in the performance of services necessary in the usual daily operation of the Department of Technology.

FISCAL IMPACT: There is no fiscal impact associated with this legislation.

CONTRACT COMPLIANCE:

Accela Inc., 942767678 Expiration Date: 3/5/2010

Title

To authorize the Director of the Department of Technology, on behalf of the Division of Building Services, to modify and extend an existing agreement, with Accela, Inc. to continue with upgrades and enhancements to a computer system; and to declare an emergency. (\$0.00)

Body

WHEREAS, this legislation authorizes the Director of the Department of Technology, on behalf of the Divisions of Building Services, to modify and extend an existing agreement (EL006387) through December 31, 2010, as a no cost modification mutually agreed by the City of Columbus and Accela, Inc, utilizing the terms and conditions established in the original agreement, with Accela, Inc, the owner of the programming code embedded within software application utilized by the City, and

WHEREAS, this contract modification is needed to continue the provisions for services between the City of Columbus and Accela, Inc. to allow for the continuation of enhancing and updating the existing computer system, and

WHEREAS, existing contract (EL006387) was originally legislated and approved through Ordinance #1323-2006, passed by City Council on July 24, 2006, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to extend a contract with Accela, Inc., to continue with enhancing and updating the existing computer system (consisting of hardware and software) and related services used to track various activities of City departments, and divisions; and to avoid any interruption in the performance of services that are necessary; 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 Director of the Department of Technology is hereby authorized to modify and extend an existing contract (EL006387), for an additional twelve months through December 31, 2010, in accordance with the terms and conditions established in the original agreement, with Accela, Inc., for the purpose of enhancing and updating the existing computer system and application. This modification is a no cost modification (\$0.00)

SECTION 2: That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance.

SECTION 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: 1340-2009

Drafting Date: 10/07/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation Background:

This legislation authorizes the Director of the Department of Technology to modify, extend and increase a contract, associated with purchase order EL007511, previously authorized through ordinance #1799-2007, passed by Columbus City Council on November 26, 2007, with Lawson Software for the installation and related services associated with the Central Payroll and Human Resources Information Management System. This system is replacing an aged, out-dated system that is reaching the limit capacity associated with maintaining data, processing information and programs.

This ordinance will authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology to establish a purchase order for the acquisition of hardware from Smart Solutions, needed for this project. This purchase will be made from a Universal Term Contract (UTC), established through the competitive bid process by the Purchasing Office, FL003922 (BPCMP01G) with Smart Solutions, Inc., expiration March 31, 2011. Also, this ordinance will allow for the acquisition of software from Software House International (SHI), utilizing the State of Ohio, State Term Contract (OA07004 expiration 6/30/2010) authorized for the City's use by Ordinance 582-87. Additionally, due to the immediate need, deadlines and timelines associated with the CHRIS project, this ordinance requests permission to waive competitive bidding according to Columbus City Code Section 329, as there is not enough time to allow the City to complete a bid process. The waiver will allow the City to utilize the State Term Contract to acquire the necessary software and any related services.

On April 13, 2009 Council approved and passed ordinance #0425-2009 that allowed for a modification to extend contract EL007511, with a coverage period from December 1, 2008 through November 30, 2009. This modification allowed the Department of Technology to continue receiving services and other necessary deliverables, and provided additional hours needed to support the Columbus Human Resources Information System (CHRIS) project, as agreed by the City and Lawson Software, in accordance with the original terms and conditions of the original contract.

As the CHRIS project is not completed, and after further research and analysis, it has been determined that the Department of Technology has a need to extend the contract for an additional twelve months, from December 1, 2009 through November 30, 2010. At the same time, there is the need for additional funding to continue receiving services and other necessary deliverables, along with additional hours necessary to complete the project and to accommodate for change orders. The passage of this ordinance will provide funding and make provisions for the additional needs. The funding for this ordinance is available within the Information Services Bond Fund.

Fiscal Impact: In 2007, \$2,189,912.60 was established on the contract (purchase order EL007511) with Lawson Software, for the implementation and other related services, for the CHRIS project. In fiscal year 2008, a contract modification in the amount of \$80,000.00 was added to purchase order EL007511 for maintenance, with a coverage period of May 31, 2008 through January 31, 2009. Earlier in 2009, \$38,643.75 was established on purchase order EL009076 for maintenance, with a coverage period of February 1, 2009 through May 31, 2009, bringing the total contract amount with Lawson Software to \$2,308,556.35. On April 13, 2009, ordinance #0425-2009 provided additional funding for deliverables and additional hours in the amount of \$99,465.00. Also, approval of ordinance 1110-2009, passed October 19, 2009 provided funding to pay for deliverables and additional hours, in the amount of \$97,519.00. Approval of this ordinance will allow for additional funds totaling \$453,020.00 with Lawson, for additional hours for receipt of necessary deliverables and change orders, bringing the contract aggregate total to \$2,958,560.35 for all services, deliverables and maintenance.

Additionally, this ordinance request approval for funding for hardware, from Smart Solutions in the amount of \$3,605.76, purchasing from a UTC. Also, the amount of \$31,586.76 for software from SHI, as both the hardware and software are necessary components for this project.

The total funding for this project in the amount of \$488,212.52 are available within the Information Services Capital Improvement Fund. Of which, \$175,977 is the amount within the Bond Sale designated for the Human Resources Information Project (470049-100000), and the balance needed for this ordinance and project will come from transferring cash (\$312,235.52) from the Disaster Recovery project (470037-100000), also included in the same Bond Sale.

This ordinance authorizes the appropriation and transfer of cash from another project within the Information Services Bond Fund, and will amend the 2009 Capital Improvement Budget (CIB), passed June 15, 2009, Ordinance #0806-2009 as amended, to accommodate for the additional expenditure authorized by this ordinance.

Emergency: Emergency action is requested to meet time lines associated with deliverables, to avoid interruption in the performance of services necessary in the usual daily operation, and to facilitate contract execution and related payment for change orders, deliverables and other services.

Contract Compliance:

Lawson Software #41-1251159 Expiration Date: 09/02/2011 (PHC)
Software House International # 22-3009648 - Expiration 11/16/2011
Smart Solutions # 34-1403269 - Expiration 3/10/2011

TitleTo authorize the Director of the Department of Technology to modify, extend and increase a contract with Lawson Software for continued services and deliverables for the Central Payroll and Human Resources Information Management System; to authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology, to establish a purchase order for the acquisition of hardware from Smart Solutions, from a Universal Term Contract and for software from Software House International from a State Term Contract; to authorize the expenditure of \$488,212.52 from the Information Services Bond Fund; and to declare an emergency (\$488,212.52)

BodyWHEREAS, this legislation authorizes the Director of the Department of Technology to modify and increase a contract, associated with purchase order EL007511, previously authorized through ordinance #1799-2007, passed by Columbus City Council on November 26, 2007; extend under ordinance #0425-2009 passed April 13, 2009, with Lawson Software, for the installation and related services associated with the Central Payroll and Human Resources Information Management System; and

WHEREAS, the Capital Improvement Plan (CIP) for the City of Columbus contains a provision for the upgrade of the City of Columbus' HRIS systems and an integrated Payroll and HR system; and

WHEREAS, passage of this ordinance will allow the Department of Technology to continue receiving services and other necessary deliverables associated with the CHRIS Project, as agreed by the City and Lawson Software, in accordance with the original terms and conditions of the original contract (EL007511), through December 1, 2010, in the amount of \$453,020.00, with the funds being identified within the Information Services Bond fund; and

WHEREAS, this ordinance will also authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology, to establish a purchase order for the acquisition of hardware from Smart Solutions. This purchase will be made from a pre-existing Universal Term Contract FL003922 (BPCMP01G), with Smart Solutions, expiration date March 31, 2011 in the amount of \$3,605.76, and

WHEREAS, State of Ohio State Term Contract (0A07004 expiration date 6/30/2010) is available for the city's use with Software House International for the software purchase in the amount of \$31,586.76, and

WHEREAS, due to the immediate need, deadlines and timelines associated with the CHRIS project; this ordinance requests permission to waive competitive bidding according to Columbus City Code Section 329.27, as it is in the best interest of the City, as there is not enough time to allow the City to complete a bid process; thus allowing the City to utilize the bid State Term Contract to acquire the necessary software and any related services, and

WHEREAS, this ordinance authorizes the appropriation and transfer of cash from another project within the Information Services Bond Fund, and will amend the 2009 Capital Improvement Budget (CIB), passed June 15, 2009, Ordinance #0806-2009 as amended, to accommodate for the additional expenditure authorized by this ordinance; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary for the Director of Technology to modify a contract with Lawson Software to continue services associated with the Central

Payroll and Human Resources Information Management System (CHRIS), 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 the Department of Technology be and is hereby authorize to modify, extend and increase a contract that will allow for the continuation of services, deliverables, and change orders with Lawson Software, related to completing the CHRIS project implementation without interruption, through December 1, 2010, in the amount of 453,020.00. The funds associated with this modification will come from the Information Services Bond Fund, with the appropriation and transfer of cash from another project within the Information Services Bond Fund, and will amend the 2009 Capital Improvement Budget (CIB), passed June 15, 2009, Ordinance #0806-2009 as amended, to accommodate for the additional expenditure authorized by this ordinance.

SECTION 2: That the Director of the Department of Finance and Management, on behalf of the Department of Technology, is hereby authorize to establish a purchase order for the acquisition of hardware from Smart Solutions, from a pre-existing Universal Term Contract FL003922 (BPCMP01G), with an expiration date March 31, 2011, in the amount of \$3,605.76. Along with establishing a purchase order for the acquisition of software from SHI, from a State of Ohio State Term Contract (0A07004 expiration date 6/30/2010), in the amount of \$31,586.76.

SECTION 3: That the 2009 Capital Improvement Budget is hereby amended as follows for this expenditure:

Department of Technology, Information Services Dept./Div. 47-02

Information Services Bond Fund #514

<u>Project Name/Number</u>	<u>Current CIB Amount</u>	<u>Revised Amount</u>
<u>Disaster Recovery:</u>		
470037-100000	800,000	487,764
<u>Human Resources Information:</u>		
470049-100000	175,977	488,213

SECTION 4: That the City Auditor is hereby authorized and directed to transfer funds and appropriation within the Information Services Bond Fund as follows:

From:

Dept./Div. 47-02| Fund 514| Subfund: 002| Project Number: 470037-100000| Project Name: Disaster Recovery| OCA Code: 470037| Amount: \$312,235.52

To:

Dept./Div. 47-02| Fund 514| Subfund: 003| Project Number: 470049-100000| Project Name: Human Resources Information| OCA Code: 514149|Amount: \$312,235.52

SECTION 5: That for the purpose of paying the costs referred to in Sections 1 and 2, the expenditure of \$488,212.52 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Div.: 47-02| Fund: 514| Subfund: 003| Project Name: Human Resources Information| Project Number: 470049 - 100000 | OCA Code: 514149| Obj. Level 1: 06 | Obj. Level 3: 6655| Amount: \$453,020.00 - Lawson Software.

Dept./Div.: 47-02| Fund: 514| Subfund: 003| Project Name: Human Resources Information| Project Number: 470049 - 100000 | OCA Code: 514149| Obj. Level 1: 06| Obj. Level 3: 6655| Amount: \$3,605.76 - Smart Solutions.

Dept./Div.: 47-02| Fund: 514| Subfund: 003| Project Name: Human Resources Information| Project Number: 470049 - 100000 | OCA Code: 514149| Obj. Level 1: 06| Obj. Level 3: 6655| Amount: \$31,586.76 - SHI.

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

Legislation Number: 1359-2009

Drafting Date: 10/08/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: The Fire Division requests the purchase of two (2) fire engines. These engines will replace front-line fire apparatus that have significant usage hours and high maintenance costs. The purchase of these engines is part of a long-term replacement of fire apparatus. Fifteen engines were purchased over the past two years along with four platform ladders, twenty-two medics, and one air supply unit.

Bid Information: A Universal Term Contract exists for this purchase.

Contract Compliance: Ferrara Fire Apparatus #721129363 exp. 8/14/2010

Emergency Designation: This legislation is requested to be an emergency measure to allow for the immediate use of capital funds and the timely purchase of this equipment due to the significant manufacturing process involved in its procurement.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$1 million for the purchase of two engines for use by the Fire Division. Funding exists within the Governmental Build America Bond Fund. Since 2006, the Public Safety Department has invested in forty-nine pieces of fire apparatus as noted above.

TitleTo authorize and direct the Finance and Management Director to issue a purchase order for custom tilt-cab pumpers for the Division of Fire from an existing Universal Term Contract with Ferrara Fire Apparatus; to authorize the expenditure of \$1 million from the Governmental Build America Bond Fund; and to declare an emergency. (\$1,000,000.00)

Body**WHEREAS**, the Fire Division has a need to purchase two custom tilt-cab pumpers; and

WHEREAS, a Universal Term Contract established by the Purchasing Office exists for these purchases; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Fire, in that it is immediately necessary to purchase said pumpers, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to issue a purchase order for the purchase of said pumpers for the Fire Division in accordance with the existing Universal Term Contract established by the Purchasing Office with Ferrara Fire Apparatus.

SECTION 2. That the expenditure of \$1,000,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Fire Division's Governmental Build America Bond Fund, Fund 746, Division of Fire No. 3004, Object Level One 06, Object Level Three 6652, OCA 710101, Project #340101-100000 Fire Apparatus Replacement.

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 or vetoes the same.

Legislation Number: 1418-2009

Drafting Date: 10/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1.) BACKGROUND:

This legislation is to authorize and direct the City Auditor to transfer cash, \$518,733.32, within Fund 668, the Sanitary B.A.B.s (Build America Bonds) Fund and to amend the 2009 Capital Improvement Budget for the Division of Sewerage and Drainage for Capital Improvement Projects: 650460-100000; 650745-100000; 650350-100001; and 650404-100039.

The project, CIP 650460-100000 - Ordinance 1112-2009, currently has certifications against the reserves in the amount of \$2,627,494.32. The bond sale deposits will total only \$2,502,854. This will leave a shortfall of \$124,641. This legislation authorizing this transfer will address the shortfall.

The project, CIP 650745-100000 - Ordinance 1331-2009, will have certifications against the reserves in the amount of \$2,079,156. The bond sale deposits will total \$1,725,000 for this project. This will leave a shortfall of \$354,156. This legislation will address this shortfall.

The project, CIP 650350-100001 - Ordinance 0607-2009, has certifications against the reserves in the amount of \$221,820.00. It was determined that there were Non-Eligible WPCLF costs of \$27,727.00 involved with this project. This legislation will address the non-eligible cost by transferring cash and budget authority within Fund 668 based upon authority already approved by City Council.

The project, CIP 650350-100001 - Ordinance 0871-2009, has certifications against the reserves in the amount of \$78,960. It was determined that there were Non-Eligible WPCLF costs of \$9,870.00 involved with this project. This legislation will address the non-eligible cost by transferring cash and budget authority within Fund 668 based upon authority already approved by City Council.

The project, CIP 650404-100039 - Ordinance 0978-2009, has certifications against the reserves in the amount of \$1,912,855.44. It was been determined that there were Non-Eligible WPCLF costs of \$2,340.00 involved with this project. This legislation will address the non-eligible cost by transferring cash and budget authority within Fund 668 based upon authority already approved by City Council.

FISCAL IMPACT: This ordinance authorizes the transfer of funds within the Sanitary B.A.B.s (Build America Bonds) Fund and amends the 2009 CIB.

CONTRACT COMPLIANCE NUMBER: NA

EMERGENCY DESIGNATION: The Department of Public Utilities is requesting that this ordinance be made an emergency measure in order to correct the funding shortfall and prevent any possible project funding delays.

Fund; to amend the 2009 Capital Improvement Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$0)

Body

WHEREAS, it is necessary to authorize and direct the transfer of cash in the amount of \$518,733.32 within the Sanitary B.A.B.s (Build America Bonds) Fund for purposes of providing sufficient funding for the sanitary sewer capital improvement projects; and

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

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, that the Department request that City Council authorize the City Auditor to transfer cash in the amount of \$518,733.32 within the Sanitary B.A.B.s (Build America Bonds) Fund for purposes of providing sufficient funding for the sanitary sewer capital improvement projects, and to amend the 2009 Capital Improvement Budget 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 \$518,733.32 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | change

650350-100002 | SWWTP Corrosion Prevention & Protection | 652350 | (-\$478,796.32)

650100-100000 | Sanitary Sewer Contingency | 668100 | (-\$39,937.00)

To:

Project No. | Project Name | OCA Code | change

650460-100000 | Sewer System Capacity Model Update 2006 | 668460 | (+\$124,640.32)

650745-100000 | General Construction Contract | 664745 | (+\$354,156.00)

650350-100001 | JPWWTP Incinerator Hydraulic Scrubber Conversion | 652350 | (+\$37,597.00)

650404-100039 | RiverSouth Phase II | 654439 | (+\$2,340.00)

Section 2. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Projects listed herein:

Amend the 2009 Capital Improvement Budget (CIB) to Read:

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

650350-100002 | SWWTP Corrosion Prevention & Protection | \$145,844 | \$21,203 | (-\$124,641)

650100-100000 | Sanitary Sewer Contingency | \$650,000 | \$610,063 | (-\$39,937)

650350-100001 | JPWWTP Incinerator Hydraulic Scrubber Conversion | \$0- | \$37,597 | (+\$37,597)

650404-100039 | RiverSouth Phase II | \$799,267 | \$801,607 | (+\$2,340)

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 the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby

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

Legislation Number: 1465-2009

Drafting Date: 10/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Finance and Management to enter into contract with Just In Time Sales Corp. for the purchase of Siemens Gas Analyzers for the Division of Sewerage and Drainage.

Federal regulation contained in 40CFR Part 503 requires that the total hydrocarbon (THC) and oxygen emissions from bio-solid incinerators be continuously monitored. The current Continuous Monitoring System (CEMS) is currently being upgraded and as part of that project the analyzers being purchased will interface with the CEMS at each of the wastewater treatment plants. The current analyzers are outdated and need to be replaced.

The Purchasing Office opened formal bids on October 22, 2009. Nineteen (19) bids were solicited, 2 FBE. Three (3) bids were received. After review of the bids the Division of Sewerage and Drainage made a recommendation for all items to the lowest, responsive and responsible bidder, Just In Time Sales Corp. A bid tabulation is attached.

Supplier: Just In Time Sales Corp. (11-2870105) Expires 4-9-11

Fiscal Impact: \$133,500.00 is budgeted and needed for this purchase.

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 Finance and Management to establish a purchase order with Just In Time Sales Corp for the purchase of Siemens Gas Analyzers for the Division of Sewerage and Drainage, and to authorize the expenditure of \$133,500.00 from the Sewerage System Operating Fund. (\$133,500.00)

Body

WHEREAS, federal regulation contained in 40CFR Part 503 require that the total hydrocarbon (THC) and oxygen emissions from bio-solid incinerators be continuously monitored, and

WHEREAS, the current Continuous Monitoring System (CEMS) is currently being upgraded and as part of that project the analyzers being purchased will interface with the CEMS at each of the wastewater treatment plants. The current analyzers are outdated and need to be replaced, and

WHEREAS, the Purchasing Office opened formal bids on October 22, 2009. Nineteen (19) bids were solicited, 2 FBE. Three (3) bids were received, and

WHEREAS, after review of the bids the Division of Sewerage and Drainage made a recommendation for all items to the lowest, responsive and responsible bidder, Just In Time Sales Corp, and

WHEREAS, A purchase order will be issued in accordance with the terms and specifications of Solicitation Number:

SA-003405 on file in the Purchasing Office; now, therefore

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

Section 1. That the Director of Finance and Management be and is hereby authorized to establish a purchase order with Just In Time Sales Corp for the purchase of Siemens Gas Analyzers for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

Section 2. That the expenditure of \$133,500.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650 as follows:

Southerly Wastewater Treatment Plant

OCA 604793
Object Level 03: 6624
Amount: \$66,750.00

Jackson Pike Wastewater Treatment Plant

OCA 604819
Object Level 03: 6624
Amount: \$66,750.00

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

Legislation Number: 1473-2009

Drafting Date: 10/26/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance amends the 2009 Capital Improvements Budget and authorizes the transfer of \$1,995.61 between projects within the Safety Voted Bond Fund. This ordinance also authorizes the Finance and Management Director to modify and increase a contract with Matrix Systems, Inc. for service and maintenance of security systems. The Facilities Management Division established a contract with Matrix Systems, Inc. through ED038872. The contract is for the period of May 1, 2009 through May 1, 2010. The contract encompasses all buildings under the purview of Facilities Management. The Police Division will utilize this contract in order to complete the installation of security equipment at the Strategic Response Bureau, 1120 Morse Road.

The work is to include, but is not limited to, the installation of three (3) Proximity Intelligent Badge Readers, an alarm panel, Teflon power and data cables, project management, application engineering, final hookup and testing, and mobilization.

The Strategic Response Bureau relocated to 1120 Morse Road in January 2009; therefore, the installation of the security equipment was unknown in awarding the original contract to Matrix Systems, Inc. Matrix Systems, Inc. was chosen to perform this work because it is the Facilities Management Division's contractor for service and maintenance of security systems. Therefore, it would not be in the best interests of the City to bid this installation. Awarding it to another security provider could cause conflict with the current provider's ability to maintain the equipment. The price of the work was negotiated between the City and Matrix Systems, Inc.

Emergency action is requested so that work may begin as quickly as possible to increase security for City employees, users, and visitors to the facility.

Fiscal Impact: The cost of this modification is \$22,199.00. An additional \$19,000.00 is included in this modification to provide other necessary security services at other Police facilities. The Police Facility Renovation - Lease has an unencumbered cash balance of \$32,203.39.

Matrix Systems, Inc. Contract Compliance No. 31-0902711; expiration date November 28, 2009.

Title

To amend the 2009 Capital Improvements Budget; to authorize the City Auditor to transfer \$1,995.61 between projects within the Safety Voted Bond Fund; to authorize the Finance and Management Director to modify and increase a contract on behalf of the Facilities Management Division with Matrix Systems, Inc. for service and maintenance of security systems; to authorize the expenditure of \$41,199.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$41,199.00)

Body

WHEREAS, it is necessary to amend the 2009 Capital Improvements Budget and transfer cash between projects within the Safety Voted Bond Fund; and

WHEREAS, the Facilities Management Division established a contract with Matrix Systems, Inc. through ED038872, for the period of May 1, 2009 through May 1, 2010; and

WHEREAS, it is necessary for the Finance and Management Director to modify and increase said contract with Matrix Systems, Inc. for the installation of security equipment at the Strategic Response Bureau, 1120 Morse Road; and

WHEREAS, an emergency exists in the usual daily operations of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to modify and increase a contract with Matrix Systems, Inc. for the installation of security equipment at the Strategic Response Bureau, 1120 Morse Road, so that requested work may begin as quickly as possible to increase security for City employees and users of the facility, thereby protecting 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 2009 Capital Improvements Budget is hereby amended to account for encumbrance cancellations as follows:

<u>Project/Project # CIB</u>	<u>Current CIB</u>	<u>Revised CIB</u>
Police Facility Renovation - Lease 330023-100000 (Carryover)	\$104	\$32,204

SECTION 2. That the 2009 Capital Improvements Budget is hereby amended to reflect the funding transfer authorized in Section 3 as follows:

<u>Project/Project # CIB</u>	<u>Current CIB</u>	<u>Revised CIB</u>
Police Facility Renovation 330021-100000	\$806,040	\$797,045
Police Facility Renovation - Lease 330023-100000 (Carryover)	\$32,204	\$41,199

SECTION 3. That the City Auditor is hereby authorized and directed to transfer funds within the Safety Voted Bond Funds as follows:

FROM:

Dept/Div: 30-03 | Fund: 701 | Project Number 330021-100000 | Project Name - Police Facility Renovation | OCA Code: 644476 | Amount: \$8,995.61

TO:

Dept/Div: 30-03 | Fund: 701 | Project Number: 330023-100000 | Project Name - Police Facility Renovation - Lease | OCA Code: 644476 | Amount: \$8,995.61

SECTION 4. That the Finance and Management Director is hereby authorized to modify and increase a contract with Matrix Systems, Inc. for service and maintenance of security systems, in accordance with the provisions of Columbus City Codes 329.16.

SECTION 5. That the expenditure of \$41,199.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-03
Fund: 701
Project: 330023-100000
OCA Code: 644476
Object Level 1: 06
Object Level 3: 6620
Amount: \$41,199.00

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

Legislation Number: 1480-2009

Drafting Date: 10/27/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Rezoning Application Z09-025

APPLICANT: New Merc LLC; c/o John Raphael, The Raphael Co.; 444 South Front Street; Columbus, OH 43215.

PROPOSED USE: Office use.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on October 8, 2009.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The Applicant's request for the L-C-2, Limited Commercial District, is consistent with the recommendation of the *Northland Plan Volume I* (2001) and with the zoning and development patterns of the area. The proposed limitation text includes appropriate restrictions to lighting, landscaping, screening and building materials.

Title

To rezone **6050 CLEVELAND AVENUE (43231)**, being 0.5± acres located at the northeast corner of Cleveland Avenue and Bella Via Avenue, **From:** R-1, Residential District, **To:** L-C-2, Limited Commercial District. (Rezoning # Z09-025)

Body

WHEREAS, application #Z09-025 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.5± acres From: R-1, Residential District, To: L-C-2, Limited Commercial District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the Applicant's request for the L-C-2, Limited Commercial District, is consistent with the recommendation of the *Northland Plan Volume I* (2001) and with the zoning and development patterns of the area. The proposed limitation text includes appropriate restrictions to lighting, landscaping, screening and building materials; now, therefore:

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

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

6050 CLEVELAND AVENUE (43231), being 0.5± acres located at the northeast corner of Cleveland Avenue and Bella Via Avenue, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin and in the Township of Blendon and bounded and described as follows: Being Lot Number Fourteen (14), of RUCKMOOR SUBDIVISION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 24, page 48, Recorder's Office, Franklin County, Ohio.

PROPERTY ADDRESS: 6050 Cleveland Avenue, Columbus, Ohio 43231

PARCEL NUMBER(S): 010-148373-00

To Rezone From: R-1, Residential District,

To: L-C-2, Limited Commercial District

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-C-2, Limited Commercial District and Application among the records of the Building Services Division as

required by Section 3370.03 of the Columbus City Codes; said text being titled, "**LIMITATION TEXT**," signed by John Raphael, Agent for the Applicant, and dated July 20, 2009, and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-C-2, Limited Commercial

EXISTING DISTRICT: R-1

PROPERTY ADDRESS: 6050 Cleveland Avenue, Columbus, Ohio 43231

OWNER: NEW MERC LLC

APPLICANT: Rick Mercurio

DATE OF TEXT: 7/20/09

APPLICATION NUMBER: Z09-025

1. INTRODUCTION: The above mentioned property is located in a highly dense commercial area, whereas this parcel has existing commercial sites on the south side of the property line and on the east side or frontage of this property. This parcel of land contains +/- .495 acres.

2. PERMITTED USES: Those uses permitted in Chapter 3353 of Columbus City Code (C-2, Commercial). No billboards or cellular transmission towers shall be permitted.

3. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3353 of Columbus City Code (C-2, Commercial District).

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

1. Side and rear yard setbacks for any future buildings or additions to be 20 feet.
2. Side and rear yard setback for any additional parking to be 10 feet
3. Lot coverage not to exceed (seventy five percent) 75%.

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

1. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or by the next planting season.
2. All loading areas shall be screened from off site views to a height of 6 (six) feet by landscaping, fencing, walls, or buildings, individually or in any combination thereof.
3. All trees meet the following minimum size at the time of planting: Shade trees, 2.5"caliper; Ornamental trees, 1.5"caliper; Evergreen trees, 5 feet in height. Caliper is measured six (6) inches above grade.
4. East and North sides of property will be screened and maintained in accordance with the specifications outlined in Section B. # 3 above. Evergreen trees to be installed (1) one per four lineal foot.

C. Building Design and/or Interior-Exterior Treatment Commitments.

1. Mechanical equipment or other utility hardware shall be screened (on all four sides) to the height of the equipment or

placed away from the residentially zoned properties (there shall be no mechanicals on south or north sides as long as the adjacent parcels are zoned or used residentially). Any ground mounted mechanicals must use landscaping, fencing or walls to shield the view and noise emission from the east and west as long as those properties are zoned or used residentially.

2. The exterior building materials shall be brick, wood, glass, stone, or stucco style stone, individually or in any combination thereof. The rear of the buildings shall be at a minimum constructed of split face block with the ability to upgrade materials and add fenestration to those facades.

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

1. All external outdoor lighting shall be cut-off fixtures (down lighting) and shall be designed and placed to prevent spillage of light off the site and to prevent glare visible from the property lines.

2. Except for decorative lighting, all other light poles shall be metal and such light poles shall be dark in color. Light poles in the parking lot shall not exceed 18 feet in height.

3. Dumpsters shall be located along the north/ eastern parking lot line and shall be screened on three sides with a slatted chain link or wood fence to a height of six feet with a gate and shall be located to screen its use from the abutting residential properties.

F. Graphics Commitments.

1. All graphics shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-2 Commercial District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

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

Legislation Number: 1482-2009

Drafting Date: 10/27/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Terrace Construction Co., Inc., for the Main Street Water Line Cleaning and Lining Project, in the amount of \$1,093,198.68, Division of Power and Water Contract Number 1018. This legislation will also authorize the appropriation and expenditure of funds from the Ohio Water Development Authority (OWDA) Fund.

The purpose of this project is to clean and line the 24" water main in Main Street from Parsons Avenue to Holtzman Avenue. This is one of several improvements needed to allow emergency water pumpage from the Joyce Avenue Booster Station to the East Pressure District.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened three bids on September 23, 2009. Bids were received from: Terrace Construction Co., Inc. - \$1,093,198.68; Utilicon Corporation - \$1,279,680.00; and Spiniello Companies - \$2,754,720.00.

The lowest bid was from Terrace Construction Co., Inc. in the amount of \$1,093,198.68. Their Contract Compliance Number is 34-1402413 (expires 9/16/11, 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 Monies for this project are provided from the Ohio Water Development Authority (OWDA) Fund. Loan No. 5322 was approved on October 29, 2009 for construction and construction administration/inspection services services (on separate Ordinance).

Title

To authorize the Director of Public Utilities to execute a construction contract with Terrace Construction Co., Inc.; for the Main Street Water Line Cleaning and Lining Project; for the Division of Power and Water; and to authorize the appropriation and expenditure of \$1,093,198.68 within the Ohio Water Development Authority (OWDA) Fund. (\$1,093,198.68)

Body

WHEREAS, three bids for the Main Street Water Line Cleaning and Lining Project were received and publicly opened in the offices of the Director of Public Utilities on September 23, 2009; and

WHEREAS, the lowest and best bid was from Terrace Construction Co., Inc. in the amount of \$1,093,198.68; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Main Street Water Line Cleaning and Lining Project; and

WHEREAS, the Ohio Water Development Authority (OWDA) Fund has a loan for the City of Columbus and was approved on October 29, 2009, in the amount of \$1,093,198.68; identified as OWDA Loan No. 5322 for the above listed project with eligible costs including the construction contract and contingency; and

WHEREAS, it is necessary to appropriate the proceeds from the aforementioned loan, to authorize the expenditure of funds required to award the subject contract, and to provide the requisite budget authority for said award; 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 a construction contract with Terrace Construction Co., Inc., for the Main Street Water Line Cleaning and Lining Project, to authorize the appropriation and expenditure of funds from the Ohio Water Development Authority (OWDA) Fund, for the preservation of the public health, peace, property and safety; now therefore,

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Main Street Water Line Cleaning and Lining Project with the lowest and best bidder, Terrace Construction Co., Inc., 3965 Pearl Rd., Cleveland, Ohio 44109; in the amount of \$1,093,198.68; 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 the proceeds from the Ohio Water Development Authority (OWDA) Fund, Loan No. 5322, for the Main Street Water Line Cleaning and Lining Project, and funds from the unappropriated monies in Fund 616, the amount of \$1,093,198.68, which includes funding for the cost of construction, are hereby appropriated to the Division of Power and Water, Dept/Div. No. 60-09, Fund No. 616, Object Level One 06, Object Level Three 6629, OCA Code 616402, Project No. 690402-100000 (new funding).

SECTION 3. That for the purpose of paying the cost of the Ohio Water Development Authority (OWDA) Fund Eligible Items within the aforementioned contract, the following appropriation and expenditure, or as much thereof as may be needed is hereby authorized as follows: Fund No. 616, Dept/Div. No. 60-09, Project: 690402-100000 (new funding), OCA Code 616402, Object Level One 06, Object Level Three 6629, Amount \$1,093,198.68.

SECTION 4. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities

and the Administrator of the Division of Power and Water.

SECTION 5. 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 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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

SECTION 8. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1495-2009

Drafting Date: 10/28/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: This ordinance authorizes Franklin County Municipal Court Clerk to enter into a contract with Ferrarelli, Inc. for the purchase of printed Ferrarelli Automated Certified Mailers (hereinafter "certified mailers") in accordance with Columbus City Code, Section 329.07(E) sole source procurement.

The certified mailers are compliant with U.S. Postal requirements and are used for serving summons to defendants, garnishments to employers, bank attachments to financial institutions and other certified mail requests.

Ferrarelli, Inc. is the sole provider of the certified mailers: patent number # 5,183,203.

Fiscal Impact: \$10,635.00 is available within the Municipal Court Clerk's 2009 general fund budget.

2009 Contract

On March 24, 2009, purchase order ED038503 was approved for the purchase of the printed certified mailers in the amount of \$15,600.00

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

Contract Compliance Number: 31-1347563, expires on 11/4/2011

Title

To authorize and direct the Franklin County Municipal Court Clerk to enter into a contract with Ferrarelli, Inc. for the purchase of printed certified mailers in accordance with sole source procurement provisions of the Columbus City Codes; to authorize the expenditure of \$10,635.00 from the Municipal Court Clerk general fund; and to declare an emergency. (\$10,635.00)

Body

Whereas, it is necessary for the Franklin County Municipal Court Clerk to purchase the printed certified mailers for the purpose of serving summons to defendants, garnishments to employers, bank attachments to financial institutions and other certified mail requests; and

Whereas, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk's Office, in that it is immediately necessary to authorize said contract with Ferrarelli, Inc. for the purchase of the printed certified mailers without interruption, for the immediate preservation of the public peace, health, property, safety and welfare; now, therefore

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

Section 1. The Franklin County Municipal Court Clerk be and is hereby authorized to enter into a contract with Ferrarelli, Inc. for the purchase of the printed certified mailers.

Section 2. That the expenditure sum of \$10,635.00 or so much thereof as may be necessary is hereby authorized to be expended from the Franklin County Municipal Court Clerk general fund, organization 2601, fund 010, oca 260141, object level 1-03, object level 3 - 3352 - \$10,635.00.

Section 3. That this sole source procurement is in accordance with Section 329.07 (E) of the Columbus City Code.

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

Legislation Number: 1496-2009

Drafting Date: 10/28/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc., in the amount of \$493,451.20; to encumber funds with the Transportation Division for inspection, testing and prevailing wage coordination services in the amount of \$110,263.00; for the Gibbard Avenue Area Water Line Improvements Project, Division of Power and Water Contract Number 1108. This legislation will also authorize the appropriation and expenditure of said funds from the Ohio Water Development Authority (OWDA) Fund.

Work under this project consists of the installation of approximately 2,495 feet of 6-inch and 255 feet of 2-inch water line and appurtenances located at six separate sites:

1. Construct 6" water main in Washington Ave. from Second Ave. to Starr Ave. Transfer existing taps and abandon the existing 1" water main (~300 ft.).
2. Construct 6" water main, including fire hydrants, in Ninth St. from Gibbard Ave. to the 16" water main in Fifth Avenue. Transfer existing taps & abandon the 1 1/2" water main's (~700 ft.).
3. Transfer all existing taps from the 2" water main to the 12" water main in Gray Street between Starr Avenue & Gibbard Avenue. Abandon the 2" water main.
4. Construct 2" water main in Loew Street from Gibbard Avenue to the most northerly tap. Abandon the 1 1/2" water main (~ 950 ft.).
5. Construct 6" water main in Nineteenth Street from Gibbard Avenue to the alley south of Fifth Avenue, then east in Fourth Avenue to the 16" water main in 20th Street. Transfer existing taps and abandon the 2" water main (~950 ft.).
6. Construct 6" water main in Fair Avenue from Linwood Avenue to Latta Avenue, then south in Latta Avenue to the alley south of Kutchins Place.

This project will improve flow and water quality and replace water mains that require repeated regular maintenance.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened nine bids on September 23, 2009. Bids were received from: John Eramo & Sons, Inc. - \$493,451.20; Danbert, Inc. - \$496,940.40; Seals Construction Inc. - \$517,069.30; Shelly & Sands, Inc. - \$568,682.40; Park Enterprise Construction Co., Inc. - \$570,649.75; Tata Excavating, Inc. - \$671,609.13; Conie Construction Co. - \$706,420.66; Complete General Construction Co. - \$753,214.39; and Mark Allard Excavation (incomplete) - \$733,332.60.

The lowest bid was from John Eramo & Sons, Inc. in the amount of \$493,451.20. Their Contract Compliance Number is 31-0724866 (expires 4/8/10, 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: Monies for this project are provided from the Ohio Water Development Authority (OWDA) Fund. Loan No. 5321 was approved on October 29 2009 for construction and construction inspection services.

Title

To authorize the Director of Public Utilities to execute a construction contract with John Eramo & Sons, Inc.; for the Gibbard Avenue Area Water Line Improvements Project; for the Division of Power and Water; to provide for payment of inspection, material testing and related services to the Transportation Division; and to authorize the appropriation and expenditure of \$603,714.20 within the Ohio Water Development Authority (OWDA) Fund. (\$603,714.20)

Body

WHEREAS, nine bids for the Gibbard Avenue Area Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on September 23, 2009; and

WHEREAS, the lowest and best bid was from John Eramo & Sons, Inc. in the amount of \$493,451.20; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Gibbard Avenue Area Water Line Improvements Project; and

WHEREAS, Ohio Water Development Authority (OWDA) Fund has a loan for the City of Columbus and was approved on October 29, 2009, in the amount of \$603,714.20; identified as OWDA Loan No. 5321 for the above listed project with eligible costs including construction, inspection, testing and prevailing wage coordination services; and

WHEREAS, it is necessary to appropriate the proceeds from the aforementioned loan, to authorize the expenditure of funds required to award the subject contract, and to provide the requisite budget authority for said award; 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 a construction contract with John Eramo & Sons, Inc., for the Gibbard Avenue Area Water Line Improvements Project, to authorize the appropriation and expenditure of funds from the Ohio Water Development Authority (OWDA) Fund, for the preservation of the public health, peace, property and safety; now therefore,

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Gibbard Avenue Area Water Line Improvements Project with the lowest and best bidder, John Eramo & Sons, Inc., 3670 Lacon Rd., Hilliard, Ohio 43026; in the amount of \$493,451.20; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Transportation Division and to pay up to a maximum amount of \$110,263.00.

SECTION 2. That the proceeds from the Ohio Water Development Authority (OWDA) Fund, Loan No. 5321, for the Gibbard Avenue Area Water Line Improvements Project, and funds from the unappropriated monies in Fund 616, the amount of \$603,714.20, which includes funding for the cost of construction, inspection, testing and prevailing wage coordination services, are hereby appropriated to the Division of Power and Water, Division 60-09, Fund No. 616, Object Level One 06, Object Level Three 6629, OCA Code 616236, Project No. 690236-100002.

SECTION 3. That for the purpose of paying the cost of the Ohio Water Development Authority (OWDA) Fund Eligible

Items within the aforementioned contract, the following appropriation and expenditure, or as much thereof as may be needed is hereby authorized as follows: Fund No. 616, Dept/Div. No. 60-09, Project: 690236-100002, OCA Code 616236, Object Level One 06, Object Level Three 6629, Amount \$603,714.20.

SECTION 4. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 5. 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 6. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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

SECTION 8. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1498-2009

Drafting Date: 10/28/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

To modify and extend the existing contract for the option to purchase Weed and Vegetation Management Control for the Utilities Department, Water Division, to and including December 30, 2010. The Universal Term Contract has a final one-year extension available, subject to mutual agreement and City Council approval. Formal bids were opened by the Purchase Office on September 14, 2006. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (SA#002155). The following contracts were established in accordance with bids received:

FL003324 with TruGreen ChemLawn, 36-3734669.

FL003325 with Hickman Lawn Care, Inc., 31-11432478.

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings for Recovery Database.

1. Amount of additional funds: The estimated annual expenditures for the contracts is \$58,600.00 (TruGreen ChemLawn: \$42,100.00 & Hickman Lawn Care: \$16,500.00). The Water Division must obtain approval to expend from their own budgeted funds for the estimated expenditures.
2. Reason additional needs were not foreseen: The need was foreseen. An extension is provided for in the original contract, but requires City Council approval.
3. Reason other procurement processes not used: The exact same product is required as originally bid. No better pricing, terms or conditions are expected by re-bidding at this time.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: No funding is required to extend the option contracts. The Water Division must set aside their own funding for their estimated expenditures.

Title

To authorize and direct the Finance and Management Director to modify and extend the contract for the Water Division for the option to purchase Weed and Vegetation Management with TruGreen ChemLawn and Hickman Lawn Care, Inc.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bids; and

WHEREAS, the vendors have agreed to extend FL003324 and FL003325 at current prices to and including December 30, 2010, and it is in the best interest of the City to exercise this option; and

WHEREAS, in order to avoid an extended lapse in our ability to provide Weed & Vegetation Management to the Water Division, and various other city locations, this is being submitted for approval as an emergency measure; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to modify and extend FL003324 with TruGreen ChemLawn and FL003325 with Hickman Lawn Care, Inc., to an including December 30, 2010.

SECTION 2. That this modification and extension is in accordance with Section 329.16 of the Columbus City Codes.

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

Legislation Number: 1500-2009

Drafting Date: 10/28/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background:

This project will construct a bike path along the west bank of Hoover Reservoir, from Plum Road to Sunbury Road. The project will be 75% funded by Clean Ohio Trails Fund and 25% by local matching funds. The project was implemented by Delaware County, with match co-funding by the City, Berkshire Township Trustees, Village of Galena, Delaware County Preservation Parks, and the Ohio to Erie Trail Fund.

The City's matching portion of this grant is to come from capital improvement bond funding. The project will directly connect the City to the regional trail network of Delaware County.

This project will build a dedicated trail facility along Hoover Reservoir, connecting residents of Galena, Westerville, and Columbus to the regional greenways system. It will be a key segment of the Ohio to Erie trail, a pathway connecting Cincinnati, Columbus, and Cleveland. The project will provide unique visitor access to the west side of Hoover Reservoir. The project increases safety for the cyclists, pedestrians, and motorists.

The project is recognized as a significant state wide trail improvement, and is listed on the State of Ohio Trails Plan, the Central Ohio Greenways Plan, MORPC Regional Bikeways Plan, and Delaware County Bikeways Plan. Several public meetings were held during the past 3 years.

The project will bid in November, and matching funds must be provided to Delaware County to proceed with the project in 2009.

Financial Impact:

\$50,000.00 is budget in the Voted 1999/2004 Recreation and Parks bond fund to meet the financial obligation of this agreement.

Title

To authorize the Director of Recreation and Parks to enter into an agreement with Delaware County for the development of a one mile section of the Ohio to Erie Trail along the west side of the Hoover Reservoir and to authorize an expenditure of \$50,000.00 from the Voted 1999/2004 Recreation and Parks bond fund; and to declare an emergency. (\$50,000.00)

WHEREAS, it is necessary for the Recreation and Parks Department to enter into an agreement with Delaware County to construct a bike path along the west bank of Hoover Reservoir, from Plum Road to Sunbury Road; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary enter into this agreement, transfer and expend these funds to allow this project to proceed in a timely manner for the preservation of the public peace, property, health and safety; now, therefore:

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

Section 1. That the Director of Recreation and Parks be and is authorized to enter into an agreement with Delaware County, for the construction of a bike path along the west bank of Hoover Reservoir, from Plum Road to Sunbury Road

Section 2. That the expenditure of \$50,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1999/2004 Recreation and Parks bond fund, Project #510229-100000, OCA#644526, Fund #702, Obj Level 3# 6621, to pay the cost thereof.

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

Section 4. 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: 1509-2009

Drafting Date: 10/29/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to execute a construction contract with George J. Igel & Company Inc., for the Naghten Street Sewer Rehabilitation Project for the Division of Sewerage and Drainage. This legislation also authorizes the appropriation, transfer and expenditure of \$4,003,599.55 from the Sanitary Sewer Reserve Fund 654 to the Water Pollution Control Loan Fund (WPCLF) 666; authorizes the transfer within and expenditure of \$1,467,354.75 for the WPCLF non-eligible portion of the Igel construction contract; and for construction inspection services with the Department of Transportation - Construction Inspection Services to be funded from the Sanitary B.A.B.s (Build America Bonds) Fund 668, and amends the 2009 Capital Improvements Budget for Funds (654 and 668) for the Division of Sewerage and Drainage.

This project will construct a stormwater collection system in E. Naghten Street, Cleveland Avenue and N. Grant Avenue and reconstruction of E. Naghten Street from N. Fifth Street east to Cleveland Avenue, reconstruction of N. Grant Avenue from Spring Street north to E. Naghten Street and repair and resurfacing of Cleveland Avenue from E. Naghten Street north to Mount Vernon. The stormwater system will divert the stormwater from the I-71/I-670 interchange from the combined sewer system and redirect it to the separate storm sewer system.

Procurement Information: The Division advertised in the City Bulletin for competitive bid proposals, and bids were received on October 7, 2009, as follows:

Shelly and Sands, Inc.	31-4351261 MAJ \$3,753,696.65
George J. Igel & Company Inc.	31-4214570 MAJ \$4,770,520.05
Complete General Construction Co.	31-4366382 MAJ \$4,934,321.43

Kokosing Construction Company, Inc.

31-1023518 | MAJ |\$5,648,627.60

The Engineer's construction cost estimate was \$6,307,188.80.

It was determined after the Bid Tab and Quality Factor Form (QFF) evaluation process that the lowest Responsive, Responsible and Best Bidder was George J. Igel & Company Incorporate. Shelly and Sands, Inc.'s bid was determined to be non-responsive because of an in-sufficient bid bond.

Award is recommended to the lowest Responsive and Responsible and Best Bidder.

B. Contract Compliance No.: George J. Igel & Co. 31-4214570 | Expires 03/11/2011 | MAJ

C. Emergency Designation: Emergency designation is needed to meet the construction contract deadline requirements of the Ohio EPA and the American Recovery and Reinvestment Act (ARRA) of 2009.

2. **FISCAL IMPACT:**

This ordinance authorizes the appropriation, transfer and expenditure of \$4,003,599.55 from the Sanitary Sewer Reserve Fund to the Water Pollution Control Loan Fund to fund this project expenditure. This transaction is a temporary measure that is required until such time as the Department is able to execute a WPCLF loan agreement with the Ohio EPA and the Ohio Water Development Authority (OWDA), and reimburse the Sanitary Sewer Reserve Fund. The loan award is tentatively scheduled for the November 19, 2009 OWDA board meeting. \$2,053,355.00 in subsidies from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects will be utilized to reduce the principal amount of the WPCLF loan. This ordinance will also authorize the transfer within and expenditure of \$1,467,354.75 for the WPCLF non-eligible portion of the construction contract (\$766,920.50) and for Construction Inspection services (\$700,434.25) with the Department of Transportation - Construction Inspection Services which will be funded from the Sanitary B.A.B.s (Build America Bonds) Fund 668, and amends the 2009 Capital Improvements Budget for Funds (654 and 668) for the Division of Sewerage and Drainage.

Title

To authorize the Director of Public Utilities to execute a contract with George J. Igel & Company Inc., for the Naghten Street Sewer Rehabilitation Project; to authorize the appropriation, transfer and expenditure of \$4,003,599.55 from the Sanitary Sewer Reserve Fund to the Ohio Water Pollution Control Loan Fund (WPCLF); and to authorize the transfer and the expenditure of \$1,467,354.75 from the Sanitary B.A.B.s (Build America Bonds) Fund for the WPCLF non-eligible portion of said contract and for the Construction Administration and Inspection services with the Department of Transportation - Construction Inspection Services; and amends the 2009 Capital Improvements Budget for the Division of Sewerage and Drainage; and to declare an emergency. (\$5,470,954.30)

Body

WHEREAS, four competitive bids for construction of the Naghten Street Stormwater System Improvements and Naghten Street Roadway Improvements project were received and opened October 7, 2009 in the offices of the Director of Public Utilities; and

WHEREAS, it was determined that the lowest Responsive, Responsible and Best Bidder was George J. Igel & Company Incorporate. Shelly and Sands, Inc.'s bid was determined to be non-responsive because of an in-sufficient bid bond; and

WHEREAS, the Ohio Water Development Authority (OWDA) is tentatively scheduled to approve a loan to the City of Columbus on November 19, 2009, to provide financing for the construction contract, and capitalized interest for this project, which will include \$2,053,355.00 in subsidies from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects being utilized to reduce the principal amount of the WPCLF loan; and

WHEREAS, sufficient monies will be available within the Sanitary Sewer Reserve Fund 654 and transferred to the Water Pollution Control Loan Fund 666 for the construction contract and capitalized interest expenditures; and

WHEREAS, sufficient monies will also be available within the Sanitary B.A.B.s (Build America Bonds) Fund 668 for the WPCLF non-eligible portion of the construction contract and for construction administration and inspection services with the City's Department of Transportation - Construction Inspection Services; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with George J. Igel & Co., Inc., in order to provide for construction of the Naghten Street Sewer System Rehabilitation; and contract with the City's Department of Transportation - Construction Inspection Services; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sanitary Sewer Reserve Fund and authorize the transfer of said funds into the Water Pollution Loan Fund, in order to temporarily fund the construction contract expenditure, until such time as the City is able to execute a WPCLF loan agreement for the above stated purpose and reimburse the Sanitary Sewer Reserve Fund; and to authorize the expenditure from the Sanitary B.A.B.s (Build America Bonds) Fund for the Construction Inspection services; and

WHEREAS, it is necessary to authorize the transfer of funds within the Sanitary B.A.B.s (Build America Bonds) Fund for purposes of providing sufficient funding for the sanitary sewer construction inspection project; and

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

WHEREAS, because of the construction contract deadline requirements of the Ohio EPA and the American Recovery and Reinvestment Act (ARRA) of 2009, 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 for this Council to authorize the Director of Public Utilities to execute a construction contract with George J. Igel & Company Inc., and contract the construction inspection services with the Department of Transportation - Construction Inspection Services for the Naghten Street Sewer Rehabilitation Project, at the earliest practical date for the immediate preservation of the public health, peace, property, and safety; **Now, Therefore,**

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

Section 1. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract with George J. Igel & Company Inc., 2040 Alum Creek Drive, Columbus, OH 43207, for construction of the Naghten Street Sewer Rehabilitation Project in the amount of \$4,770,520.05 and, in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage; and is hereby authorized to contract for construction administration and inspection services with the Department of Public Service Department of Transportation - Construction Inspection Services in the amount of \$700,434.75.

Section 2. The Ohio Water Development Authority (OWDA) is tentatively scheduled to approve a loan to the City of Columbus on November 19, 2009, to provide financing for the construction contract, and capitalized interest for this project, which will include \$2,053,355.00 in subsidies from the American Recovery and Reinvestment Act (ARRA) of 2009 for Stimulus Projects being utilized to reduce the principal amount of the WPCLF loan.

Section 3. That from the unappropriated monies in the Sanitary Sewer Reserve Fund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated from any other purpose for the Naghten Street Sewer Rehabilitation Project, the sum of \$4,003,599.55 is hereby appropriated to the Division of Sewerage and Drainage; Division 60-05 | ObjLv11 10 | ObjLv13 5502 | OCA Code 901654

Section 4. That the City Auditor is hereby authorized to transfer \$4,003,599.55 to the Water Pollution Control Loan Fund No. 666, into the appropriate project accounts as specified in the below section, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

Section 5. That the expenditure of \$4,003,599.55 or as much thereof as may be needed, be and the same is hereby

appropriated and authorized for under the Water Pollution Control Loan Fund No. 666 | Division 60-05 | Object Level Three 6621 | as follows:

Project No | Project Name | OCA Code | Amount:

650618-100001 | Naghten Street Sewer Rehabilitation Project| 666618 | \$4,003,599.55

Section 6. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 for Fund 666 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Project listed herein:

Amend the 2009 Capital Improvement Budget (CIB) to read for Fund 666:

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

650618-100001 | Naghten Street Storm Water & Roadway Project | \$0 | \$4,003,600 | (+\$4,003,600)

Section 7. That the City Auditor is hereby authorized to transfer \$1,467,354.75 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6676, and expend the funds as follows:

From:

Project No. | Project Name | OCA Code | Change

650404-100000 | Sanitary System Rehabilitation | 668404 | (-\$1,467,354.75)

To:

Project No. | Project Name | OCA Code | Change

650618-100001 | Naghten Street Storm Water & Road Project | 681618 | (+\$1,467,354.75)

Section 8. That the expenditure of \$1,467,354.75 or as much thereof as may be needed, is hereby authorized from the Sanitary B.A.B.s (Build America Bonds) Fund | Fund No. 668 | Division 60-05 | Object Level Three 6621 | as follows:

Project No. | Project Name | OCA Code | Amount:

650618-100001 | Naghten Street Storm Water & Road Project | 681618 | \$1,467,354.75

(note: \$700,434.25 for Construction Inspection for the Dept. of Transportation and \$766,920.50 for the WPCLF non-eligible portion of the construction contract with George J. Igel & Company Inc.)

Section 9. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 for Fund 668 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Project listed herein:

Project No. | Project Name | Current Authority | Revised Authority | (Change) for Fund 668

650404-100000 | Sanitary System Rehabilitation | \$2,000,000 | \$532,645 | (-\$1,467,355)

650618-100001 | Naghten Street Storm Water & Road Project | \$00 | \$1,467,355 | (+\$1,467,355)

Section 10. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

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

Section 12. 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 13. That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1512-2009

Drafting Date: 10/30/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z09-001

APPLICANT: The NRP Group LLC c/o Mary Hada, Agent for the applicant; 5309 East Broad Street; Cleveland, OH 44125.

PROPOSED USE: Elderly housing and hospital use.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on October 8, 2009.

FRANKLINTON AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is requesting the CPD, Commercial Planned Development District as a follow up rezoning to Council variance CV08-043 which allowed 60 elderly housing units and up to 5000 square feet of hospital use with additional variances to standards. In this follow up rezoning, the applicant is decreasing the number of dwelling units from 60 down to 54 and the amount of space devoted to hospital use from 5000 square feet down to 1000 square feet. The Applicant's request for the CPD Commercial District is consistent with the zoning and development patterns of the area. Customary landscaping and lighting limitations are provided. The applicant is committing to elevations in compliance with the *Franklinton Plan* (2003). Due to the height of the adjacent parking garage, deviation from the recommendation of the *Franklinton Plan* (2003) for single-family residential uses on this site is supported.

Title

To rezone **764 WEST RICH STREET (43222)**, being 1.2± acres located at the northwest corner of West Rich and South Green Streets, **From:** AR-1, Apartment Residential District, **To:** CPD, Commercial Planned Development District (Rezoning # Z09-001).

Body

WHEREAS, application #Z09-001 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.2± acres from the AR-1, Apartment Residential District, to the CPD, Commercial Planned Development District; and

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

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

WHEREAS, the City Departments recommend approval because the applicant is requesting the CPD, Commercial Planned Development District as a follow up rezoning to Council variance CV08-043 which allowed 60 elderly housing units and up to 5000 square feet of hospital use with additional variances to standards. In this follow up rezoning, the applicant is decreasing the number of dwelling units from 60 down to 54 and the amount of space devoted to hospital use

from 5000 square feet down to 1000 square feet. The Applicant's request for the CPD Commercial District is consistent with the zoning and development patterns of the area. Customary landscaping and lighting limitations are provided. The applicant is committing to elevations in compliance with the *Franklinton Plan* (2003). Due to the height of the adjacent parking garage, deviation from the recommendation of the *Franklinton Plan* (2003) for single-family residential uses on this site is supported, now, therefore:

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

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

764 WEST RICH STREET (43222), being 1.2± acres located at the northwest corner of West Rich and South Green Streets, and being more particularly described as follows:

**DESCRIPTION OF A
1.233 ACRE TRACT**

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Virginia Military Survey Number 1393, and being all of lots 86, 87, 88, 89, 90, 91 and 92 of B. F. Martin's Western Addition, of record in Plat Book 2, page 214, as conveyed in a deed to Mount Carmel Health System, of record in Instrument Number 200603210052793, and being a portion of Lot 93 of said B. F. Martin's Western Addition, as conveyed in a deed to Mount Carmel Health, of record in Official Record Volume 19728, page F09, and being all of that part of an unnamed alley located between Walnut Street and Rich Street, said alley dedicated as public right-of-way in said B. F. Martin's Western Addition, all records referenced are on file at the Office of the Recorder, Franklin County, Ohio, being further described as follows:

Beginning at the southwest corner of said Lot 86, said corner being the intersection of the north right-of-way line for Rich Street and the east right-of-way line for Davis Avenue (formerly Glenn Street);

Thence North 0 degrees 16 minutes 51 seconds West, along the west line of said Lot 86, along the east right-of-way line for said Davis Avenue, a distance of 172.85 feet to the northwest corner of said Lot 86, said corner being at the intersection of the east right-of-way line for said Davis Avenue and the south right-of-way line for Walnut Street;

Thence North 89 degrees 43 minutes 09 seconds East, along the north line of said Lots 86, 87, 88, 89, 90, 91, and 92, along the north line of said unnamed alley, and along the south right-of-way line of said Walnut Street, a distance of 302.51 feet to the northwest corner of said Lot 93, being on the east right-of-way line for said unnamed alley, and being on the west right-of-way line for Green Street as dedicated by the Green Street and Easements Dedication Plat, of record in Plat Book 79, page 49;

Thence across said Lot 93, along the west right-of-way line for said Green Street by the following four (4) described courses:

1. South 8 degrees 52 minutes 36 seconds East, a distance of 47.90 feet to a point of curvature;
2. Along the arc of a curve to the right, said curve having a radius of 370.00 feet, a central angle of 8 degrees 43 minutes 19 seconds, and an arc length of 56.32 feet to a point of tangency, said curve being subtended by a long chord having a bearing of South 4 degrees 30 minutes 56 seconds East and a length of 56.27 feet;
3. South 0 degrees 09 minutes 17 seconds East, a distance of 50.00 feet to a point of curvature;
4. Along the arc of a curve to the right, said curve having a radius of 20.00 feet, a central angle of 63 degrees 47 minutes 02 seconds, and an arc length of 22.26 feet to a point on the west line of said Lot 93, being on the east right-of-way line for said unnamed alley, said curve being subtended by a long chord having a bearing of South 31 degrees 44 minutes 14 seconds West and a length of 21.13 feet;

DESCRIPTION OF A

1.233 ACRE TRACT

Thence South 0 degrees 16 minutes 51 seconds East, along the west line of said Lot 93, along the east right-of-way line for said unnamed alley, along the west right-of-way line for said Green Street, a distance of 1.45 feet to the southwest corner of said Lot 93, being on the north right-of-way line for said Rich Street;

Thence South 89 degrees 43 minutes 09 seconds West, along the south line of said unnamed alley, along the south line of said Lots 86, 87, 88, 89, 90, 91 and 92, and along the north right-of-way line of said Rich Street, a distance of 302.51 feet to the **Point of Beginning** for this description.

Of the above described area, 0.157 acres lies within Franklin County Auditor's Parcel Number 010-018974, 0.081 acres lies within Parcel Number 010-010571, 0.081 acres lies within Parcel Number 010-042305, 0.162 acre lies within Parcel Number 010-022244, 0.155 acres lies within Parcel Number 010-019142, 0.159 acres lies within Parcel Number 010-039409, 0.159 acres lies within Parcel Number 010-012453, 0.147 acres lies within Parcel Number 010-067190, 0.033 acres lies within Parcel Number 010-018638, and 0.099 acres lies within the present right-of-way for said unnamed alley, for a total area of 1.233 acres.

The bearings described herein are based on the bearing for the south right-of-way line for Walnut Street, being North 89 degrees 43 minutes 09 seconds East, as described in the Dedication of Green Street and Easements Dedication Plat, of record in Plat Book 79, Page 49, on file at the Office of the Recorder, Franklin County Ohio.

The above description was prepared and reviewed on August 10, 2009 by Brian P. Bingham, Registered Professional Surveyor Number 8438, and is based on an actual field survey performed by American Structurepoint, Inc. on August 3, 2009.

This description is intended for zoning purposes only.

To Rezone From: AR-1, Apartment Residential District,

To: CPD, Commercial Planned Development District.

SECTION 2. That a Height District of Sixty (60) feet is hereby established on the CPD, Commercial Planned Development District on this property.

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**TAX CREDIT SUBMITTAL 2009,**" and "**FRANKLINTON SENIOR SHEETS A3.1 and A3.2,**" all signed by Ronald D. Lloyd, Architect for the Applicant, and dated October 15, 2009, and plan being titled "**WEST RICH STREET STREETScape,**" signed by Peggy A. Brown Landscape Architect for the Applicant and text titled, "**COMMERCIAL PLANNED DEVELOPMENT,**" signed by Mary Hada, Agent for the Applicant, and dated November 5, 2009, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT

EXISTING DISTRICT: AR-1

PROPOSED DISTRICT: CPD - Elderly Housing

PROPERTY ADDRESS: 764 West Rich Street

OWNER: Mt. Carmel Health System

APPLICANT: The NRP Group, LLC

DATE OF TEXT: 11/5/09

APPLICATION NUMBER: Z09-001

1. INTRODUCTION: The existing site is currently zoned AR-1. The applicant proposes to develop the site with housing for the elderly building and hospital uses. The property is 1.2+/- acres and is located on the north side of Rich Street between Davis and Green Streets. The Council Variance - file # 0263-2009, was approved by City Council on March 12, 2009 for up to sixty (60) dwelling units and fifty-two (52) parking spaces.

2. PERMITTED USES: Housing for the elderly and up to 1,000 square feet of hospital use.

3. DEVELOPMENT STANDARDS: Except as otherwise listed herein, the development standards established by the C-4 Commercial District of the Columbus City Code shall apply.

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

1. Maximum number of housing for the elderly units shall be 54.
2. Building setback on Davis and Green Streets shall be a minimum of 10 feet.

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

1. A minimum of 42 parking spaces shall be provided and ADA parking spaces are shown on the site plan.

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

1. Street trees shall be planted within the setback along Davis Street, Rich Street and Green Street at a ratio of one tree per thirty (30) feet of frontage. Trees may be grouped as long as the minimum numbers of trees are planted.
2. Within the parking setback along Davis Street, the developer shall install headlight screening to a minimum of thirty (30) inches. The headlight screening may be in the form of mounding, planting, or fencing, individually or in any combination thereof.
3. Landscaping shall be maintained in a healthy state. Dead items shall be replaced at the next planting season or within six (6) months, whichever occurs sooner. Unless otherwise specified, minimum size of all trees at installation shall be 2 1/2 inches in caliper for deciduous shade trees, five (5) feet high for evergreen trees and 1 1/2 inches in caliper for ornamental trees.

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

1. Rooftop Mechanicals Screening: Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

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

1. The light standards shall not exceed twenty-eight (28) feet in height and shall be cut-off style fixtures.

F. Graphics Commitments.

1. All signage and graphics shall be as permitted for the CPD District. Any variances to those requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous.

1. Site Plan: The subject site shall be developed in accordance with the submitted site plan. The site plan may be slightly

adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of Development or his designee upon the submission of the appropriate data regarding the proposed adjustment.

2. The total dollar amount for the Parkland Dedication Ordinance commitment park fee is \$3,740 and shall be paid to the City of Columbus at the time of submittal for zoning clearance.

H. CPD Requirements:

1. Natural Environmental and Existing Land Uses: The property is zoned AR-1 and is vacant. The site is bordered on all sides by public rights-of-way. Parking garage to the north, undeveloped and residential ground to the west, south and east.

2. Existing Lane Use: Vacant.

3. Transportation and Circulation: Access to the site shall be from Walnut and Davis Streets.

4. Visual Form of the Environment: Consideration has been given to the visibility and safety of the motorists and pedestrians in the development of the property.

5. Proposed Development: Housing for the elderly/hospital uses.

6. Behavior Pattern: Existing development in the area has established behavior patterns for the motorists.

7. Emissions: No adverse effects from emissions shall result from the proposed development.

I. Variances:

a) Parking - Section 3342.28 from 54 to 42 parking spaces.

b) Building Setback - Section 3361.04A from 25 to 10 feet on Davis and Green Streets. The setback along West Rich Street will be reduced from 25 to 20 feet to allow for air conditioners.

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

Legislation Number: 1516-2009

Drafting Date: 10/31/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a construction contract with John Eramo & Sons, Inc., in the amount of \$686,415.83; to encumber funds with the Transportation Division for inspection, testing, and prevailing wage coordination services in the amount of \$104,000.00; all in connection with the Dewberry/Evergreen Roads Stormwater System Improvements Project.

2. **CONSTRUCTION CONTRACT AWARD:** The Director of Public Utilities publicly opened six (6) bids on October 14, 2009. These bids were received from: John Eramo & Sons, Inc. - \$686,415.83; Tata Excavating - \$769,062.36; Nickolas Savko & Sons, Inc. - \$845,878.20; Columbus Asphalt Paving - \$931,072.20; McDaniel's Construction Co. - \$939,612.00; and Complete General Construction Co. - \$947,745.30.

The lowest and best bid was from John Eramo & Sons, Inc. for \$686,415.83. Additional information regarding each bidder, description of work, contract timeframe, detailed amounts and sub-contractors can be found on the attached Legislation Information Form.

Contract Compliance Information: 31-0724866, expires 04/08/10, Majority

3. FISCAL IMPACT: There is sufficient cash and authority in the 2009 Capital Improvements Budget to contract for this project. No transfers or amendments are needed.

4. EMERGENCY DESIGNATION: The Department of Public Utilities is requesting City Council to consider this legislation an emergency measure, in order to execute a contract for this project no later than January 2010 and to provide work for available Construction Administration/Inspection personnel in the Transportation Division.

Title

To authorize the Director of Public Utilities to execute a construction contract with John Eramo & Sons, Inc.; to provide for payment of inspection, material testing and related services to the Transportation Division; to authorize the expenditure of \$790,415.83 for the Dewberry/Evergreen Roads Stormwater System Improvements Project, for the Division of Sewerage and Drainage; and to declare an emergency. (\$790,415.83)

Body

WHEREAS, six (6) bid proposals were received and publicly opened in the offices of the Director of Public Utilities on October 14, 2009 for the construction of the Dewberry/Evergreen Roads Stormwater System Improvements Project; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection, testing and prevailing wage coordination services costs associated with the Dewberry/Evergreen Roads Stormwater System Improvements Project; and

WHEREAS, this project will mitigate street and yard flooding within the area located along Evergreen Road and Dewberry Road; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to enter into a construction contract with John Eramo & Sons, Inc. for the Dewberry/Evergreen Roads Stormwater System Improvements Project in an emergency manner for the immediate preservation of public health, peace, property and safety; now therefore,

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

SECTION 1. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Dewberry/Evergreen Roads Stormwater System Improvements Project with the lowest and best bidder, John Eramo & Sons, Inc., 3670 Lacon Road.; Hilliard, Ohio 43026; in the amount of \$686,415.83 in accordance with the terms and conditions of the contract on file in the Office of the Division of Sewerage and Drainage; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Transportation Division; and to pay up to a maximum amount of \$104,000.00.

SECTION 2. That for the purpose of paying the cost of the construction contract, the cost of inspection, testing and prevailing wage coordination services, the following expenditure, or as much thereof as may be needed is hereby authorized as follows: Division 60-15, Storm B.A.B.s Fund No. 676, Project 610775-100000, Object Level Three 6621, OCA Code 685775, Amount \$790,415.83.

SECTION 3. That the said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage.

SECTION 4. 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 5. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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

Legislation Number: 1521-2009

Drafting Date: 11/02/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation This ordinance authorizes the Franklin County Municipal Court Clerk to enter into a contract with NashWest, LLC for a period of one year, with renewal options for two consecutive years. The support services are for the Franklin County Municipal Court Clerk, Court View version 2.34 Integrated Case Management System (hereinafter "case management system").

Bid Information:

The Franklin County Municipal Court Clerk solicited formal competitive bids in accordance with Section 329.14 through SA003410, to select a vendor to support the pre-existing case management system.

One proposal was received by the Clerk's Office. The proposal was reviewed by an evaluation committee of five (5). The vendor met the requirements. The committee submitted a written explanation to the Clerk. In agreement with the committee, the Municipal Court Clerk awarded contract to the NashWest, LLC.

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

Fiscal Impact: Funds totaling \$144,000.00 are available within the Municipal Court Clerk 2009 computer fund budget.

Emergency: Emergency legislation is requested to maintain ongoing and uninterrupted software support for the Municipal Court Clerk case management system.

Contract Compliance #: 20-8198958

Expiration Date: 10/31/2010

Title

To authorize and direct the Franklin County Municipal Court Clerk to enter into a contract with NashWest LLC for software support for the Municipal Court Clerk case management system; to authorize the expenditure of \$144,000.00; and to declare an emergency. (\$144,000.00)

Legislation Number: 1522-2009

Drafting Date: 11/02/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into a contract with Murphy Epson, Inc., to prepare and perform a number of media campaigns to inform Columbus residents about healthy housing principles and neighborhood revitalization efforts, for the Lead Safe Columbus program. The contract will provide \$83,000 from the Lead Hazard Reduction Demonstration lead grant fund.

Murphy Epson, Inc. (Contract Compliance #31-1263605, expiration 11/6/11) was selected as a Lead Safe Columbus program contractor as a result of a competitive bidding process directed by Lead Safe Columbus.

Lead Safe Columbus provides grants to qualified property owners in order to remove lead based hazards in owner and tenant occupied units, as well as promotes educational activities to inform citizens about healthy housing principles and neighborhood revitalization efforts in Columbus.

This legislation is presented in an effort to promote healthy housing principles and neighborhood revitalization efforts in Columbus neighborhoods.

This ordinance is submitted as an emergency in order to complete the activities before the end of the grant period.

FISCAL IMPACT: \$83,000 from the 2007 Lead Hazard Reduction Demonstration lead grant fund has been allocated for this contract.

Title

To authorize the Director of the Department of Development to enter into a contract with Murphy Epson, Inc. to prepare and perform a number of media campaigns for Lead Safe Columbus; to authorize the expenditure of \$83,000 from the General Government Grant Fund; and to declare an emergency. (\$83,000.00)

Body

Whereas, the Director of the Department of Development desires to enter into a contract with Murphy Epson, Inc.; and

Whereas, Murphy Epson, Inc. will prepare and perform a number of media campaigns to inform Columbus residents about healthy housing principles and neighborhood revitalization efforts for the Lead Safe Columbus program; and

Whereas, the contract will provide \$83,000 from the Lead Hazard Reduction Demonstration lead grant fund; and

Whereas, this ordinance is submitted as an emergency in order to complete the activities before the end of the grant period; and

Whereas, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to enter into a contract with Murphy Epson, Inc., in order to preserve the public peace, health, safety, and welfare; and **NOW, THEREFORE,**

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into a contract with Murphy Epson, Inc. to prepare and perform a number of media campaigns to inform Columbus residents about healthy housing principles and neighborhood revitalization efforts.

Section 2. That for the purpose as stated in Section 1, the expenditure of \$83,000 or so much thereof as may be necessary from the Department of Development, Housing Division, Division 44-10, Fund No. 220, Grant No. 447027, Object Level One 03, Object Level Three 3336, OCA 447027.

Section 3. That this contract is awarded pursuant to Section 329.12 of the Columbus City Codes, 1959, as amended

Section 4. That in the 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.

Legislation Number: 1523-2009

Drafting Date: 11/02/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: In 2002, the Division of Police purchased and implemented a computerized Ohio Based Reporting System/National Incident Based Reporting System (OIBRS/NIBRS), per Ordinance 2253-01 passed 12/17/01, for offense and complaint/incident reports. As part of the original contract, the Division was provided the option to renew for five (5) additional, one-year annual software support and maintenance terms. In 2008, a new software support and maintenance services contract with the existing vendor was entered into (EL008219) and made effective March 1, 2008 under the authority of Ordinance 0538-2008. The terms of contract EL008219 allow for the option to renew four (4) additional one (1) year terms. The Division of Police renewed the existing contract for a second year of software support and maintenance services (EL009638), under the authority of Ordinance 1029-2009.

Motorola has developed PremierOne, the next generation web-based records management system, which will eventually replace the proprietary system currently in use by the Division. This customized system software upgrade will run parallel with our current system, and will require sufficient time for testing and customization before it can be fully operational. Available funding has been identified to purchase two module upgrades. It is immediately necessary to purchase the customized software upgrades in preparation for the future migration to the next generation PremierOne system, and before the City year end close of business, to prevent the loss of appropriations.

Bid Information: Ordinance 0538-2008 was authorized in accordance with Section 329.07 (e) (Sole Source) of the Columbus City Codes, due to the proprietary nature of the software currently in use by the Columbus Division of Police. The cost associated with these services was based upon negotiations with the existing vendor to ensure the best pricing for the City of Columbus and the Division of Police.

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 finding for recovery certified search.

Contract Compliance No.: 36-1115800, Expires 03/07/2010

Emergency Designation: Emergency legislation is requested for this ordinance so as to allow sufficient time for a purchase order to be issued from the existing seizure fund appropriation.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$30,000.00 from the Law Enforcement Seizure fund for the purchase of two customized software upgrades for the OIBRS/NIBRS system with Motorola for the Division of Police. There is no financial impact on the General Fund for this purchase.

Title

To authorize and direct the Public Safety Director to modify the existing contract to purchase the next generation proprietary system software upgrades from Motorola, Inc. for the National Incident Based Reporting System for the Division of Police in accordance with the sole source provisions of the Columbus City Codes; to authorize the expenditure of \$30,000.00 from Law Enforcement Seizure Fund; and to declare an emergency. (\$30,000.00)

Body

WHEREAS, in 2008 the Division of Police entered into a new contract with Motorola, Inc., for software support and maintenance services for the computerized Ohio Based Reporting System/National Incident Based Reporting System (OIBRS/NIBRS), and

WHEREAS, Motorola is the sole source provider of this software program, and

WHEREAS, the current contract was renewed for services in 2009, and

WHEREAS, software upgrades are necessary to run the OIBRS/NIBRS systems, and

WHEREAS, Law Enforcement Seizure Funds are available for this purchase of customized software upgrades, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary for the Division of Police to modify the current contract to purchase necessary software upgrades from the existing vendor, Motorola, Inc., and to utilize appropriated funds which will lapse if not encumbered before the end of 2009 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 Public Safety Director be and hereby is authorized to modify the current contract in the amount of \$30,000.00 to Motorola, Inc. for the purchase of two customized software upgrades for the Narcotics and Internal Affairs Bureaus of the Division of Police, Department of Safety.

SECTION 2. That the expenditure of \$30,000.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03| Fund 219 | OBJ LEV (1) 02 | OBJ LEV (3) 2224 | OCA 300988 | Subfund 016| \$30,000.00 |

SECTION 3. That said contract shall be awarded in accordance with provisions of Section 329.07e (Sole Source) 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 its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1528-2009

Drafting Date: 11/03/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Public Utilities to enter into a service agreement with Tom Synnott Associates AKA tsa/Advet for the upgrade of the Falcon Enterprise, Falcon DMS software for the Department of Public Utilities. The agreement for this service will be established in accordance with Section 329.07 (c) of the Columbus City Code.

The Electronic Permit Forms (E-Forms) are a component of the Falcon/DMS system which is utilized by the DPU Permit Office as a part of their document management system and billing program. The E-Form program has been utilized for approximately 10 years for sewer permits. Tom Synnott Associates AKA tsa/Advet will provide the upgrade and re-development of an interface with the Falcon/DMS software. The upgrade will include a water tap permit to create a

permanent record within the Falcon/DMS system as well as upgraded versions of the sewer tap permit and construction headsheet forms. This ordinance authorizes funding for all licenses, upgrades, maintenance and support for the modification to the software.

Quotation and letter of sole provider is attached to this legislative record.

SUPPLIER: Tom Synnott Associates AKA tsa/Advet (25-1372377); Expires 7-8-10

FISCAL IMPACT: \$33,800.00 is being requested for this service.

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 in accordance with sole source provisions of the Columbus City Code with Tom Synnott Associates AKA tsa/Advet for the upgrade of Falcon/DMS software for the Department of Public Utilities, and to authorize the expenditure of \$24,800.00 from the Sewerage System Operating Fund and \$9,000.00 from the Water Operating Fund. (\$33,800.00)

Body

WHEREAS, the Department of Public Utilities utilizes a mapping and document management program developed by Tom Synnott Associates AKA tsa/Advet and,

WHEREAS, it has become necessary to enhance that program by upgrading the software to enhance mapping and document management for the Department of Public Utilities, and

WHEREAS, the Electronic Permit Forms (E-Forms) are a component of the Falcon/DMS system which is utilized by the DPU Permit Office as a part of their document management system and billing program. The E-Form program has been utilized for approximately 10 years for sewer permits, and

WHEREAS, the upgrade will include a water tap permit to create a permanent record within the Falcon/DMS system as well as upgraded versions of the sewer tap permit and construction headsheet forms. This ordinance authorizes funding for all licenses, upgrades, maintenance and support for the modification to the software, and

WHEREAS, the Department of Public Utilities wishes to establish a service agreement in accordance with Section 329.07 (c) of the Columbus City Code for said service, now, therefore

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

Section 1. To authorize the Director of Public Utilities to enter into a service agreement in accordance with Section 329.07 (c) of the Columbus City Code with Tom Synnott Associates AKA tsa/Advet for the upgrade of Falcon./DMS software.

Section 2. That the expenditure of \$33,800.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

DIVISION OF SEWERAGE AND DRAINAGE (FUND 650)

OCA 605073
Object Level 3: 3369.
Amount: \$24,800.00

DIVISION OF POWER AND WATER (WATER) (FUND 600)
OCA 601849
Object Level 3: 3369
Amount: \$9,000.00

TOTAL REQUEST: \$33,800.00

Section 3. That this Council finds it in the best interest of the City of Columbus to authorize the Director of Public Utilities to enter into a service agreement in accordance with Section 329.07 (c) of the Columbus City Code

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

Legislation Number: 1539-2009

Drafting Date: 11/03/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract for the Division of Design and Construction for a professional services engineering contract for the Joyce Avenue Phase 2 project. This is a joint partnership between the Department of Public Service and the Department of Public Utilities.

The project consists of reconstructing Joyce Avenue from Kenmore Avenue to Twelfth Avenue. Improvements include curbing and sidewalk on the east side of Joyce Avenue, a shared path on the west side of Joyce Avenue, ADA curb ramps, upgrading of existing traffic lights, storm sewer, and street light relocation and upgrade, and roadway widening at various locations from its current two lane configuration to a three lane configuration.

Improvements on 17th Avenue, between Joyce Ave and 300 feet west of Billiter Boulevard will consist of sidewalk improvement, curb and gutter, an enclosed storm sewer, sidewalks along Seventeenth Avenue only on one side from Joyce Avenue to Brentnell Avenue. A storm sewer system study and design for 17th Avenue between Joyce and Brentnell avenues will also be included.

There are 13 bus stops within the limits of this project. 2.54 miles of 5 foot wide sidewalk and 1.2 miles of 8 foot shared use path will be added in this project. 132 ADA ramps will be added or reconstructed in this project. Pedestrian generators and destinations impacting the proposed project include: St Stephen Community Center, Duxberry Park Elementary School and Maloney Park. Environmental "Green" materials or processes associated with this project include landscaping and stormwater Best Management Practices (BMP).

The selection process for the professional service contract has been done in accordance with provisions of Chapter 329.12 of Columbus City Codes, 1959. 14 majority and 2 minority firms submitted proposals.

The Office of Support Services has completed the selection process for professional design services and has determined that DLZ, Inc., submitted the best overall proposal at a competitive price for this work.

2. CONTRACT COMPLIANCE

DLZ, Inc., contract compliance number is 311268980 and expires 3/10/11.

3. PLANNED DESIGN MODIFICATION

A planned design modification in an amount currently estimated to be \$677,753.87 will be executed approximately 1 year from the notice to proceed date to complete plans for this project.

4. EMERGENCY DESIGNATION

Emergency action is requested so that this project can address localized flooding and pedestrian safety issues and keep commitments made to the local community.

5. FISCAL IMPACT

Funding for this project is available in the amount of \$478,644.83 within the Streets and Highways G.O. Bonds Fund due to cancellation of encumbrances from completed projects and the Storm B.A.B.s Fund in the amount of \$343,407.67 for the Division of Sewerage and Drainage.

TitleTo authorize the Director of Public Service to enter into a contract with DLZ, Inc., for a professional services engineering contract for the Joyce Avenue Phase 2 project; to authorize the expenditure of \$478,644.83 from the Streets and Highways G.O. Bonds for the Division of Design and Construction and \$343,407.67 from the Storm B.A.B.s Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$822,052.50)

BodyWHEREAS, the Director of Public Service has identified the need to enter into a professional service contract for the design of the Joyce Avenue Phase 2 project; and

WHEREAS, a satisfactory proposal has been submitted by DLZ, Inc.; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction and the Department of Public Utilities, Division of Sewerage and Drainage, in that the contract should go forth immediately so that the work may proceed without delay to address localized flooding and pedestrian safety issues, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the Director of Public Service be and is hereby authorized to enter into a contract with DLZ, Inc., 6121 Huntley Road, Columbus, OH 43229 in the amount of \$822,052.50 or so much as needed for the design of the Joyce Avenue Phase 2 project.

Section 2. That the 2009 CIB authorized within ordinance 0806-2009 be amended due to encumbrance cancellations of completed projects as follows:

<u>Project Number / Project / Current CIB Amount / amendment amount / CIB amount as amended</u>
530105-100000 / Brick Rehabilitation (Carryover) / \$0.00 (Carryover) / \$10,111.00 (Carryover) / \$10,111.00 (Carryover)
530210-100000 / Curb Rehabilitation (Carryover) / \$0.00 (Carryover) / \$37.00 (Carryover) / \$37.00 (Carryover)
530301-100000 / Bridge Rehabilitation (Carryover) / \$678,879.00 (Carryover) / 19,324.00 (Carryover) / \$698,203.00 (Carryover)
590105-100000 / Pedestrian Safety Improvements (Carryover) / \$0.00 (Carryover) / 302,991.00 (Carryover) / \$302,991.00 (Carryover)
704999-100000 / Unallocated Balance (Carryover) / \$0.00 (Carryover) / \$1,393,118.00 (Carryover) / \$1,393,118.00 (Carryover)

Section 3. That the 2009 CIB authorized within ordinance 0806-2009 be amended as follows:

<u>Project Number / Project / Current CIB Amount / amendment amount / CIB amount as amended</u>
530086-100000 / Miscellaneous Intersection Improvements (Carryover) / \$101,882.00 (Carryover) / (\$76,882.00)

(Carryover) / \$25,000.00 (Carryover)

530103-100000 / Arterial Street Rehabilitation (Carryover) / \$11,766.00 (Carryover) / (\$766.00) (Carryover) / \$11,000.00 (Carryover)

530105-100000 / Brick Rehabilitation (Carryover) / \$10,111.00 (Carryover) / (\$10,111.00) (Carryover) / \$0.00 (Carryover)

530210-100000 / Curb Rehabilitation (Carryover) / \$37.00 (Carryover) / (\$37.00) (Carryover) / \$0.00 (Carryover)

530301-100000 / Bridge Rehabilitation (Carryover) / \$698,203.00 (Carryover) / (19,324.00) (Carryover) / \$678,879.00 (Carryover)

540007-100000 / Signal Installation (Carryover) / \$141,389.00 (Carryover) / (\$20,831.00) (Carryover) / \$120,558.00 (Carryover)

590105-100000 / Pedestrian Safety Improvements (Carryover) / \$302,991.00 (Carryover) / (302,991.00) (Carryover) / \$0.00 (Carryover)

704999-100000 / Unallocated Balance (Carryover) / \$1,393,118.00 (Carryover) / (\$47,707.00) (Carryover) / \$1,336,411.00 (Carryover)

590955-100000 / Operation Safewalks (Carryover) / \$0.00 (Carryover) / \$487,655.00 (Carryover) / \$487,655.00 (Carryover)

Section 4. That the sum of \$48,471.97 be and hereby is appropriated from the unappropriated balance of Fund 704, the Streets and Highways G.O. Bonds 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 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530103-100000 / Arterial Street Rehabilitation / 06-6600 / 590041 / \$765.04

704 / 704999-100000 / Unallocated Balance / 06-6600 / 591254 / \$47,706.93

Section 5. That the transfer of cash and appropriation be authorized as follows:

Transfer from:

project number / project / Object Level 01/03 Codes / OCA Code / Amount

530086-100000 / Miscellaneous Intersection Improvements / 06-6600 / 590040 / \$76,881.31

530103-100000 / Arterial Street Rehabilitation / 06-6600 / 590041 / 765.04

530105-100000 / Brick Street Rehabilitation / 06-6600 / 590043 / 10,110.27

530210-100000 / Curb Replacement / 06-6600 / 591148 / \$37.00

530301-100000 / Bridge Rehabilitation / 06-6600 / 704301 / \$19323.13

540007-100000 / Signal Installation / 06-6600 / 591346 / \$20,830.70

590105-100000 / Pedestrian Safety Improvements / 06-6600 / 590123 / \$302,990.45

704999-100000 / Unallocated Balance / 06-6600 / 591254 / \$47,706.93

Transfer to:

project number / project / Object Level 01/03 Codes / OCA Code / Amount

590955-100008 / Operation Safewalks / 06-6682 / 704955 / \$478,644.83

Section 6. That for the purpose of paying the cost thereof, the sum of \$822,052.50 or so much thereof as may be needed, is hereby authorized to be expended as follows:

Fund / Dept-Div / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 59-12 / 590955-100008 / Operation Safewalks-Joyce Avenue Phase 2 / 06-6682 / 704955 / \$478,644.83 (Division of Design and Construction)

676 / 60-15 / 610990-100002 / Seventeenth Avenue Improvements / 06-6682 / 689902 / \$343,407.67 (Division of Sewerage and Drainage)

Section 7. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the

Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

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

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 Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against DLZ, Inc.

Section 11. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor, or ten days after passage if the mayor neither approves nor vetoes the same.

Legislation Number: 1541-2009

Drafting Date: 11/04/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background:

This ordinance will authorize the appropriation of \$134,066.00 and transfer \$671,754.00 between various OCA and objects within fund 285. These transfers and appropriation are required to balance the personnel deficit as a result of the 3rd quarter review projections.

The Department of Finance is preparing a separate piece of legislation to transfer \$368,050 to fund 285 from the General fund as part of the 3rd quarter review deficit.

Fiscal Impact:

No fiscal impact as part of this legislation. Transfers within fund 285.

Emergency action is requested in order to have funding available for necessary expenditures.

Title

To authorize the appropriation of \$134,066.00 and to transfer \$671,754.00 within the Recreation and Parks Operating Fund to allow the Department to continue to operate through to the end of 2009 without interruption; and to declare an emergency. (\$805,820.00)

Body

WHEREAS, as a result of 3rd quarter review it was found necessary to transfer \$671,754.00 within fund 285 in order to fund Recreation and Parks personnel; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to appropriate and transfer said funds in order to have funding available for necessary expenditures; now, therefore

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

SECTION 1 That the City Auditor is hereby authorized and directed to transfer \$671,754 between various OCA and objects within the Recreation and Parks Operating, fund 285, as follows:

	<u>OL1</u>	<u>OL3</u>	<u>OCA</u>	<u>AMOUNT</u>
From:	02	2194	510396	\$4,300
	02	2194	510495	\$649
	02	2195	510495	\$5,500
	02	2195	510404	\$102
	02	2201	51420	\$1,491
	02	2201	516732	\$2,300
	02	2202	620487	\$10,270
	02	2202	511139	\$168
	02	2206	510297	\$579
	02	2209	510453	\$2,780
	02	2209	510487	\$1,000
	02	2209	516583	\$3,092
	02	2222	510297	\$9,250
	02	2222	510396	\$6,000
	02	2273	510495	\$5,015
	03	3310	510297	\$200,000
	03	3312	510297	\$29,376
	03	3314	510297	\$80,000
	03	3320	510289	\$46,000
	03	3320	510420	\$2,200
	03	3329	510297	\$33,206
	03	3380	510503	\$185,926
	03	3428	510289	\$11,000
	03	3428	510420	\$800
	05	5512	511139	\$30,000
	05	5532	510289	\$750

To: 01 1101 510297 \$671,754

SECTION 2. That from the unappropriated monies in the Recreation and Parks Operating Fund No. 285, 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 \$134,066.00 is appropriated to the Recreation and Parks Department No.; 51-01, OL1 01, OL3 1101 OCA Code 510297.

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: 1542-2009

Drafting Date: 11/04/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

This ordinance will authorize the Director of Recreation and Parks to enter into contract with the Franklin Park

Conservatory for administration and implementation of the Franklin Park Master Plan. The Franklin Park Conservatory and the Recreation and Parks Department completed a Joint Master Plan for improvements to the Conservatory and Park. It was determined that it would be beneficial for the Franklin Park Conservatory to perform the administration of the project in order to minimize disruption to the daily operation of Conservatory business.

The contract compliance number for the Franklin Park Conservatory is #31-1364884.

Emergency action is necessary to allow the Franklin Park Conservatory to begin work as soon as possible as plans for the park are proceeding.

Fiscal Impact:

The amount of \$200,000.00 is budgeted in the Voted 1999/2004 Recreation and Parks Bond Fund.

***Funding is contingent on Fall 2009 Bond Sale

Title

To authorize and direct the Director of Recreation and Parks to enter into contract with the Franklin Park Conservatory for the administration and implementation of the Franklin Park Master Plan; to authorize the expenditure of \$200,000.00 from the Voted 1999/2004 Recreation and Parks Bond Fund; and to declare an emergency. (\$200,000.00)

Body

WHEREAS, it is necessary to enter into contract with the Franklin Park Conservatory for administration and implementation of the Franklin Park Master Plan; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contract for the preservation of public health, peace, property and safety; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with the Franklin Park Conservatory for the administration and implementation of the Franklin Park Master Plan.

SECTION 2. That to pay the cost of said contract, the expenditure of \$200,000.00 or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Voted Bond Fund No. 746, Department 51-01, as follows:

<u>Project Title</u>	<u>Project No.</u>	<u>OCA Code</u>	<u>Object Level 3</u>	<u>Amount</u>
Franklin Park Conservatory	510322-100000	746322	6680	\$200,000.00

SECTION 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, and that no order shall be drawn or monies paid except by voucher, the form of which shall be approved by the City Auditor.

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.

Legislation Number: 1548-2009

Drafting Date: 11/05/2009

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 contract with Kiemle-Hankins Co. for the reconditioning of a high service pump motor for the Department of Public Utilities, Division of Power and Water, Dublin Road Water Plant.

The Department of Public Utilities advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA003419). Six (6) vendors (6 MAJ) were solicited and two (2) bids (2 MAJ) were received and opened on November 4, 2009. The lowest bid from Kiemle-Hankins Co. is recommended for an award in the amount of \$42,000.00, as the lowest, responsive and responsible bid received.

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.

SUPPLIER: Kiemle-Hankins Co., CC# 344277500, expires 07/11/2010

FISCAL IMPACT: \$42,000.00 is budgeted and needed for this purchase.

Expenditures for the reconditioning of a high service pump motor in 2008 was \$42,967.00.

Title

To authorize the Director of Public Utilities to enter into a contract with Kiemle-Hankins Co. for the reconditioning of a high service pump motor for the Division of Power and Water; and to authorize the expenditure of \$42,000.00 from the Water System Operating Fund. (\$42,000.00)

Body

WHEREAS, the Department of Public Utilities opened formal bids on November 04, 2009 for the reconditioning of a high service pump motor for the Division of Power and Water, and

WHEREAS, the Division of Power and Water recommends an award to be made to the lowest, responsive and responsible bidder Kiemle-Hankins Co., and

WHEREAS, a contract will be issued by the Department of Public Utilities in accordance with the terms, conditions and specifications of Solicitation Number: SA003419 on file in the Department; now, therefore

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized to establish a contract with Kiemle-Hankins Co. for the reconditioning of a high service pump motor for the Division of Power and Water, in accordance with specifications on file.

SECTION 2. That the expenditure of \$42,000.00, or so much thereof as may be needed, be and the same hereby is authorized from the Water System Operating Fund, Fund No. 600, OCA 602425, Object level 1: 03, Object Level 3: 3372.

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

Legislation Number: 1551-2009

Drafting Date: 11/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Division of Refuse Collection utilizes 96 gallon containers in its mechanized collection system. These containers are distributed to new residences and are also used for replacement and in-fill purposes. The Division also requires replacement parts for containers that are not covered by warranties. This legislation authorizes the Director of Finance and Management to establish purchase orders for the purchase of 96 gallon refuse containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts as follows:

Toter, Incorporated - contract #FL003356 expiring December 31, 2009

Quantity and item purchased / extended cost

Approximately 2,709 96-gallon containers and miscellaneous parts (lids, wheel sets, fasteners, etc.) / Total estimated expenditure of \$184,249.35

The total expenditure authorized within this ordinance is \$184,249.35.

2. CONTRACT COMPLIANCE

Toter, Incorporated's contract compliance number is 56-1362422 and expires September 28, 2011.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Toter, Inc.

3. FISCAL IMPACT

This purchase is budgeted within The Division of Refuse Collection 2009 Capital Improvement Budget. This ordinance authorizes an expenditure of \$184,249.35 for approximately 2,709 96 gallon containers and miscellaneous parts.

4. EMERGENCY DESIGNATION

Emergency action is requested to expedite the receipt of these containers/container parts to continue uninterrupted refuse collection service to residents.

TitleTo authorize the Director of Finance and Management to establish purchase orders with Toter, Incorporated for the purchase of mechanized collection containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$184,249.35 or so much thereof as may be needed from the Gov'l Build America Bonds (B.A.B.s) Fund and the Refuse G.O. Bonds Fund; and to declare an emergency.(\$184,249.35)

Body**WHEREAS**, the Division of Refuse Collection has determined the need for additional 96 gallon containers and container parts for use in its operations; and

WHEREAS, citywide UTC contracts with Toter, Incorporated exist for the purchase of said containers and container parts; and

WHEREAS, the purchase of these containers and parts constitutes part of this Division's scheduled container replacement program and is a budgeted expense within the division's 2009 Capital Improvement Budget; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Refuse Collection, Department of Public Service, in that it is immediately necessary to purchase these containers and container parts to continue uninterrupted refuse collection service to residents, thereby preserving the public health, peace, property, safety and welfare; now therefore,

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

Section 1. That the Director of Finance and Management be and hereby is authorized to establish a purchase order in the amount of \$184,249.35 with Toter, Incorporated, 841 Meacham Road, Statesville, NC, 28677, for the purchase of approximately 2,709 96-gallon containers and miscellaneous parts in accordance with the terms and conditions of universal term contract (UTC) FL003356 established for this purpose.

Section 2. That to pay the cost of the aforementioned purchase orders, the expenditure of \$184,249.35 or so much thereof as may be needed be and hereby authorized for the Department of Public Service, Division of Refuse Collection, 59-02, as follows;

Fund / Fund Name / Project / O.L. 01-03 Codes / OCA code / Amount
746 / Build America Bonds (B.A.B.s) Fund / 520001-100000 / 06-6651 / 746521 / \$183,752.00
703 / Refuse G.O. Bonds Fund / 520001-100000 / 06-6651 / 703001 / \$497.35

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

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

Legislation Number: 1553-2009

Drafting Date: 11/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation**BACKGROUND:**

The Department of Technology's Metronet Services provides data connectivity that supports various business functions and allows all city agencies and departments to communicate. Currently, the Department of Technology has a need to upgrade hardware connected to the Metronet's data center and disaster recovery center. These upgrades are associated with the installation of high speed routing components which will increase data transmitting between the data center and the disaster recovery center. Additionally, the hardware upgrades will enhance the capability to recover operations expediently and successfully, mitigate the risk of service interruption to the City's Data Center, which will lessen risks associated with recovery of sudden and or unexpected loss of data, records, and other technology and communications essential for daily operations.

The passage of this ordinance will authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology, to establish one purchase order for the acquisition of equipment associated with the Metronet Disaster Recovery Center hardware upgrade. This purchase order will be created utilizing the terms and conditions from one (1) pre-existing Universal Term Contract (UTC), established through the competitive bid process by the Purchasing Office, with the following vendor:

Pomeroy IT Solutions, Network Hardware/Maintenance \$121,505.90 (FL002554, BPCMP30B- Expiration Date: 12/31/09)

Pomeroy IT Solutions will be supplying hardware/equipment maintenance via Cisco UTC contract with the City of Columbus.

The funding for this ordinance will be made available within the Information Services Bond Fund, which is included in the total of bonds sold during the November 3, 2009 Bond sale.

EMERGENCY: Emergency action is requested to ensure that the needed services are not delayed; thus reducing the risk of potential outage and or interruption in services associated with the necessary services requested.

FISCAL IMPACT: Approval of this ordinance will allow for the expenditure of \$121,505.90, for the Metronet Disaster Recovery Center project, utilizing Pomeroy IT Solutions. Funding for this project in the amount of \$121,505.90, will be made available within the Information Services Bond Fund, which is included in the total of bonds sold during the November 3, 2009 Bond sale.

CONTRACT COMPLIANCE NUMBER:

Pomeroy IT Solutions: 611352158 Expiration Date: 9/22/2011

Title

To authorize the Director of the Department of Finance and Management, on behalf of the Department of Technology to establish purchase order from an existing Universal term contract (UTC) with Pomeroy IT Solutions for the acquisition of equipment associated with the Metronet's Disaster Recovery Center Project; to authorize the expenditure of \$121,505.90 from the Department of Technology's Information Services Bond Fund; and to declare an emergency. (\$121,505.90)

Body

WHEREAS, the Department of Technology's Metronet Services provides data connectivity that allows all city agencies and departments to communicate and support other business functions; and

WHEREAS, currently, the Department of Technology has a need to upgrade services connected to the Metronet's Disaster Recovery Center; and

WHEREAS, these services needed through the approval of this ordinance, consist of hardware purchases associated with the disaster recovery center. This upgrade is needed for additional bandwidth between the data center and the disaster recovery center. The funding for this ordinance will be made available within the Information Services Bond Fund, which is included in the total of bonds sold during the November 3, 2009 Bond sale; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology, in that it is immediately necessary for the Director of the Finance and Management Department to establish a purchase order from one(1) pre-existing Universal Term Contracts (UTC), with Pomeroy IT Solutions for hardware in connection with the Metronet Disaster Recovery Center, to ensure that this project is not delayed, thereby not endangering Citywide business continuity, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1: That the Director of the Department of Finance and Management, on behalf of the Department of Technology, is hereby authorized to establish a purchase order for hardware, in connection with the Metronet/Disaster Recovery Center from one (1) pre-existing Universal Term Contract (UTC), established through the competitive bid process by the Purchasing Office; Pomeroy IT Solutions - \$121,505.90. Funding for this purchase will come from the Information Services Bond, sold in the November 3, 2009 Bond Sale.

SECTION 2: That the expenditure of \$121,505.90 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Div.:47-02|**Fund:** 514|**Subfund:** 002| **OCA Code:** 470037|**Project Number:** 470037-100000 |**Project Name:** Disaster Recovery Project |**Obj. Level 6:** 6644|**Amount** \$121,505.90

SECTION 3: That the City Auditor is authorized to make any accounting changes to revise the funding source for all

contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1554-2009

Drafting Date: 11/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Division of Refuse Collection utilizes 300-gallon containers in its mechanized collection system. These containers are used for replacement, fill-in purposes and special events. The Division also requires replacement parts for containers that are not covered by warranties. This legislation authorizes the Director of Finance and Management to establish a purchase order for the purchase of 300-gallon refuse containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts as follows:

Rotonics Manufacturing, Incorporated - Contract #FL003355, expiring 12/31/09, Total estimated annual expenditure of \$813,000.00

Quantity and item purchased / extended cost

3,670 300-gallon containers / Total estimated expenditure of \$813,000.00

2. CONTRACT COMPLIANCE

Rotonic's contract compliance # 362467474, expiring 10/5/11.

3. FISCAL IMPACT

This purchase is budgeted within The Division of Refuse Collection 2009 Capital Improvement Budget within the Gov'l Build America Bonds (B.A.B.s) Fund, mechanized collection project.

4. EMERGENCY DESIGNATION

Emergency action is requested to expedite the receipt of these containers/container parts to continue uninterrupted refuse collection service to residents.

Title

To authorize the Director of Finance and Management to establish purchase orders with Rotonics Manufacturing, Incorporated, for the purchase of mechanized collection containers and container parts for the Division of Refuse Collection per the terms and conditions of existing citywide contracts; to authorize the expenditure of \$813,000.00 or so much thereof as may be needed from the Gov'l Build America Bonds (B.A.B.s) Fund; and to declare an emergency. (\$813,000.00)

Body**WHEREAS**, the Division of Refuse Collection has determined the need for additional 300-gallon refuse collection containers and container parts for use in its operations; and

WHEREAS, citywide term contracts with Rotonics Manufacturing, Incorporated, exist for the purchase of said containers and container parts; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Refuse

Collection, in that it is immediately necessary to purchase these containers and container parts to continue uninterrupted refuse collection service to residents, thereby preserving the public health, peace, property, safety and welfare; now therefore,

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

Section 1. That the Director of Finance and Management be and hereby is authorized to establish a purchase order in the amount of \$813,000.00 with Rotonics Manufacturing, Incorporated, 736 Birginal Drive, Bensenville, Illinois 60106 for the purchase of 300 gallon containers in accordance with the terms and conditions of universal term contract FL003355, established for this purpose.

Section 2. That to pay the cost of the aforementioned purchase orders, the expenditure of \$813,000.00 or so much thereof as may be needed be and hereby is authorized from Fund 746, the Gov'l Build America Bonds (B.A.B.s) Fund, Department No. 59-02, Department of Public Service, Division of Refuse Collection, Object Level One Code 06, Object Level Three Code 6651, OCA code 746521 and Project 520001-100000.

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 Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Rotonics Manufacturing, Incorporated.

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

Legislation Number: 1555-2009

Drafting Date: 11/06/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Ordinance No. 0361-2009, Passed April 4, 2009, authorized the City Attorney to acquire certain property rights, and to expend certain monies in connection with the OSIS Augmentation and Relief Sewer (OARS) Project. The original amount of funding made available for this project was done so with the understanding that additional monies may be needed at a later date. On October 26th prior to commencement of a trial on the appropriation Inland Products, Inc. offered to sell fee title to property over which the City was appropriating easements for the OARS project. Given this property may be needed at some future date for anticipated expansion of the Jackson Pike Wastewater Treatment Plant purchase of the fee was considered to be more economic. Consequently additional funds are needed. It is now necessary to authorize the City Attorney to expend \$4,025,000 to pay for additional acquisition costs in connection with this project and to amend the 2009 Capital Improvement Budget.

Fiscal Impact: The Department of Public Utilities, Division of Sewerage and Drainage has determined the additional funding for this project will be from the Sanitary B.A.B.s (Build America Bonds) Fund and to amend the 2009 Capital Improvement Budget.

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

To authorize the City Attorney to expend \$4,025,000.00 from the Sanitary B.A.B.s (Build America Bonds) Fund for the OSIS Augmentation and Relief Sewer (OARS) Project, to authorize the transfer of a total of \$4,025,000.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund; to amend the 2009 Capital Improvement Budget and to declare an emergency. (\$4,025,000.00)

Body

WHEREAS, the City of Columbus is engaged in the OSIS Augmentation and Relief Sewer (OARS) Project; and

WHEREAS, Ordinance No. 0361-2009, passed April 4, 2009, authorizing the City Attorney to acquire certain property rights, and to expend monies in connection with the OSIS Augmentation and Relief Sewer (OARS) Project; and

WHEREAS, an opportunity to purchase fee simple title to property owned by Inland Products, Inc. presently needed for the OARS project and for probably future expansion of the Jackson Pike Wastewater Treatment Plant was offered by Inland as part of a proposed settlement of the City's appropriation case to acquire easements for the OARS project; and

WHEREAS, purchase of fee simple rather than easements is considered in the best long term interest of the City in planning for construction future additions to Jackson Pike Wastewater Treatment Plant; and

WHEREAS, it is necessary to authorize the transfer of cash in the amount \$4,025,000.00 within the Sanitary B.A.B.s (Build America Bonds) Fund; and

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

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

WHEREAS, an emergency exists in that it is immediately necessary to authorize the expenditure of \$4,025,000.00, for the OSIS Augmentation and Relief Sewer (OARS) Project, to pay additional fees necessary to the acquisition of real estate for the above referenced 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 expenditure of \$4,025,000.00, or so much thereof as may be necessary by the City Attorney, for the Department of Public Utilities, Division of Sewerage and Drainage, Project No. 650704-100001 from the Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, OCA Code 651704, Object Level Three 6601, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized.

SECTION 2. That the City Auditor is hereby authorized to transfer \$4,025,000.00 within the Department of Public Utilities Division of Sewerage and Drainage, Dept/Div. No. 60-05, Sewerage and Drainage Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668, Object Level Three 6601, as follows:

From:

Project No. | Project Name | OCA Code | change
650691-100002 | OSIS Downtown Odor Control | 651692 | (-\$4,025,000.00)

To:

Project No. | Project Name | OCA Code | change
650704-100001 | JPWWTP OSIS Augmentation and Relief Sewer | 651704 | (+\$4,025,000.00)

SECTION 3. That the 2009 Capital Improvements Budget Ordinance No. 0806-2009 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

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

650691-100002 | OSIS Downtown Odor Control | \$5,825,000.00 | \$1,800,000.00

| (-\$4,025,000.00)

650704-100001 | JPWWTP OSIS Augmentation and Relief Sewer | \$2,139,083.00 | \$6,164,083.00 | (+\$4,025,000.00)

SECTION 4. That the City Auditor is hereby authorized to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be made from a project by monies from more than one source.

SECTION 5. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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

Legislation Number: 1558-2009

Drafting Date: 11/09/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Application # Z09-023

APPLICANT: Moo Moo Sawmill LLC; c/o Dave Perry, The David Perry Co.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215 and Donald T. Plank, Atty.; 145 East Rich Street; Columbus, Ohio 43215.

PROPOSED USE: Car wash or limited commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on October 8, 2009.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District would permit a car wash and C-2, Commercial District uses. The CPD text commits to a site plan, landscaping plan and elevation drawings, and contains appropriate development standards that address landscaping, lighting controls, side walks, and bicycle parking. The proposal is consistent with adjacent commercial districts and substantially complies with the Regional Commercial Overlay requirements. The request is compatible with the zoning and development patterns in the area.

Title

To rezone **7630 SAWMILL ROAD (43016)**, being 0.6± acres located at the southeast corner of Sawmill Road and Summer Drive, **From:** C-2, Commercial District, **To:** CPD, Commercial Planned Development District **and to declare an emergency**(Rezoning # Z09-023).

Body

WHEREAS, application #Z09-023 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.6± acres from C-2, Commercial District to CPD, Commercial Planned Development District; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features, and

recognizes this development has included bike racks for employees that ride their bike by choice or because of limited alternatives, and five-foot wide sidewalks which has been shown to increase walkability; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the need for permit approval and sale of the property for the immediate preservation of the public peace, property, health and safety; and

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

WHEREAS, the City Departments recommend approval of said zoning change because proposal is consistent with adjacent commercial districts and substantially complies with the Regional Commercial Overlay requirements. The requested CPD, Commercial Planned Development District would permit a car wash and C-2, Commercial District uses. The CPD text commits to a site plan, landscaping plan and elevation drawings, and contains appropriate development standards that address landscaping, lighting controls, side walks, and bicycle parking. The request is compatible with the zoning and development patterns in the area, now, therefore:

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

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

7630 SAWMILL ROAD (43016), being 0.6± acres located at the southeast corner of Sawmill Road and Summer Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of Lot 30 as the same is numbered and delineated upon the recorded plat of Flavel Tuller's Survey of Section 1, Township 2, Range 19, United States Military Lands, of record in Plat Book 3, Page 60, containing 0.622 acres of land, more or less, said 0.622 acres being out of that tract of land conveyed to Summer & Co., by deed of record in Deed Book 3033, Page 588, said tract being that tract of land designated as Parcel 4 and described in the deed to Summer & Co. (undivided 2/3 Interest) of record in Deed Book 3285, Page 395, all being of record in Recorder's Office, Franklin County, Ohio, said 0.622 acres of land being more particularly described as follows:

Beginning, for reference at the southwesterly corner of said Parcel 4, as the same is described in said deed to Summer & Co. of record in Deed Book 3285, Page 395, said reference point of beginning being the point of intersection of the centerline of Sawmill Road with the northerly line of that 5 acre tract of land described in Certificate of Transfer to George H. Watling of record Deed Book 3058, Page 447, Recorder's Office, Franklin County, Ohio, said reference point of beginning also being in the southerly line of said Lot 30 and in the northerly line of Lot 18 of said Flavel Tuller's Survey, thence from said reference point of beginning, North with the centerline of said Sawmill Road, a distance of 619.75 feet to a point; thence East a distance of 40.00 feet, to a ¾-inch (I.D.) iron pipe at the true point of beginning;

Thence from said true point of beginning, North parallel with and 40.00 feet easterly from, as measured at right angles, the centerline of said Sawmill Road, a distance of 130.00 feet to a ¾-inch (I.D.) iron pipe at a point of curvature;

Thence northeasterly, with the arc of a curve to the right, having a radius of 20.00 feet, a central angle of 90° 00' 00" and a chord that bears N 45° 00' 00" E, a chord distance of 28.28 feet to a ¾-inch (I.D.) iron pipe at a point of tangency;

Thence East, a distance of 35.00 feet, to a ¾-inch (I.D.) iron pipe at a point of curvature;

Thence Eastwardly, with the arc of a curve to the right, having a radius of 85.00 feet, a central angle of 25° 48' 21" and a chord that bears S 77° 05' 49" E. a chord distance of 171.94 feet to a ¾-inch (I.D.) iron pipe;

Thence S 33° 28' 33" W, a distance of 133.80 feet to a ¾-inch (I.D.) iron pipe;

Thence West, a distance of 148.80 feet to the true point of beginning and containing 0.622 acres of land, more or less.

Subject to all rights-of-ways, easements and restrictions, if any, of previous record

We hereby certify that the above description was prepared from information obtained from actual field surveys conducted by Bauer, Borowitz & Merchant, Inc., March of 1973, in July of 1977, in November of 1981, and on May 6, 1982, and that to the best of our knowledge and belief, said description is correct. All of the 3/4-inch (I.D.) iron pipe survey markers indicated in the above description were set on May 6, 1982, by Bauer, Borowitz & Merchant, Inc.,

The bearings given in the above description correspond to the bearings shown on the recorded plat of Olde Sawmill Phase One, of record in Plat Book 48, Page 14, 15, 16, and 17, Recorder's Office, Franklin County, Ohio,

Less and Exception therefrom the following legal description:

Situated in the State of Ohio, county of Franklin, City of Columbus, located in Section 1, Township 2-North, Range 19-Wset, United States Military Lands, and being a part of that 0.622 acre tract as conveyed to SBD Investments I, LLC, by deed of record in Instrument Number 200004120071037, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for reference at Franklin County Monument #7770, at the intersection of the existing right-of-way centerline of Summer Drive, as delineate upon the plat of "OLDE SAWMILL SECTION EIGHT", as recorded in Plat Book 59, Page 39, with the existing construction centerline of Sawmill Road (County Road 70).

Thence South 87° 25' 06" East, a distance of 75.00 feet along the existing right-of-way centerline of Summer Drive to a point is said centerline.

Thence South 02° 34'54" West, a distance of 40.00 feet perpendicular to the existing right-of-way centerline of said Summer Drive, to an iron pin set in a northerly line of said SDD 0.622 acre tract, and in the existing southerly right-of-way line of said Summer Drive, and being the Point of True Beginning;

Thence South 37° 34'26" West, a distance of 61.03 feet across said SDB 0.622 acre tract, and along the proposed southerly right-of-way line of said Summer Drive, to an iron pin set in the westerly line of said SDB 0.622 acre tract, and in the existing easterly right-of-way line of said Sawmill Road;

Thence North 02° 34'54"East, a distance of 30.00 feet along the westerly line of said SDB 0.622 acre tract, and along the existing easterly right-of-way line of said Sawmill Road, to a 1" iron pin with cap BBM found at a point of tangent curvature at the intersection with the existing southerly right-of-way line of said Summer Drive;

Thence with a curve to the right for 31.42 feet, along the existing southerly right-of-way line of said Summer Drive, having a radius of 20.00 feet, a central angle of 90° 00'00", a chord direction of North 47° 34'54" East, a chord distance of 28.28 feet, to a 1" iron pin with cap BBM found at a point of tangency;

Thence South 87° 25'06" East, a distance of 15.00 feet along the northerly line of said SDB 0.622 acre tract, and along the existing southerly right-of-way line of said Summer Drive, to the Point of True Beginning, containing 0.018 acres, more or less;

To Rezone From: C-2, Commercial District,

To: CPD, Commercial Planned Development District.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plans being titled, "**MOO MOO, 7630 SAWMILL ROAD, SITE PLAN,**" "**MOO MOO, 7630 SAWMILL ROAD, LANDSCAPING PLAN,**" and "**MOO MOO, 7630 SAWMILL ROAD, ELEVATION,**" and text titled, "**DEVELOPMENT TEXT,**" all signed by David B. Perry, Agent for the Applicant, and Donald Plank, Attorney for the Applicant, dated October 13, 2009, and the text reading as follows:

DEVELOPMENT TEXT

CPD, COMMERCIAL PLANNED DEVELOPMENT

0.604 +/- ACRES

EXISTING ZONING: C-2, Commercial

PROPOSED ZONING: CPD, Commercial Planned Development

PROPERTY ADDRESS: 7630 Sawmill Road, Columbus, OH 43016

OWNER: SDB Investments I LLC c/o David B. Perry, Agent, The David Perry Co., 145 East Rich Street, 3rd Floor, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215.

APPLICANT: Moo Moo Sawmill LLC c/o David B. Perry, Agent, The David Perry Co., 145 East Rich Street, 3rd Floor, Columbus, OH 43215 and Donald Plank, Attorney, Plank and Brahm, 145 East Rich Street, Columbus, OH 43215.

DATE OF TEXT: 10/13/09

APPLICATION NUMBER: Z09-023

1. INTRODUCTION: The 0.604 +/- acre site is located at the southeast corner of Sawmill Road and Summer Drive and is zoned C-2, Commercial. Applicant proposes to develop the site with a car wash. The car wash shall be a single lane car wash operated by on-site employee attendant(s) present at all times the car wash is open for business. The site plan titled "Moo Moo, 7630 Sawmill Road, Site Plan" dated October 13, 2009, landscaping plan titled "Moo Moo, 7630 Sawmill Road, Landscaping Plan" dated October 13, 2009, and building elevation titled "Moo Moo, 7630 Sawmill Road, Elevation" dated October 13, 2009, hereinafter the "Site Plan", "Landscaping Plan" and "Elevation", respectively, are submitted as the development plan for a car wash.

2. PERMITTED USES: All uses of Chapter 3353, C-2, Commercial District and a car wash.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan, Landscaping Plan and Elevation, applicable for development of a car wash, or in this written text, the applicable development standards shall be those standards contained in Chapter 3357, C-5, Commercial District, of the Columbus City Code. If the property is used for a C-2, Commercial District Use, the applicable development standards shall be those standards contained in Chapter 3353, C-2, Commercial District.

A.) Density, Height, Lot and/or Setback commitments.

Redevelopment of the site with a car wash shall be as depicted on the submitted Site Plan, Landscaping Plan and Elevations. Development standards of the Zoning Code shall apply to use of the property for uses of the C-2 District.

B.) Access, Loading, Parking and/or other Traffic related commitments.

1. Redevelopment of the site with a car wash shall be as depicted on the submitted Site Plan, Landscaping Plan and Elevation. Development standards of the Zoning Code shall apply to use of the property for uses of the C-2 District.

2. Sawmill Road right of way dedication totaling 60 feet from centerline shall be provided in conjunction with the Site Plan Compliance Review submittal.

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

1. Landscaping requirements shall be as depicted on the Landscaping Plan, if the site is developed with a car wash, which depicts landscaping exceeding the requirements of the Sawmill Road Regional Commercial Overlay.
2. All trees and landscaping shall be well maintained. Dead items shall be replaced within six (6) months with landscape materials per the original requirements.
3. One tree shall be planted on-site for every ten (10) parking spaces which shall count toward satisfying the interior tree requirement of Chapter 3342 of the Columbus City Code.
4. Street trees shall be provided in the Sawmill Road right of way at 30 feet on center or at the spacing of the established pattern, but not less than 30 feet on center. Developer will contact City Forester to determine appropriate street tree species recommendation.
5. Minimum tree sizes at installation: deciduous trees, 2 1/2" caliper, ornamental trees 1 1/2" inch caliper; evergreen five (5) feet in height.

D.) Building design and/or Interior-Exterior treatment commitments.

Redevelopment of the site with a car wash shall be as depicted on the submitted Elevations. Development standards of the Zoning Code shall apply to use of the property for uses of the C-2 District.

E.) Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All non-decorative lighting shall be down lighting (cut off fixtures).
2. All external outdoor lighting fixtures within a given area shall be from the same or similar manufacturer's type to insure compatibility.
3. Parking lot lighting standards shall not exceed twenty (20) feet in height.
4. Pole mounted parking lot lighting shall be placed in raised islands or medians to protect both lights and vehicles from damage.
5. Wiring within a development shall be underground, unless an applicable utility directs or requires wires to be above ground.

F.) Graphics and Signage commitments.

1. All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-5, Commercial District, if the site is developed with a car wash, or the C-2 Commercial District, if developed with a C-2, Commercial District Use, in addition to compliance with the Graphics Standards of the Sawmill Road Regional Commercial Overlay. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G.) Other CPD Requirements.

1. Natural Environment: The site is located at the southeast corner of Sawmill Road and Summer Drive. The natural environment of the site is flat. The Sawmill Road corridor is developed with intense commercial uses.
2. Existing Land Use: The property is developed. The existing building will be razed with redevelopment of the site.
3. Circulation: Access to and from the site will be via a curbcut on Summer Drive and with internal circulation as depicted on the Plan.

4. Visual Form of the Environment: The area surrounding the site is zoned and developed with commercial uses.
5. Visibility: Sawmill Road is an arterial right of way. The site will be visible from Sawmill Road and Summer Drive.
6. Proposed Development: A car wash.
7. Behavior Patterns: Vehicular access will be from Summer Drive, as depicted on the Plan. Site development for a car wash will be as depicted on the submitted site plan (Plan).
8. Emissions: Development will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

H). Modification of Code Standards.

1. Section 3357.04 Building Lines in Highway Oriented Commercial Districts, to reduce the Summer Drive building setback line from 25 feet to 10 feet for location of a dumpster and eight (8) foot tall screen fence around the dumpster, and to reduce the Sawmill Road building setback line from 60 feet (4-2 arterial) to 10 feet for two (2) nine (9) foot tall pay stations for the car wash located as depicted on the Plan.
2. Section 3342.07, Drive-in Stacking Area, to reduce the required number of stacking spaces for 2 pickup units (pay stations) from 12 to 10.
3. Section 3372.809(D), Parking and Circulation, which Section limits pavement in front of a single use on 2 acres or less to 2 rows of parking and one, two (2) way maneuvering aisle in front of the building, while the car wash site plan also has queuing lanes for the carwash in front of the building.

I.) Miscellaneous commitments.

1. Development of the site with a car wash shall be in accordance with the site plan titled "Moo Moo, 7630 Sawmill Road, Site Plan", landscaping plan titled "Moo Moo, 7630 Sawmill Road, Landscaping Plan" and "Moo Moo 7630 Sawmill Road, "Elevation", dated October 13, 2009 and signed October 13 by David B. Perry, Agent, and Donald Plank, Attorney. The Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the Plan shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.
2. At least one (1) attendant shall be on duty at all times during operating hours of the car wash.
3. A bicycle parking area shall be provided.

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

Legislation Number: 1559-2009

Drafting Date: 11/09/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Advanced Engineering Consultants, Ltd. for professional services for the design and construction of interior energy efficient lighting upgrades for up to twenty-eight (28) City of Columbus fire

stations.

The requested services shall include a master plan and design for interior energy efficient lighting retrofit for the operational needs of the Division of Fire. This retrofit/upgrade shall incorporate interior electrical lighting to meet the American Society of Heating, Refrigerating, and Air-Conditioning standards, occupancy sensors and any needed conduits, wiring, exit and power failure lighting. The master plan shall be developed and approved before design/development drawings are completed.

Funding for this project is available from the Energy Efficiency and Conservation Block Grants (EECBG) Program, under the American Recovery and Reinvestment Act (ARRA) of 2009, which represents a Presidential priority to deploy the cheapest, cleanest, and most reliable energy technologies available - energy efficiency and conservation - across the country.

Requests for Statements of Qualifications were advertised on September 8, 2009 and responses were to be submitted on or before September 30, 2009. The City received five statements from the following firms (1 FBE, 1 MBE, 0 AS1): Advanced Engineering Consultants, Ltd. (FBE), Kramer Engineers; Dynamix Engineering, Ltd. (MBE); Karpinski Engineering, and Applied Engineering Group, Ltd. A three-person committee evaluated the proposals, consisting of two members from the Office of Construction Management and one member from the Division of Fire. Advanced Engineering Consultants, Ltd. was the highest-ranked firm. They received the number one ranking by two out of three committee members. They scored very well in understanding the project, competence to perform, past performance, tasks defined, proposed schedule, and innovative approach.

Fiscal Impact: The Federal Grant does not require any local match. There are no other City monies budgeted or planned for this project.

Advanced Engineering Consultants, Ltd. Contract Compliance No. 31-1612308 Expiration date 6/6/2010.

Emergency action is requested so that the improvements to be undertaken can begin as soon as possible. Under Federal regulation, these monies must be allocated within eighteen months of the United States Department of Energy formal acceptance and must be fully spent within thirty-six months of award notice. Otherwise, funding must be returned.

Title

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Advanced Engineering Consultants, Ltd. for professional services for the design and construction of interior energy efficient lighting upgrades for up to twenty-eight (28) City of Columbus fire stations; to authorize the expenditure of \$122,000.00 from the Energy Efficiency and Conservation Block Grant; and to declare an emergency. (\$122,000.00)

Body

WHEREAS, it is necessary to contract with an engineering firm for professional services for design and construction for interior energy efficient lighting for twenty-eight (28) fire stations for the City of Columbus; and

WHEREAS, a three-person evaluation committee recommended Advanced Engineering Consultants, Ltd. as the most qualified firm; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management, Office of Construction Management, in that it is immediately necessary to enter into contract with Advanced Engineering Consultants, Ltd. for professional services for the design and construction of interior energy efficient lighting upgrades for up to twenty-eight (28) City of Columbus fire stations and to do so as quickly as possible in order to meet the provisions of the Federal ARRA funds and to realize the benefits of interior energy efficient lighting upgrades; 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 with Advanced Engineering Consultants, Ltd, for design and construction for interior energy efficient lighting for twenty-eight (28) City of Columbus fire stations.

SECTION 2. That the expenditure of \$122,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved to be expended from the Department of Finance and Management, Department: 45-50, Fund 220, Grant number 459106, Object Level One 03, Object Level Three 3337, OCA Code 459110.

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 day after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1562-2009

Drafting Date: 11/10/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

The purpose of this legislation is to authorize the Director of Finance and Management to establish purchase orders with Great Lakes Petroleum Company for the Division of Sewerage and Drainage to obtain Heating Oil in accordance with a cooperative purchasing contract competitively bid by the State of Ohio, GDC027E, Contract Number RS901110-3. Great Lakes Petroleum Company was awarded the contract for District 6 which includes Columbus.

This contract was bid specifically to be a cooperative contract for use by other governmental agencies in accordance with Chapter 1545 of the Ohio Revised Code (ORC). The State of Ohio contract expires April 30, 2012, the funding on this ordinance is for expenses that will occur in the winter months of 2009-2010. The City of Columbus does not have a term contract for this product. Ordinance 582-87 authorizes the City of Columbus to participate in cooperative purchasing contracts. A copy of the State of Ohio contract is attached.

The Division of Sewerage and Drainage, Southerly Wastewater Treatment Plant and Jackson Pike Wastewater Treatment Plant require Heating Oil for boilers that heat the buildings throughout the plants. The Jackson Pike Wastewater Treatment Plant offsets some of the cost of heating by using naturally created methane.

SUPPLIER: Great Lakes Petroleum Co (34 -1850508) Expires 7-8-11

FISCAL IMPACT: \$575,000.00 is required for this purchase.

\$450,000.00 was spent in 2008-2009 winter months

\$391,240.00 was spent in 2007-2008 winter months

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.

Emergency legislation is being requested because the State of Ohio contract was recently certified and the Division of Sewerage and Drainage needs to order the Heating Oil in December to allow for tanks to be filled as the City experiences winter weather.

Title

To authorize the Director of Finance to establish Blanket Purchase Orders for Heating Oil from an established State of Ohio Cooperative Purchase Contract with Great Lakes Petroleum Company. for the Division of Sewerage and Drainage, to authorize the expenditure of \$575,000.00 from the Sewerage System Operating Fund, and to declare an emergency. (\$575,000.00)

Body

WHEREAS, a Cooperative Purchasing Contract has been established with Great Lakes Petroleum Company, by the State of Ohio, GDC027E, Contract Number RS901110-3 for use by the County and other governmental entities and Ordinance 582-87 allows the City of Columbus to participate in cooperative agreements. The contract for the purchase Heating Oil expires April 30, 2012; and

WHEREAS, the funding for this purchase will be for heating oil to be used during the 2009-2010 winter months; and

WHEREAS, the Division of Sewerage and Drainage wishes to establish blanket purchase order to heat buildings at the Southerly and Jackson Wastewater Treatment Plant; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to establish a purchase order for heating oil with Great Lakes Petroleum Company because the State of Ohio contract was recently certified and the Division of Sewerage and Drainage needs to order the Heating Oil in December to allow for tanks to be filled as the City experiences winter weather. for the immediate preservation of the public health, peace, property and safety; now, therefore

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

Section 1. That the Director of Finance and Management be and is hereby authorized to establish blanket purchase orders for the purchase of Heating Oil from a State of Ohio Cooperative Contract with Great Lakes Petroleum Company, for use by the Division of Sewerage and Drainage.

Section 2. That the expenditure of \$575,000.00 or so much thereof as may be needed, be and the same hereby is authorized from the Sewerage System Operating Fund, Fund No. 650,

Southerly Wastewater Treatment Plant

OCA 605055
Object Level: 2278.
Amount: \$475,000.00

Jackson Pike Wastewater Treatment Plant

OCA 605022
Object Level: 2278.
Amount: \$100,000.00

TOTAL: \$575,000.00

Section 3. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by

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

Legislation Number: 1563-2009

Drafting Date: 11/11/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z09-028

APPLICANT: Connie J. Klema; P.O. Box 991; Pataskala, Ohio 43062.

PROPOSED USE: To permit self storage use.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-0) on October 8, 2009.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-M, Limited Manufacturing District would allow for a self-storage facility. The limitations prohibiting doors from facing the residences to the south along with the landscaping along the south property line will ensure that the proposal is compatible with the existing surrounding development.

Title

To rezone **4925 EAST MAIN STREET (43227)**, being 0.66± acres located on the south side of East Main Street, 200± feet east of Country Club Road, **From:** L-C-4, Limited Commercial District, **To:** L-M, Limited Manufacturing District. (Rezoning # Z09-028)

Body

WHEREAS, application #Z09-028 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.66± acres from: L-C-4, Limited Commercial District, to L-M, Limited Manufacturing District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing District would provide limitations prohibiting doors from facing the residences to the south along with the landscaping along the south property line which will ensure that the proposal is compatible with the existing surrounding development, now, therefore:

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

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

4925 EAST MAIN STREET (43227), being 0.66± acres located on the south side of East Main Street, 200± feet east of Country Club Road, being more particularly described as follows:

0.662 ACRES

The parcel herein described is known as being a part of the same lands conveyed in Document No 21790I14 found recorded in the Franklin County Recorders Office in Columbus, Ohio and is better known as being a part of Half Section 24, Section 15 in Township 12 North in Range 21 West in the Refugee Lands of Franklin County, Ohio and is better described as follows:

Beginning at the intersection of the east line of Country Club Road and the south line of East Main Street (U.S. Route 40); thence, with the south line of East Main Street, South 87 degrees 10 minutes 00 seconds East, 200.00 feet to an existing iron pin;

Thence, South 2 degrees 50 minutes 00 seconds West, 144.00 feet to the true point of beginning;

Thence, South 87 degrees 10 minutes 00 seconds East, 185.00 feet to a point;

Thence, South 2 degrees 50 minutes 00 seconds East, 156.00 feet to an existing iron pin;

Thence, North 87 degrees 10 minutes 00 seconds West, 185.00 feet to an existing iron pin;

Thence, North 2 degrees 50 minutes 00 seconds East, 156.00 feet to the true point of beginning.

Containing 0.662 Acres and being subject to all legal road, easements and restrictions of record. The bearings used in this description are based on the south line of East Main Street as bearing South 87 degrees 10 minutes 00 seconds East.

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled, "**BUCKEYE PRIDE STORAGE BUILDINGS PHASE 1**," signed by Phillip M. Claggett, Architect for the Applicant and dated November 4, 2009 and said text titled, "**DEVELOPMENT TEXT FOR PROPERTY ZONED L-M, LIMITED MANUFACTURING LOCATED AT 4925 EAST MAIN STREET, COLUMBUS, OHIO 43227 0.662 ACRES**" signed by Connie J. Klema, Attorney for the Applicant, and dated October 2, 2009, and the text reading as follows:

**DEVELOPMENT TEXT FOR PROPERTY ZONED
L-M, LIMITED MANUFACTURING
LOCATED AT 4925 EAST MAIN STREET, COLUMBUS, OHIO 43227
0.662 ACRES**

-

0.662 Acres Of The Property Known As 4925 East Main Street, Columbus, Ohio

DATE OF L-M TEXT: 10/20/09

ZONING APPLICATION: Z09-028

**OWNER: Mark Heatwole
 391 Bryn Du Drive, Granville, Ohio 43023**

APPLICANT: Connie J. Klema, Attorney

P.O. Box 991, Pataskala, Ohio 43062

EXISTING ZONING: L-C-4

PROPOSED ZONING: L-M; Limited Manufacturing

1. INTRODUCTION/BACKGROUND: 4925 East Main Street is located on the south side of East Main Street just east of Country Club Drive.

In 1987, rezoning application Z87-1278 was approved as Ordinance 1739-87 wherein the 4925 East Main Street was zoned as follows:

>a portion of the parcel was zoned to L-C-5 for use as a self-service car wash

>a portion of the parcel was zoned to L-C-4 for uses contained in the C-4 Commercial District with the following exceptions: adult bookstore, adult motion picture theatre or adult-only entertainment establishment. In 1988, 0.792 acres of the property zoned L-C-4 was sold, leaving approximately 0.662 acres of the property zoned L-C-4. The 0.662 acres is the property being rezoned and restricted by this Development Text.

The 0.662 acres is located behind the portion of the parcel zone L-C-5 and shares access to and from East Main Street through the L-C-5 portion.

The 0.662 acres will be improved in accordance with the Site Plan, "Buckeye Pride Storage Buildings---Phase I" dated October 20, 2009, and signed by Philip Claggett 11/4/09 submitted with this Development Text (the 0.662 acres being referred to herein as the "0.662 acres" and the "Property").

2. PERMITTED USES: The 0.662 acres shall be rezoned to L-M to permit:

>those uses contained in C-4, Section 3356.03.

>those uses contained in M, Section 3363.02(a) & (b), including self-storage units, and excluding a lumber yard, a contractor storage yard, and storage in bulk for fuel.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated on the Site Plan or in this written text, the applicable development standards shall be those standards contained in Chapter 3363 of Columbus City Code (M, Manufacturing District).

A) Site Plan:

The Site Plan delineates the proposed structures, setbacks, and drive aisles which shall be permitted under this L-M District. The Property shall be developed in accordance with the Site Plan and may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the site plan shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

B) Access:

Vehicular access shall be from the existing access at East Main Street located on the portion of the parcel zoned L-C-5 and extending south through the east side of the 0.662 acres to the east side of the Property as depicted on the Site Plan.

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

1. Sixteen (16) evergreen trees five (5) feet in height on ten (10) foot centers shall be installed within fifteen (15) feet of the south Property line. The Property owner shall preserve all existing vegetation within fifteen (15) feet of the south property and shall maintain all existing and newly planted landscaping in a healthy fashion and replace any dead material within sixty (60) days, weather permitting.

2. Rooftop Mechanicals Screening: Any mechanical equipment or utility hardware on the roof of a building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

D) Building design:

The storage units shall be constructed with vinyl siding and asphalt shingles and shall have the dimensions delineated in the Site Plan. No doors shall face the south of the Property.

E) Lighting and/or other environmental commitments.

1. Lighting shall be mounted on the storage units at a height of approximately nine (9) feet.
2. All lighting fixtures shall be from the same or similar manufacturer's type and color to insure compatibility.
3. Lights shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
4. Notwithstanding the above requirements the building may be illuminated by light fixtures.
5. Wiring within the development shall be underground.

F) Graphics & Signage:

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the M, Manufacturing District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

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

Legislation Number: 1564-2009

Drafting Date: 11/11/2009

Current Status: Passed

Version: 1

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 an OWDA Local Government Agency Loan Program loan agreement for construction of the Lazelle Road Water tank project as identified in Section 1. under the direction of the Division of Power and Water. This Capital Improvement Project is being financed through the OWDA Local Government Agency Loan Program and is administered by the Ohio Water Development Authority (OWDA). The loan program provides low interest rate loans for municipal water utility capital improvements.

2. EMERGENCY DESIGNATION: The loan application is currently being prepared for this project and bids are scheduled to be opened November 18, 2009. This authorizing legislation is a requirement for loan approval and must be submitted to the OWDA as a part of the loan application. This loan agreement is scheduled for approval at the OWDA board meeting on December 10, 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. This loan 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 this project and loan.

Title

To authorize the Director of Public Utilities to apply for, accept, and enter into an Ohio Water Development Authority

Local Government Agency Loan Program loan agreement for the financing of the Lazelle Road Water Tank construction project; to designate a dedicated repayment source for the loan; and to declare an emergency.

Body

WHEREAS, the Department of Public Utilities is scheduled to prepare a loan application for approximately \$4,950,000.00 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 the Lazelle Road Water Tank project under the Division of Power and Water, which financial assistance will be of help in reducing total project costs to the City's water rate paying 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 approved City Council legislation which authorizes the Director of the Public Utilities Department to apply for and subsequently execute the loan agreement, and to authorize a dedicated source of loan repayment for the loan; and

WHEREAS, this legislation must be approved and a certified copy must be submitted to the OWDA prior to the board meeting on December 10, 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 the OWDA Loan Agreement for the immediate preservation of he 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 an Ohio Water Development Authority (OWDA) Local Government Agency Loan Program loan agreement, for the financing of the Lazelle Road Water Tank project for the Division of Power and Water, as described below with the "not to exceed" construction project costs in parenthesis, as follows:

1. Lazelle Road Water Tank project, CIP No. 690424; (\$4,950,000.00).

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.

Legislation Number: 1566-2009

Drafting Date: 11/11/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Traffic Sign Posts and Street Name Sign Posts for the Department of Public Service, Division of Planning and Operations, the largest user. Traffic signs and street signs are affixed to traffic sign posts and street sign posts respectively to provide traffic information and identify streets. The term of the proposed option contracts would be through September 30, 2011 with the option to extend two additional one year periods, subject to mutual agreement by both parties, in accordance with formal bid SA003415. The Purchasing Office opened formal bids on October 29, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003415). Forty-five bids were solicited (MAJ: 42, F1: 1; M1A: 2); Two bids were received (MAJ: 2).

The Purchasing Office is recommending award of two contracts to the lowest responsive, responsive, and best bidders:

Firelands Supply Company, CC#341728477, exp 10/16/2011.
Allied Municipal Supply, CC#611423333, exp. 11/10/2011
Total Estimated Annual Expenditure: \$57,000.00

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish these option contracts is budgeted in the Mail, Print Services, and UTC Fund. City agencies will be required to obtain approval to expend from their own appropriations.
Title To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Traffic Sign Posts and Street Name Sign Posts for the Department of Public Service with Allied Municipal Supply and Firelands Supply Company; to authorize the expenditure of two dollars to establish the contracts from the Mail, Print Services, and UTC Fund; and to declare an emergency. (\$2.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 29, 2009 and selected the lowest responsive, responsible and best bids; and

WHEREAS, this ordinance addresses the Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the Department of Public Service to efficiently maintain its supply chain and service to the public; and

WHEREAS, in order to ensure Traffic Sign Posts and Street Name Sign Posts are supplied without interruption to enable the installation of traffic signs and street name signs, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service/Division of Planning and Operations in that it is immediately necessary to enter into contracts for an option to purchase Traffic Sign Posts and Street Name Sign Posts thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for the option to purchase Traffic Sign Posts and Street Name Sign Posts for the term ending September 30, 2011 with the option to extend for two additional one-year periods in accordance with Solicitation No. SA003415 as follows:

Firelands Supply Company, Items: 1 through 9 and 22, 23, 24 and 25. Amount \$1.00
Allied Municipal Supply, Items: 10 through 21. Amount \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from the Mail, Print Services, and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval

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

Legislation Number: 1567-2009

Drafting Date: 11/11/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Aluminum Sign Blanks for the Department of Public Service, Division of Planning and Operations, the largest user. Aluminum Sign Blanks are used to make signs for roadway and pedestrian traffic. The term of the proposed option contracts would be through December 1, 2011 with the option to extend two additional one year periods, subject to mutual agreement by both parties, in accordance with formal bid SA003411. The Purchasing Office opened formal bids on October 29, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003411). Forty-seven bids were solicited (MAJ: 43, F1: 1; M1A: 3); Eight bids were received (MAJ: 8).

Custom Products Corporation was the low bidder on items 3AM, 3AN, 3AO, 3AU, 3AV, 3AW, 7AM, 7AN, 7AO, 7AP, 7AQ, 7AT, 7AU, 7AN, and 7AW but were deemed non-responsive to the delivery terms in the bid. These items are recommended for award to the next low bidders.

The Purchasing Office is recommending award of three contracts to the lowest responsive, responsive, and best bidders:

US Standard Sign Company, CC#363859000, exp.11/2/11
Osburn Associates, Inc., CC#311041388, exp. 7/7/10
IbisTek Apparel, LLC., CC#204261224, exp. 11/10/11
Total Estimated Annual Expenditure: \$122,000.00

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish these option contracts is budgeted in the Mail, Print Services, and UTC Fund. City agencies will be required to obtain approval to expend from their own appropriations.
TitleTo authorize and direct the Finance and Management Director to enter into three contracts for the option to purchase Aluminum Sign Blanks for the Department of Public Service with US Standard Sign Company, Osburn Associates, Inc. and IbisTek Apparel, Inc.; to authorize the expenditure of three dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$3.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 29, 2009 and selected the lowest responsive, responsible and best bids; and

WHEREAS, this ordinance addresses the Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the Department of Public Service to efficiently maintain its supply chain and service to the public; and

WHEREAS, in order to ensure Aluminum Sign Blanks are supplied without interruption to enable the installation of traffic

and pedestrian signs, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service/Division of Planning and Operations in that it is immediately necessary to enter into contracts for an option to purchase Aluminum Sign Blanks thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for the option to purchase Aluminum Sign Blanks for the term ending December 1, 2011 with the option to extend for two additional one-year periods in accordance with Solicitation No. SA003411 as follows:

US Standard Sign Company, Items: 1A, 5A, 7C, 7E, 7F, 7G, 7H, 7J, 7K, 7L, 7Q, 7V, 7Y, 7AB, 7AC, 7AD, 7AF, 7AL, 7AM, 7AN, 7AO, 7AU, 7AV, 7AW, 7AX, 7AY, 7AZ, 7BA, 7BB, 7BD, 8B, and 8C. Amount \$1.00

IbesTek Apparel, LLC, Items: 2A, 2B, 2C, 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3J, 3K, 3L, 3M, 3N, 3O, 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X, 3Y, 3Z, 3AA, 3AB, 3AC, 3AD, 3AE, 3AF, 3AG, 3AH, 3AI, 3AJ, 3AK, 3AL, 3AM, 3AN, 3AO, 3AP, 3AQ, 3AS, 3AT, 3AU, 3AV, 3AW, 3AX, 3AY, 3AZ, 3BA, 3BB, 3BC, 3BD, 4A, 4B, and 4C. Amount \$1.00

Osburn Associates, Inc., Items: 3I, 3P, 6A, 6B, 6C, 7A, 7B, 7D, 7I, 7M, 7N, 7O, 7P, 7R, 7S, 7T, 7U, 7W, 7X, 7Z, 7AA, 7AE, 7AG, 7AH, 7AI, 7AJ, 7AK, 7AP, 7AQ, 7AR, 7AS, 7AT, 7BC, and 8A. Amount \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from the Mail, Print Services, and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 1571-2009

Drafting Date: 11/12/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The need exists to amend Ordinance 1478-2008. This ordinance was approved by Columbus City Council on September 29, 2008. The ordinance authorized the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with Equity Inc. for twenty-five percent (25%) of the amount of personal income tax withheld on new employees for a term of three (3) years in consideration of Equity Inc.'s proposed investment of \$612,500, the relocation/retention of 45 full-time permanent employees, which will be new to Columbus and the creation of 17 permanent full-time jobs. This amendment will allow Equity Inc. to extend the 90 day period needed to execute the Jobs Growth Incentive Agreement.

Equity Inc. is a full service commercial real estate firm specializing in real estate development, construction, real estate brokerage and property management services. The company was established in 1989 by founder and current Chief Executive Officer Steve P. Wathen. Headquartered in Worthington, Ohio with regional offices in Cincinnati and Tampa, Florida, Equity Inc. offers its clients a single source solution for all commercial real estate needs. Equity Inc. has experienced a tremendous amount of growth and is currently looking to expand/relocate its corporate headquarters to meet the demand.

FISCAL IMPACT: No funding is required for this legislation.

Title

To amend ordinance 1478-2008 to extend the signing deadline for the Jobs Growth Incentive Agreement with Equity Inc.

Body

WHEREAS, the need exists to amend Ordinance 1478-2008, passed September 29, 2008, authorizing the Director of Development to enter into a 25%/3 year Jobs Growth Incentive Agreement with Equity Inc; and

WHEREAS, this amendment will extend the deadline for the company to sign the Jobs Growth Incentive Agreement from 90 days after passage of the original ordinance, 1478-2008, to 90 days after passage of this ordinance; and

WHEREAS, the City desires to increase employment opportunities and encourage the creation of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Equity Inc. is proposing to enter into a 5-year lease, renovate and improve property located at 445 Hutchinson Ave, to accommodate expansion; and

WHEREAS, the incentive will be granted in consideration of Equity Inc.'s proposed investment of \$612,500, the relocation/retention of 45 full-time permanent employees, which will be new to Columbus and the creation of 17 permanent full-time jobs; and

WHEREAS, Equity Inc. has indicated that a Jobs Growth Incentive is crucial to its decision to locate the aforementioned relocation/expansion in Columbus; and

WHEREAS, the City of Columbus desires to facilitate Equity Inc.'s future growth at the project site and the creation of new jobs; and **NOW THEREFORE**,

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

Section 1. Ordinance 1478-2008 is hereby amended to change the deadline of the signing of the Jobs Growth Incentive Agreement from 90 days after passage of Ordinance Number 1478-2008 to 90 days after passage of this ordinance.

Section 2. The Jobs Growth Incentive Agreement will be signed by Equity Inc. within ninety (90) days after passage of this ordinance, or this ordinance and the abatements and credits authorized herein will be null and void.

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

Legislation Number: 1572-2009

Drafting Date: 11/12/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: This legislation authorizes the Director of the Department of Development to amend a contract with Civil and Environmental Consultants for environmental clean up work at the Wheatland Avenue Property in the Hilltop Area. The City paid Civil and Environmental Consultants for clean up work and then Civil and Environmental Consultants later sought and received reimbursement from a State of Ohio grant. Civil and Environmental Consultants reimbursed the City of Columbus for expenditures from Contract EL-007208 and has requested that these funds be restored to their contract

and purchase order so that additional clean up work can be completed on this site.

Emergency action is requested so that work on the project may continue without interruption.

Fiscal Impact: The City has received reimbursement from Civil and Environmental Consultants for expenditures that were reimbursed under a State of Ohio grant. This legislation appropriates the amount of the reimbursement (\$60,662.47) and authorizes a contract amendment in the same amount.

Title

To amend the 2009 CIB; to authorize and direct the City Auditor to appropriate \$60,662.47 to the Development Department; to authorize the Director of the Development Department to amend a contract with Civil and Environmental Consultants for environmental clean up work at the Wheatland Avenue Property in the Hilltop Area; to authorize the expenditure of \$60,662.47 from the Housing Preservation Fund; and to declare an emergency. (\$60,662.47)

Body

WHEREAS, the City of Columbus desires to amend an agreement with Civil and Environmental Consultants for environmental clean up work at the Wheatland Avenue property; and

WHEREAS, expenditures that were made from Contract No. EL-007208 were later reimbursed to the City of Columbus; and

WHEREAS, it is now necessary to amend the contract by \$60,662.47, the amount of the reimbursement, and

WHEREAS, an emergency exists in the usual daily operation of the Development Department, in that it is immediately necessary to authorize the Director of the Development Department to amend the contract with Civil and Environmental Consultants for environmental clean up work at the Wheatland Avenue property so that work on the project may continue without interruption, 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 2009 Capital Improvements Budget established within ordinance 0806-2009 be and hereby is amended as follows:

Fund No. / Project No / Project / Current CIB Amount / Amendment Amount / CIB Amount
782 / 782001-100000/ Housing Preservation (carryover) / \$5,665 / \$60,663 / \$66,328

Section 2. That the amount of \$60,662.47 is hereby appropriated to the Development Department, Housing Division 44-10, Housing Preservation Fund, Fund 782, Project No.782001-100000 - Housing Preservation, OCA Code 782001, Object Level Three 6621.

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

Section 4. That the Director of the Development Department is hereby authorized to amend the contract with Civil and Environmental Consultants for environmental clean up work at the Wheatland Avenue property.

Section 5. That the expenditure of \$60,662.47 or so much thereof that may be necessary in regard to the action authorized in Section 4, be and is hereby authorized and approved from the Development Department, Division 44-10, Fund 782, Project 782001-100000, Object Level One 06, OCA Code 782001, Object Level Three 6621.

Section 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby

declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the mayor neither approves or vetoes the same.

Legislation Number: 1575-2009

Drafting Date: 11/12/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

..Explanation

BACKGROUND: The Division of Police Crime Lab has a need to contract with the Mansfield Crime Lab for DNA weapons case analysis. The authorization of Drug Seizure Funds will allow for the analysis of approximately 125 evidence samples or up to 62 cases. This contract will assist the Crime Lab with DNA weapons analysis until the implementation activities associated with the recently awarded DNA Backlog Reduction grant funds (ORD1454-2009) occur.

The analysis will be performed by the Mansfield Police Department Crime Laboratory. It is an accredited laboratory with the ability to upload DNA profiles into the Combined DNA Index System (CODIS), the core of the national DNA database established and funded by the FBI, and in accordance with the DNA quality assurance guidelines authorized by the Director of the FBI Laboratory.

This organization 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: 346001795, NPO

EMERGENCY DESIGNATION: Emergency legislation is needed in order to process the casework at the earliest possible time.

FISCAL IMPACT: This ordinance authorizes a contract with the Mansfield (OH) Crime Lab in the amount of \$60,000 for DNA weapons case analysis for the Division of Police. Since this contract will be funded with Law Enforcement Contraband Seizure Funds, there will be no effect on the financial status of the General Fund. A total of \$60,000.00 has been appropriated for this contract through the Law Enforcement Contraband Seizure Funds.

Title

To authorize and direct the Public Safety Director to enter into contract with the Mansfield Crime Lab for DNA weapons case analysis services for the Division of Police, to authorize the expenditure of \$60,000.00 from the Law Enforcement Contraband Seizure Funds; and to declare an emergency. (\$60,000.00)

Body

WHEREAS, there is a need to contract for DNA casework analysis services for the Division of Police Crime Lab; and

WHEREAS, the Mansfield Police Department Crime Laboratory meets the necessary accreditation standards and operates in accordance with FBI laboratory DNA quality assurance guidelines to perform said services; and

WHEREAS, the cost for said services was appropriated and available in the Law Enforcement Contraband Seizure Funds; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to enter into contract with the Mansfield Police Department Crime Laboratory to perform DNA casework analysis for the Division of Police Crime Lab; thereby preserving the public peace, property, health, safety and welfare; now, therefore

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

SECTION 1. That the Public Safety Director be and is hereby authorized and directed to enter into contract with

Mansfield Police Crime Laboratory for DNA weapons case analysis services for the Division of Police Crime Lab.

SECTION 2. That the expenditure of \$60,000.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | FUND 219 | OBJ LEVEL (1) 03 | OBJ LVL (3) 3407 | OCA # 300988 | SUBFUND - 016 |

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

Legislation Number: 1576-2009

Drafting Date: 11/12/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To change the company name and Federal Identification number for contracts and purchase orders established with Absolute Air, Inc to Alternative Energy Concepts, LLC, due to the company changing its' name and FID number, and to modify FL003468 for Plumbing and HVAC Services, for the Development Department, Housing Division, to reflect this change. This ordinance authorizes the assignment of all past, present and future business done by the City of Columbus from Absolute Air, Inc FID 311427312 to Alternative Energy Concepts, LLC. FID 270917116.

- 1. Amount of additional funds:** No additional funds are necessary to modify the option contract.
- 2. Reason additional needs were not foreseen:** The current supplier has changed their name and FID number.
- 3. Reason other procurement processes not used:** The same exact product is required as originally bid. No lower pricing/more attractive terms and conditions are anticipated through rebidding at this time.
- 4. How cost was determined:** Terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: No additional monies are required to modify the option contract. Each agency must set aside their own funding for their estimated expenditures.

Alternative Energy Concepts LLC, CC#0270917116 (Expires 11-16-2011)

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

In order to maintain an uninterrupted supply of services to City agencies using this Universal Term Contract and open Purchase Orders, this ordinance is being submitted as an emergency.

Title

To authorize and direct the Finance and Management Director to modify past, present and future contracts and purchase orders with Absolute Air, Inc. to reflect a new name and new Federal ID number, and to declare an emergency.

Body

WHEREAS, the Finance/Purchasing Office established contract FL003468 for Plumbing and HVAC Services; and there are in existence purchase orders with Absolute Air, Inc. for the option to purchase Plumbing and HVAC Services; and

WHEREAS, Absolute Air, Inc. has changed their name and FID number to Alternative Energy Concepts, LLC FID #270917116, and in addition to notifying the City of this change, Alternative Energy Concepts, LLC. has agreed to honor the past, present and future purchase orders established, and

WHEREAS, an emergency exists in the usual daily operation of the Finance/Purchasing Office in that it is immediately necessary to modify all contracts and purchase orders established with Absolute Air, 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 Finance and Management Director be and is hereby authorized and directed to modify all past, present and future contracts and purchase orders to reflect the change of the company name and FID number from Absolute Air, Inc. FID 311427312 to Alternative Energy Concepts LLC. FID 270917116.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes.

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

Legislation Number: 1581-2009

Drafting Date: 11/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Heapy Engineering for professional services for the design and construction of the HVAC and electrical lighting upgrade and retrofit for the Central Safety Building, 120 Marconi Boulevard.

The requested services include master plan and design of an energy retrofit for the operational needs of the Division of Police. The retrofit shall incorporate chiller replacement, cooling tower replacement, boiler replacement, and electrical lighting for the interior and exterior. The master plan shall be developed and approved before design/development drawings are completed.

Funding for this project is available from the Energy Efficiency and Conservation Block Grants (EECBG) Program, under the American Recovery and Reinvestment Act (ARRA) of 2009, which represents a Presidential priority to deploy the cheapest, cleanest, and most reliable energy technologies available - energy efficiency and conservation - across the country.

Requests for Statements of Qualifications were advertised on August 13, 2009 and responses were due on or before September 3, 2009. The City received five statements from the following firms (1 FBE, 0 MBE): Heapy Engineering, Advanced Engineering Consultants, Ltd. (FBE), Burgess & Niple, Kramer Engineers, and Korda/Nemeth Engineering, Inc. Applied Engineering Group, Ltd., was deemed non-responsive due to their late submission. The scores were as follows:

Heapy Engineering	482	
Advanced Engineering Consultants, Ltd.		416
Burgess & Niple	383	
Kramer Engineers		311
Korda/Nemeth Engineering, Inc.		198

A five-member committee evaluated the proposals, consisting of two members from the Office of Construction Management, one member from the Facilities Management Division, and two non-voting members from the Division of

Police. Heapy Engineering was the highest-ranked firm. They received the number one ranking by all committee members. They scored particularly well in understanding the project, past performance, tasks defined, innovative approach, and cost containment.

Fiscal Impact: The Federal Grant does not require any local match. There are no other City monies budgeted or planned for this project.

Heapy Engineering Contract Compliance No. 31-1743951; expiration date November 20, 2011.

Emergency action is requested so that the improvements to be undertaken may begin as soon as possible. Under Federal regulation, these monies must be allocated within eighteen months of the United States Department of Energy formal acceptance and must be fully spent within thirty-six months of award notice. Otherwise, funding must be returned. TitleTo authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Heapy Engineering for professional services for the design and construction of the HVAC and electrical lighting upgrade and retrofit for the Central Safety Building, 120 Marconi Boulevard; to authorize a transfer between object levels; and to authorize the expenditure of \$154,200.00 from the Energy General Government Grants Fund; and to declare an emergency. (\$154,200.00)

Body

WHEREAS, it is necessary to contract with an engineering firm for professional services for the design and construction of the HVAC and electrical lighting upgrade and retrofit for the Central Safety Building, 120 Marconi Boulevard; and

WHEREAS, a five-person evaluation committee recommended Heapy Engineering as the most qualified firm; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management, Office of Construction Management, in that it is immediately necessary to enter into a contract with Heapy Engineering for professional services for the design and construction of the HVAC and electrical lighting upgrade and retrofit for the Central Safety Building, 120 Marconi Boulevard and to do so as quickly as possible in order to meet the provisions of the Federal ARRA grant and to realize the benefits of the electrical lighting upgrade and retrofit; 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 with Heapy Engineering for professional services for the design and construction of the HVAC and electrical lighting upgrade and retrofit for the Central Safety Building, 120 Marconi Boulevard.

SECTION 2: That the Auditor's Office is hereby authorized to transfer appropriation of \$154,200.00 within fund 220, grant number 459106, from object level 06 to object level 03, OCA number 459109.

SECTION 3. That the expenditure of \$154,200.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved to be expended from the Department of Finance and Management, Department: 45-50, Fund 220, Grant number 459106, Object Level One 03, Object Level Three 3337, OCA Code 459109.

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 day after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1583-2009

Drafting Date: 11/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for the renovation the turn-out gear laundry facility from Greenlawn Avenue to the Fire Training Academy on Parsons Avenue. The current turn-out gear laundry facility is located at 270 Greenlawn Avenue. However, the building is being vacated and the boilers are nearly inoperable, making it very difficult and expensive to heat the building. Moving the turn-out gear laundry facility will completely vacate 270 Greenlawn Avenue, which at one time housed fleet maintenance services, Fire air breathing apparatus operations, and some Fire maintenance liaison staff.

The work shall include: extension and connection to existing utilities, concrete foundations and equipment curbs, cold formed metal framing, carpentry, millwork, building insulation, sheet metal flashing, hollow metal doors and frames, hardware, exterior metal siding modifications, interior finishes, plumbing, furniture, fixtures and equipment, lockers, HVAC system, electrical, communications, data and security systems, and removal, moving, set-up, and commissioning of existing laundry equipment.

Formal bids were solicited and thirteen companies submitted bids on November 10, 2009 as follows (1 *MBE, 1 ^FBE):

Elford, Inc.	\$186,441.00
PK Builders	\$200,325.00
Gutknecht Construction Company	\$208,800.00
Williamson Builder, Inc.	\$210,293.00
Jones Pride Investments, LLC.	\$212,290.00
Pro con Professional Construction	\$215,761.00
Good Home Maintenance	\$216,315.00
^Bomar Construction Company, Inc.	\$217,580.00
2k General Company	\$221,000.00
Altman Company	\$225,000.00
Central Ohio Building	\$227,890.00
Anderson & Noland Construction	\$229,900.00
*William M. Patton	\$230,250.00

The Office of Construction Management recommends the bid award be made to the most responsive, responsible, and best bidder, Elford, Inc.

Emergency action is requested so that needed renovations may be completed as soon as possible to meet the operational needs of the Division of Fire by moving the turn-out gear laundry operation from an unheated, otherwise vacated building. Eventually, 270 Greenlawn will be demolished, thereby saving operating and maintenance expenses.

Elford, Inc. Contract Compliance No. 31-4371060; expiration date April 7, 2011.

Fiscal Impact: This ordinance authorizes an expenditure of \$186,441.00 to enter into contract to renovate the turn-out gear laundry facility for the Fire Division. The Division of Fire will provide funding for this project from the Safety Voted Bond Fund.

TitleTo authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for the renovation of the turn-out gear laundry facility for the Fire Division, to authorize the expenditure of \$186,441.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$186,441.00)

Body

WHEREAS, it is necessary to renovate the turn-out gear laundry facility for the Fire Division, and

WHEREAS, formal bids were solicited and thirteen firms submitted responses. and

WHEREAS, the Office of Construction Management recommends Elford, Inc. as the most responsive and responsible bidder, and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with Elford, Inc for the renovation of the turn-out gear laundry facility for the Fire Division, so that needed renovations can be completed as soon as possible to meet the operational needs of the Division of Fire, 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 Elford, Inc. for the renovation of the turn-out gear laundry facility for the Fire Division.

SECTION 2. That the expenditure of \$186,441.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Dept/Div: 30-04
Fund: 701
Project: 340103
OCA Code: 644559
Object Level: 06
Object Level 03: 6620
Amount: \$186,441.00

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

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

Legislation Number: 1585-2009

Drafting Date: 11/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Traffic Signal Detector Equipment for the Department of Public Service, Division of Planning and Operations, the largest user. Traffic Signal Detector Equipment is installed at traffic signals throughout the City of Columbus. The term of the proposed option contracts would be through March 1, 2012 with the option to extend two additional one year periods, subject to mutual agreement by both parties, in accordance with formal bid SA003409. The Purchasing Office opened formal bids on October 22, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003411). Fifty-two bids were solicited (MAJ: 50, F1: 2); Three bids were received (MAJ: 3).

On Item 1, two bidders provided lower pricing; and on Item 2, one bidder provided lower pricing; however they did not meet specifications as they proposed an LCD type display that was specified as unacceptable in the bid and are not recommended for award. Path Master, Inc., the next lowest, responsive bidder is being recommended for award of these items.

The Purchasing Office is recommending award of two contracts to the lowest responsive, responsive, and best bidders:

Path Master, Inc., CC#341233777, Exp. 3/28/10
Baldwin & Sours, Inc., CC#311104513, Exp. 5/7/10
Total Estimated Annual Expenditure: \$100,000.00

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish these option contracts is budgeted in the Mail, Print Services, and UTC Fund. City agencies will be required to obtain approval to expend from their own appropriations. Title To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Traffic Signal Detector Equipment for the Department of Public Service with Path Master, Inc. and Baldwin & Sours, Inc.; to authorize the expenditure of two dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$2.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 22, 2009 and selected the lowest responsive, responsible and best bids; and

WHEREAS, this ordinance addresses the Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the Department of Public Service to efficiently maintain its supply chain and service to the public; and

WHEREAS, in order to ensure Traffic Signal Detector Equipment is supplied without interruption to enable the installation and maintenance of traffic signals throughout the City of Columbus this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service/Division of Planning and Operations in that it is immediately necessary to enter into contracts for an option to purchase Traffic Signal Detector Equipment thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for the option to purchase Traffic Signal Detector Equipment for the term ending March 1, 2012 with the option to extend for two additional one-year periods in accordance with Solicitation No. SA003409 as follows:

Path Master, Inc., Items: 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 . Amount \$1.00
Baldwin & Sours, Inc. Items: 3, 4 and 5. Amount \$1.00

SECTION 2. That the expenditure of \$2.00 is hereby authorized from the Mail, Print Services, and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. That for the reason stated in the preamble here to, which is hereby made a part hereof, this ordinance is

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

Legislation Number: 1587-2009

Drafting Date: 11/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Traffic Signal Controller Equipment for the Department of Public Service, Division of Planning and Operations, the largest user. Traffic Signal Controller Equipment is installed at traffic signals throughout the City of Columbus. The term of the proposed option contracts would be through March 1, 2012 with the option to extend two additional one year periods, subject to mutual agreement by both parties, in accordance with formal bid SA003400. The Purchasing Office opened formal bids on October 22, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003400). Fifty-four bids were solicited (MAJ: 52, F1: 2) Four bids were received (MAJ: 4).

The low bidder for Item 1 did not meet the specifications that the LCD display be 16 line by 40 character/line display therefore, this item is recommended for award to the next lowest, responsive, bidder.

Traffic Control Products and Path Master, Inc. bid the same price for Item 3. It would be more cost effective to award this item to Path Master, Inc. as they are recommended for award of several other items and additional contract administration costs would not be incurred. Path Master, Inc. is recommended for award of this item.

The Purchasing Office is recommending award of three contracts to the lowest responsive, responsive, and best bidders:

Path Master, Inc., CC#341233777, Exp. 3/28/10
Baldwin & Sours, Inc., CC#311104513, Exp. 5/7/10
Doron Distribution, CC#450467284, Exp. 11/17/11
Total Estimated Annual Expenditure: \$20,000.00

These companies are not debarred according to the Excluded Parties listing of the Federal Government and are not listed in the Auditor of States database for Findings for Recovery.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed. The Division of Planning and Operations intends to purchase from these contracts this year in order to ensure vehicular efficiency and safety.

FISCAL IMPACT: Funding to establish these option contracts is budgeted in the Mail, Print Services, and UTC Fund. City agencies will be required to obtain approval to expend from their own appropriations. Title To authorize and direct the Finance and Management Director to enter into two contracts for the option to purchase Traffic Signal Controller Equipment for the Department of Public Service with Path Master, Inc.; Baldwin & Sours, Inc.; and Doron Distribution; to authorize the expenditure of three dollars to establish the contracts from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$3.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 22, 2009 and selected the lowest responsive, responsible and best bids; and

WHEREAS, this ordinance addresses the Purchasing objective of 1) maximizing the use of City resources by obtaining

optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the Department of Public Service to efficiently maintain its supply chain and service to the public; and

WHEREAS, in order to ensure Traffic Signal Controller Equipment is supplied without interruption to enable the installation and maintenance of traffic signal controllers throughout the City of Columbus this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service/Division of Planning and Operations in that it is immediately necessary to enter into contracts for an option to purchase Traffic Signal Controller Equipment thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for the option to purchase Traffic Signal Detector Equipment for the term ending March 1, 2012 with the option to extend for two additional one-year periods in accordance with Solicitation No. SA003400 as follows:

Path Master, Inc., Items: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, and 50 . Amount \$1.00

Baldwin & Sours, Inc., Items: 18, 19, 20, 21, 22, 23, 24, and 25. Amount \$1.00

Doron Distribution, Inc., Item 15.

SECTION 2. That the expenditure of \$3.00 is hereby authorized from the Mail, Print Services, and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 1588-2009

Drafting Date: 11/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: For the option to purchase Office Chairs for all City agencies. The contract will provide the City with a variety of Office Chairs and task stools. The term of the proposed option contract is two (2) years. Contract is through December 31, 2011. The contract may be extended for two (2) additional years subject to agreement by both parties. The Purchasing Office opened formal bids on October 8, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 Solicitation SA003367; 81(MBE:3; FBE:7) bids were solicited; 8 (MBE: 0; FBE: 1) bids were received.

The Purchasing Office is recommending award of contracts to the lowest, responsive, responsible and best bidders as follows:

Commercial Works, Inc.: CC# 3108293937 (Expires: 11/14/2010)
Continental Office Environments: CC# 314413238 (Expires: 4/11/2010)
King Business Interiors, Inc.: CC# 311624533 (FBE): (Expires: 10/20/2011)
Total Estimated Annual Expenditure: \$400,000.00

The companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

King Business Interiors was deemed non-responsive as follows:

Item 6A: low bidder - quoted an alternate with a back and seat feature which did not meet specification.

Item 7A: low bidder - quoted an alternate mid-back chair not a high-back chair as specified.

Item 18A: 2nd low bidder; quoted an alternate with a back feature which did not meet specification.

Continental Office Environments was deemed non-responsive as follows:

Item 6A: 2nd low bidder but did not submit fabric samples as specified.

Item 7A: 3rd low bidder but did not submit fabric samples as specified.

Commercial Works, Inc. was deemed non-responsive as follows:

Item 7A: 2nd low bidder; quoted an alternate which was tested and the back height did not meet specification.

Item 8A : low bidder; quoted a mid-back chair not a high-back as specified.

Item 12A: low bidder; quoted an alternate which was tested and the back features of the chair were not as specified.

Item 14A: low bidder; quoted a proposed equal but failed to provide a sample chair for evaluation.

Item 16A: low bidder; quoted an alternate which was tested and the back height did not meet specification.

Item 18A: low bidder; quoted an alternate with a different back; when tested did not meet specification.

Item 19A: low bidder; quoted an alternate but did not provide information to show proposed chair is equal to or of better quality than specified model.

Loth, Inc. was deemed non-responsive to the following items:

Item 12A: 2nd low bidder quoted an alternate with a different back and dimensions; did not meet specification.

Item 15A: low bidder; did not quote the arm option specified.

Item 16A: 2nd low bidder; did not quote the arm option specified.

Item 17A: low bidder; did not submit fabric sample for chair specified.

Nine (9) items on the contract are certified by the Greenguard Environmental Institute which certifies indoor products based on strict chemical emissions criteria. Three (3) items on the contract are certified by the Indoor Advantage Program. Indoor Advantage certifies conformance with LEED-CI criteria. Environmental friendly fabrics are available for 14 chairs.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. Agencies will be required to obtain approval to expend from their own appropriation.

Title

To authorize and direct the Finance & Management Director to enter into three (3) UTC contracts for the option to purchase Office Chairs with Commercial Works, Inc., Continental Office Environments, and King Business Interiors, Inc., to authorize the expenditure of three (3) dollars to establish the contract from the Mail, Print Services and UTC Fund. (\$3.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 8, 2009 and selected the lowest, responsive, responsible and best bids; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, It is necessary to enter into contracts for Office Chairs in order to provide City agencies with products to meet the needs and comfort of personnel in various work environments; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for an option to purchase Office Chairs through December 31, 2011 with the option to extend for two (2) additional years in accordance with Solicitation SA003367; Commercial Works, Inc., Continental Office Environments, and King Business Interiors, Inc. as follows:

Award Recommendation:

Commercial Works, Inc.: Items 6A - 6B, 11A - 11E; Amount: \$1.00

Continental Office Environments: Items 1A -1E, 18A -18E, and Item 20 - Fabric Coating; Amount: \$1.00

King Business Interiors, Inc. (FBE): Items 2A - 2B, 3A, 4A, 5A - 5B, 8A, 8B, 8D, 9A - 9D, 10A - 10D, 12A - 12E, 13A -13D, 14A -14E, 15A-15E, 16A -16E, 17A, 19A-19E, and 20- Fabric Coating: Amount: \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 1590-2009

Drafting Date: 11/13/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Board of Health has been awarded a grant from the Ohio Department of Health to fund the Women, Infants and Children (WIC) Program for the period October 1, 2009 through September 30, 2010. The WIC Program shares three locations with the primary occupant, Columbus Neighborhood Health Centers (CNHC). CNHC shall pay water, electric, gas, trash, and janitorial invoices. The WIC Program shall pay to CNHC, monthly installments upon receipt of an invoice with proper documentation, based upon the percentage of building space occupied. This contract for occupancy expenses shall not exceed \$27,300, for the period October 1, 2009 through September 30, 2010. The contract compliance number for the Columbus Neighborhood Health Center is 31-1533908. The Columbus Neighborhood Health Center is a non-profit organization.

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

FISCAL IMPACT: The Women, Infants and Children Program is entirely funded by the Ohio Department of Health. This program does not generate any revenue or require a City match.

Title

To authorize and direct the Board of Health to enter into a contract with Columbus Neighborhood Health Center for shared occupancy expenses at three WIC offices; to authorize the expenditure of \$27,300 from the Health Department Grants Fund; and to declare an emergency. (\$27,300)

Body

WHEREAS, The Columbus Health Department WIC Program shares building space with the Columbus Neighborhood Health Center at three offices; and,

WHEREAS, The WIC Program shall pay to CNHC, monthly installments upon receipt of an invoice and proper supporting documentation, based upon the percentage of building space occupied; and,

WHEREAS, this ordinance is being submitted as an emergency measure so that timely procurement of needed services will allow the services to proceed without delay; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this contract for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a contract with the Columbus Neighborhood Health Center for shared occupancy expenses at three WIC clinics for the period of October 1, 2009 through September 30, 2010, in an amount not to exceed \$27,300.

SECTION 2. That for the contract stated above, the sum of \$27,300 is hereby authorized to be expended from the Health Department Grants Fund, Fund No. 251, Grant No. 509116, Division No. 50-01, OCA Code 509116, Object Level One 03, Object Level Three 3396.

SECTION 3. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records.

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

Legislation Number: 1591-2009

Drafting Date: 11/13/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The Finance and Management Department, Office of Construction Management, employs personnel that are engaged in overseeing various construction and building renovation capital projects. These personnel are budgeted within, and paid from, the General Fund. These costs can be capitalized. Doing so is consistent with earlier efforts by the Office of Construction Management to reimburse the General Fund when the General Fund incurred expenses more appropriate to capital improvement funding. Specifically, Ordinance No. 0034-2009, passed February 2, 2009, authorized \$119,449.75 for these purposes. The goal of this ordinance is to amend the 2009 CIB and transfer necessary funds for capitalization of construction work. The Office of Construction Management tracks the hours each employee works on individual projects and bills these hours back to the proper capital project. This process can help save the General Fund up to \$325,000 per fiscal year.

Emergency action is requested so that the reimbursement of the General Fund, as projected in the Third Quarter Financial Review, can occur before the end of the fiscal year. It was impossible to present this ordinance earlier, as the bond cash was not available until the November bond sale proceeds have been received.

Fiscal Impact: This expenditure is budgeted and available within the Construction Management Capital Improvement Fund and the Safety Voted Bond Fund. This ordinance authorizes the expenditure of \$268,751.00 or so much thereof as may be necessary for this purpose.

Title

To authorize the Finance and Management Director to expend \$268,751.00, or so much thereof as may be necessary, to reimburse the General Fund for construction and building renovation expenses incurred by the Office of Construction Management; to amend the 2009 CIB; to authorize the transfer of \$6,082.48 within the Safety Voted Bond Fund; to authorize the transfer of \$73,951.00 within the Construction Management Capital Improvement Fund; to authorize the City Auditor to cancel the balance of certain suffixes on a previously established Auditor's Certificate; to authorize an expenditure from the Construction Management Capital Improvement Fund and the Safety Voted Bond Fund; and to declare an emergency. (\$268,750.00)

Body

WHEREAS, the Office of Construction Management employs personnel who are engaged in construction and building renovation activities; and

WHEREAS, these costs can be capitalized; and

WHEREAS, this ordinance amends the 2009 Capital Improvements Budget; and

WHEREAS, this ordinance also authorizes various transfers; and

WHEREAS, it is necessary to authorize this expenditure in order to provide adequate operating resources for the Office of Construction Management; 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 reimburse the General Fund, as projected in the Third Quarter Financial Review, before the end of the fiscal year, thereby preserving the public health, property, safety, and welfare; now, therefore:

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

SECTION 1. That the Finance and Management Director is hereby authorized to expend \$268,751.00 or so much thereof as may be necessary, to reimburse the General Fund for construction and building renovation expenses incurred in connection with the capital improvements program in 2009 and early 2010.

SECTION 2. That the City Auditor is authorized to cancel the remaining balances on suffixes 003, 005, 006, 007, 009, and 014 of AC029862.

SECTION 3. That the 2009 Capital Improvement Budget is hereby amended as follows to account for the cancellations authorized in Section 2, as well as any other cancellations that have occurred in the affected projects:

Safety/Police 30-03 and Fire 30-04 Fund 701

Project/Project #	CIB Amount	Revised CIB
Police Property Room/Crime Lab 330033-100000 (Carryover Funding)	\$6,751	\$11,696
Fire Station 10 340112-100000 (Carryover Funding)	\$44,638	\$45,670
Fire Station 35 340113-100000 (Carryover Funding)	\$36,620	\$39,620
Fire Training Complex 340118-100000 (Carryover Funding)	\$4,054	\$8,108

Office of Construction Management 45-27

<u>Project/Project #</u>	<u>CIB Amount</u>	<u>Revised CIB</u>
North Market Improvements 570045-100000 (Carryover Funding)	\$3,128	\$5,949
1393 E Broad Street 570032-100000 (Carryover Funding)	\$1,965	\$3,210

SECTION 4. That the 2009 Capital Improvement Budget is hereby amended to account for the transfers authorized in Section 6 as follows:

Safety/Police 30-03 Fund 701

<u>Project/Project #</u> <u>CIB</u>	<u>CIB Amount</u>	<u>Revised</u>
Police Property Room/Crime Lab 330033-100000 (Carryover Funding)	\$11,696	\$6,750
Police Facility Renovation 330021-100000 (Carryover Funding)	\$797,045	\$795,908
Police Heliport 330032-100000 (Carryover Funding)	\$37,844	\$43,927

SECTION 5. That the 2009 Capital Improvement Budget is hereby amended to account for the transfers authorized in Section 7 as follows:

Office of Construction Management 45-27

<u>Project/Project #</u>	<u>CIB Amount</u>	<u>Revised CIB</u>
North Market Improvements 570045-100000 (Carryover Funding)	\$5,949	\$3,128
1393 E Broad Street 570032-100000 (Carryover Funding)	\$3,210	\$1,965
300 N High Overhead 570001-100000 (Carryover Funding)	\$675	\$0
Muni Court Renova Prosec 570055-100000 (Carryover Funding)	\$1,607	\$0
Facility Renovations-Variou 570030-100120 (Councilmatic)	\$729,390	\$661,787
Old Police HQ 570056-100000 (Councilmatic)	\$0	\$2,464
Municipal Court 570043-100000 (Councilmatic)	\$599,348	\$664,486
Old Police HQ 570056-100000 (Carryover)	\$8,793	\$15,142

SECTION 6. That the City Auditor is hereby authorized and directed to transfer funds within the Safety Voted Bond Fund as follows:

FROM:

Dept/Div: 30-03 | Fund: 701 | Project Number 330033-100000 | Project Name - Police Property Room/Crime Lab | OCA Code 644476 | OL3: 6620 | Amount \$4,945.36

Dept/Div: 30-03 | Fund: 701 | Project Number 330021-100000 | Project Name - Police Facility Renovation | OCA Code 644476 | OL3: 6620 | Amount \$1,137.12

TO:

Dept/Div: 30-03 | Fund: 701 | Project Number 330032-100000 | Project Name - Police Heliport | OCA Code 644476 | OL3: 6620 | Amount \$6,082.48

SECTION 7. That the City Auditor is hereby authorized and directed to transfer funds within the Construction

Management Capital Improvement Fund as follows:

FROM:

Dept/Div: 45-27 | Fund: 733 | Project Number 570045-100000 | Project Name - North Market | OCA Code 733000|OL3: 6620 | Amount \$2,820.89
Dept/Div: 45-27 | Fund: 733 | Project Number 570032-100000 | Project Name - 1393 E Broad | OCA Code 733000|OL3: 6620 | Amount \$1,245.13
Dept/Div: 45-27 | Fund: 733 | Project Number 570001-100000 | Project Name - 300 N High Overhead Pedestrian | OCA Code 733000|OL3: 6620 | Amount \$675.00
Dept/Div: 45-27 | Fund: 733 | Project Number 570055-100000 | Project Name - Muni Court Renova Prosec/Probat | OCA Code 733000|OL3: 6620 | Amount \$1,606.99
Dept/Div: 45-27 | Fund: 746 | Project Number 570030-100120 | Project Name - Facility Renovation | OCA Code 733030|OL3: 6620 | Amount \$67,602.99

TO:

Dept/Div: 45-27 | Fund: 733 | Project Number 570056-10000 | Project Name - Old Police Headquarters | OCA Code 733056 | OL3: 6620 | Amount \$8,813.00
Dept/Div: 45-27 | Fund: 733 | Project Number 570043-100000 | Project Name - Municipal Court | OCA Code 733043 | OL3: 6620 | Amount \$65,138.00

SECTION 8. That the expenditure of \$268,751.00 from Object Level 3 6620 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 appears in Attachment 1591-2009.xls.

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

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

Legislation Number: 1593-2009

Drafting Date: 11/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND:

The City of Columbus Division of Planning and Operations utilizes salt for its operations in order maintain a safe roadway system by preventing ice and snow from accumulating on roadways. In order to ensure there is a sufficient supply of salt for this operation the City maintains a supply, in normal circumstances, sufficient to last throughout the winter season. In the past, when other agencies did not have a sufficient supply or storage capacity to meet their needs for the winter, they would request to purchase salt from the City. One of the primary agencies that this ordinance is intended for is the Columbus Public Schools. The Department feels that it is necessary to assist them during snow and ice events in order to enhance the safety to our communities school children.

The purpose of this ordinance is to authorize the City to sell a portion of their salt supply to other agencies in need. In providing salt to other agencies, though, the following limitations must be followed:

The provisions of this legislation will be in effect for the time period of December 1, 2009 through April 15, 2010. Any needs in the future will be addressed by additional legislation.

The cut-off total (cumulative of all agencies) allowable to be sold to other agencies by the Director of Public Service is 500 tons.

No one agency can purchase more than 200 tons per season.

The price per ton for sale will be equal to the price per ton paid by the City.

The Director of Public Service reserves the right to sell or not sell based on the needs of the Department of Public Service. The Director of Public Service will not authorize the sale of salt if it could cause the City of Columbus to be short on salt for its own needs.

2. FISCAL IMPACT

The sale of salt to other agencies will offset the cost of City of Columbus Salt purchases.

3. EMERGENCY DESIGNATION

Emergency action is requested so that this agreement can be in place prior to any needs arising for the purchase of salt by other agencies during the 2009/2010 winter season.

Title To authorize the Director of Public Service to enter into contracts with other agencies to sell salt previously purchased by the City of Columbus; and to declare an emergency. (\$0.00)

Body WHEREAS, the City of Columbus maintains a stockpile of salt for treatment of roadways within the City to prevent snow and ice accumulation and prevent hazardous roadways; and

WHEREAS, other agencies frequently request permission to purchase a portion of that supply due to insufficient supplies; and

WHEREAS, it is necessary to provide authorization for the Director of Public Service to enter into contract with other agencies to sell a portion of the City's supply under limitations provided in this ordinance; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Planning and Operations in that this ordinance should be authorized immediately to provide for the safety of the travelling public in the 2009/2010 winter season, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the Director of Public Service is authorized to enter into contract with other agencies to sell a portion of the City's salt supply when a need arises for this purchase.

Section 2. The following limitations are to be followed when entering into contract with other agencies for the purpose of selling the City's salt:

The provisions of this legislation will be in effect for the time period of December 1, 2009 through April 15, 2010. Any needs in the future will be addressed by additional legislation.

The cut-off total (cumulative of all agencies) allowable to be sold to other agencies by the Director of Public Service is 500 tons.

No one agency can purchase more than 200 tons per season.

The price per ton for sale will be equal to the price per ton paid by the City.

The Director of Public Service reserves the right to sell or not sell based on the needs of the Department of Public Service. The Director of Public Service will not authorize the sale of salt if it could cause the City of

Columbus to be short on salt for its own needs.

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: 1594-2009

Drafting Date: 11/16/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation1. BACKGROUND

The Division of Planning and Operations operates several specialized traffic control computers. These computers expedite vehicular traffic flow and maximize pedestrian safety by synchronizing and coordinating traffic signals and interpreting information forwarded from buried loop detectors, overhead cameras and the like, allowing the signals to operate in either an automatic mode or manually as directed by traffic engineers from a central location. The software utilized by the downtown signal system processor (computer) is proprietary and requires unique maintenance that is offered by a sole-source provider, Computran Systems Engineering, L.L.C. This ordinance authorizes the Director of Public Service to execute a one-year extension of the existing maintenance agreement for this purpose and authorizes the expenditure of \$22,749.42 to pay for said agreement. The agreement is being extended per the sole-source provisions of the Columbus City Code, 1959.

This contract was authorized by ordinance 2580-2003. The initial service period ran from 12/23/2005 to 12/22/2006. The contract was renewed for the periods 12/23/2006 to 12/22/2007; 12/23/2007 to 12/22/2008; and 12/23/2008 to 12/22/2009. This is the final of four expected renewal periods. The period of this extension is 12/23/2009 to 12/22/2010.

2. CONTRACT COMPLIANCE

Computran System Engineering, L.L.C.'s contract compliance number is 204160738 and expires September 11, 2010.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Computran Systems Engineering, L.L.C.

3. FISCAL IMPACT

This expenditure is budgeted within the Street Construction Maintenance and Repair Fund as a normal operating expense of the Division of Planning and Operations.

4. EMERGENCY DESIGNATION

Computran coordinates and maintains sixty-percent (60%) of the traffic signals at various intersections throughout the City with its hardware/software program. Therefore, emergency action is requested in order to have the maintenance agreement become effective as soon as possible in order to preclude a lapse in the maintenance of this critical system and thereby preserve the public safety and welfare. Procedures are being implemented so that in succeeding years, emergency legislation will not be necessary for this agreement.

TitleTo authorize the Director of Public Service to extend for one year the existing agreement with Computran Systems Engineering, L.L.C. for software maintenance for the Division of Planning and Operations downtown signal system processor per the sole-source provisions of the Columbus City Codes, 1959; to authorize the expenditure of \$22,749.42 or so much thereof as may be needed for this purpose from the Street Construction Maintenance and Repair Fund; and to declare an emergency. (\$22,749.42)

Body**WHEREAS**, the Division of Planning and Operations operates several specialized traffic control computers; and

WHEREAS, the software utilized by the downtown signal system computer is proprietary and requires unique maintenance that is offered by a sole-source provider, Computran Systems Corporation; and

WHEREAS, a one-year maintenance agreement is needed for this purpose; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Planning and Operations, Department of Public Service, in that it is immediately necessary to authorize the Director of Public Service to enter such an agreement per the sole source provisions of the Columbus City Code, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

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

Section 1. That the Director of Public Service be and hereby is authorized to enter into a one year agreement with Computran Systems Engineering, L.L.C, 100 First Street, Hackensack, New Jersey 07601 for software maintenance for the downtown signal system processor for the Division of Planning and Operations.

Section 2. That for the purpose of paying for the services provided under this agreement the expenditure of \$22,749.42, or so much thereof as may be needed, is hereby authorized to be expended from Fund 265, The Street Construction Maintenance and Repair Fund, Department No. 59-11, Division of Planning and Operations, Object Level One Code 03, Object Level Three Code 3375, OCA Code 591111.

Section 3. That this expenditure be made per the sole source provisions 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 its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1596-2009

Drafting Date: 11/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the City Clerk to report to the Auditors of Franklin and Fairfield Counties in Ohio all charges which are due to the City of Columbus, Department of Development and are certified for payment to said County Auditor in conformance with Sections 701.07 through 701.19 of the Columbus City Code for weed and solid waste removal. In the assessment period covered by this legislation (May 1st through October 31st, 2009), owners of 1424 properties within Columbus were notified to abate weed and solid waste nuisances. Those properties where violations were not abated were turned over to the Environmental Nuisance Weed and Solid Waste Program for compliance. Abatement was completed using the services of private and/or City contractors. This legislation provides for assessment of the costs associated with the weed and solid waste abatement process.

FISCAL IMPACT: No funding is required for this legislation. This legislation provides a mechanism for recovery of costs associated with the weed and solid waste abatement program.

Emergency action is required so that assessments can be placed on the January 2010 tax duplicate.

Title

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

Body

Whereas, the owners of certain vacant lots and structures in the City of Columbus have allowed the growth of noxious weeds, grasses and/or the accumulation of solid waste on their properties; and

Whereas, said owners have been duly notified of the requirements of the law in such circumstances; and

Whereas, said owners have failed to provide mowing services and solid waste removal as set forth in Section 701.07 through Section 701.19 of the Columbus City Code; and

Whereas, those properties where violations were not abated were turned over to the Environmental Nuisance Weed and Solid Waste Program for compliance; and

Whereas, abatement was completed using the services of private and/or City contractors; and

Whereas, this legislation provides for assessment of the costs associated with the weed and solid waste abatement process; and

Whereas, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize assessments for weed and solid waste removal on properties in violation of weed and solid waste regulations as set forth in the Columbus City Code so that assessments can be placed on the January 2010 tax duplicate, all for the preservation of the public health, peace, property, safety, and welfare; **NOW, THEREFORE,**

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

- Section 1.** That the assessment of the owners of certain lots and structures in the City of Columbus who have failed to provide the necessary mowing and solid waste removal services required by Sections 701.07 through 701.19 of the Columbus City Code, be and is hereby authorized in order to cover costs incurred by the City of Columbus, Department of Development, Building Services Division, in carrying out the provisions of said sections.
- Section 2.** That the City Clerk shall report to the Franklin and Fairfield County Auditor all charges which are due to the City of Columbus, Department of Development, Building Services Division, and are certified for payment to the County Auditor in conformance with Sections 701.07 through 701.19 of the Columbus City Code.
- Section 3.** That said funds, upon reimbursement from the Franklin and Fairfield County Auditor, shall be deposited in the General Fund, Fund No. 010 and the Community Block Grant Fund, Fund No. 248, to repay the costs incurred for weed mowing and solid waste abatement services.
- Section 4.** That for the reasons stated in the preamble thereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1597-2009

Drafting Date: 11/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in many projects involving the rehabilitation and reconstruction of roadways within the City of Columbus. In order to construct these roadways right of way acquisition is often needed for the expansion of the roadway or project footprint. This legislation authorizes the expenditure of \$100,000.00 for various right of way acquisition expenses incurred during roadway

improvement projects.

One of these projects is the Tuttle Crossing Boulevard project. The purpose of this project is to reconstruct 0.70 miles of Tuttle Crossing Boulevard from Wilcox Road east to I-270. The project will include installation of a raised median, a closed storm drainage system with curb and gutters, street lighting, bicycle paths and sidewalks. This is a Franklin County/City of Dublin/City of Columbus joint project. The City of Columbus (Columbus) was responsible for the acquisition of any additional right-of-way within the Columbus corporate limits. Columbus is currently finalizing right-of-way acquisitions associated with this project.

The Columbus City Attorney's Real Estate Division staff has settled the final court case relative to this project. As a part of the case settlement, the City Attorney's office has agreed to pay \$11,542.34 in legal fees incurred by the property owner relative to a proposed relocation of his business sign that was later determined to be unnecessary. At this time, the total settlement obligation for this case is \$131,542.34. Columbus previously deposited \$100,100.00 with the Franklin County Clerk of Courts. An additional \$31,442.34, for settlement purposes, plus approximately \$550.00 for miscellaneous court costs and staff costs is now needed to allow finalization of right-of-way acquisition for this project.

2. Fiscal Impact

Monies to pay for these costs are available due to cancellation of encumbrances from completed projects within the Streets and Highways G.O. Bonds Fund.

3. Emergency Justification

Failure to place court ordered settlement funds on deposit with the court system in a timely manner can result in the assessment of penalties and interest therefore emergency action is requested to allow the City Attorney's Real Estate Division to place court ordered settlement funds on deposit with the Franklin County Clerk of courts as soon as possible

TitleTo authorize the expenditure of \$100,000.00 or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund for acquisition costs incurred by the City Attorney's Office, Real Estate Division, for various projects within the Department of Public Service Division of Design and Construction; to amend the 2009 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$100,000.00)

Body**WHEREAS**, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in various projects that require right of way acquisition; and

WHEREAS, these right of way acquisition costs are generally budgeted for each project and legislated individually; and

WHEREAS, occasionally a situation arises where these budgeted amounts are not sufficient and it is necessary to provide right of way funding quickly to avoid assessment of penalties and interest; and

WHEREAS, this ordinance authorizes the expenditure \$100,000.00 for the purpose of providing funding for these miscellaneous right of way expenses for various projects; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in that it is immediately necessary to authorize the expenditure of funds needed to pay for acquisition related expenses associated with various projects thereby avoiding the assessment of penalties and interest and preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$100,000.00, or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund as follows: Project 530161-100000; Department/Division 59-12; Minor Object 6601; OCA Code 590046; to pay costs relative to the right-of-way acquisition for various projects.

Section 2. That the 2009 CIB authorized within ordinance 0806-2009 be amended as follows:

Project Number / Project / Current CIB Amount / amendment amount / CIB amount as amended

704999-100000 / Unallocated Balance (Carryover) / \$1,336,411.00 (Carryover) / (\$100,000.00) (Carryover) / \$1,236,411.00 (Carryover)

530161-100000 / Roadway Improvements (Carryover) / \$1,024,306.00 (Carryover) / \$100,000.00 (Carryover) / \$1,124,306.00 (Carryover)

Section 3. That the sum of \$100,000.00 be and hereby is appropriated from the unappropriated balance of Fund 704, the Streets and Highways G.O. Bonds Fund, and from all monies estimated to come into said funds from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009 as follows:

Division of Design and Construction, Dept-Div 59-12:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 704999-100000 / Unallocated Balance / 06-6600 / 591254 / \$100,000.00

Section 4. That the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund be authorized as follows:

Transfer from:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 704999-100000 / Unallocated Balance / 06-6600 / 591254 / \$100,000.00

Transfer to:

Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

530161-100000 / Roadway Improvements / 06-6600 / 590046 / \$100,000.00

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

Legislation Number: 1599-2009

Drafting Date: 11/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: This ordinance authorizes the Franklin County Municipal Court Clerk to modify and extend the three year contract with Huntington National Bank for an additional four months. The contract is for the provision of bank and credit card services, for the Clerk's office. The additional four months are needed to complete the negotiations for a new bank and credit card service contract.

Contracts:

Original Contract # EL006711- \$40,000.00; Ordinance 2167-2006

First Contract Modification # EL006711; No Additional Funds Required; Ordinance 1519 -2007

Second Contract Modification # EL008390; \$80,000.00; Ordinance 1007 - 2008

Third Contract Modification # EL009021; \$41,517.00; Ordinance 1685-2008

Fourth Modification #EL009233; \$90,000.00; Ordinance 0285 - 2009

Fifth Modification # EL009712; \$56,000.00; Ordinance 1095-2009

Sixth Modification; \$68,000.00

Contract Compliance Number: 31-0966785

Expiration Date: 09/15/2011

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

Fiscal Impact: Sufficient funds are available within the Clerk's 2009 general fund budget.

Emergency: To maintain uninterrupted bank services for the Franklin County Municipal Court Clerk's office.
Title

To authorize and direct the Franklin County Municipal Court Clerk to modify and extend the contract with Huntington National Bank for the provision of bank and credit card services; to authorize an expenditure of \$68,000.00 from the General Fund; and to declare an emergency. (\$68,000.00)

Body

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

Whereas, it is necessary to modify and extend the contract with Huntington National Bank for an additional four months, to complete the negotiations for a new bank and credit card service contract; and

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

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

Section 1. That the Franklin County Municipal Court Clerk is authorized and directed to modify and extend the three year contract with Huntington National Bank an additional four months in the amount of \$68,000.00, for the provision of bank and credit card services.

Section 2. That the expenditure of \$68,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the Clerk's general fund, fund 010, subfund 01, department 2601, OCA 260166, object level one 03, object level three 3348 to contract with the Huntington National Bank.

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

Legislation Number: 1600-2009

Drafting Date: 11/16/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Council Variance Application: CV09-019

APPLICANT: Kerr Street Place, Ltd.; c/o Connie J. Klema; P.O. Box 991; Pataskala, Ohio 43062.

PROPOSED USE: Three single-family dwellings.

ITALIAN VILLAGE COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests a Council variance to construct three single-family dwellings on separate lots with the ability to have ground-floor offices in two of the dwellings. Variances for building setback and minimum number of parking spaces are included in the request. The site was subject of a 2001 Council variance request (CV01-024; Ord. No. 1215-01) that allows a 4-story, 3-family dwelling to be constructed on the site. The revised request reduces building height and provides more green space. With the adjacent single and multi-family residential development to the west and north, the request is consistent with the surrounding development pattern.

Title

To grant a Variance from the provisions of Sections 3356.03, C-4, permitted uses; 3356.11, C-4 district setback lines; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; for the property located at **77 EAST RUSSELL STREET (43215)**, to permit three single-family dwellings on separate lots with decreased setback lines and a reduction in the required number of parking spaces in the C-4, Commercial District (Council Variance # CV09-019).

Body

WHEREAS, by application No. CV09-019, the owner of property at **77 EAST RUSSELL STREET (43215)**, is requesting a Council variance to allow the construction of three single-family dwellings on separate lots with decreased setback lines and a reduction in the required number of parking spaces in the C-4, Commercial District; and

WHEREAS, Section 3356.03, C-4 permitted uses, permits dwelling units only above certain commercial uses, while the applicant proposes to construct three single-family dwellings on separate lots on a vacant commercially-zoned property in a residential area; and

WHEREAS, Section 3356.11, C-4 district setback lines, requires buildings to have a setback line of ten (10) feet from the right-of-way, while the applicant proposes a setback line of seven (7) feet from both East Russell and Kerr Streets; and

WHEREAS, Section 3342.28, Minimum number of parking spaces required, requires two (2) parking spaces per dwelling unit, one (1) parking space for every 300 square feet of general office space, one (1) parking space for every 250 square feet of medical office space, for a maximum requirement of five (5) parking spaces for Lot 1, four (4) parking spaces for Lot 2, and two (2) parking spaces for Lot 3, while the applicant proposes two (2) garage parking spaces for Lot 1, and one (1) garage parking space with a lift to accommodate a second car for Lots 2 and 3; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features, and recognizes this development has included five-foot wide sidewalks which has been shown to increase walkability; and

WHEREAS, The Italian Village Commission recommends approval; and

WHEREAS, City Departments recommend approval because the site is already approved to be developed with a four-story, three-family dwelling by Ord. No. 1215-01. The revised request reduces building height and provides more green space. With the adjacent single and multi-family residential development to the west and north, the request is consistent with the surrounding development pattern; and

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

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **77 EAST RUSSELL STREET (43215)**, in using said property as desired; now, therefore:

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

SECTION 1. That a variance from the provisions of Sections 3356.03, C-4, permitted uses; 3356.11, C-4 district setback lines; and 3342.28, Minimum number of parking spaces required, of the Columbus City Codes; is hereby granted for the property located at **77 EAST RUSSELL STREET (43215)**, in that said section prohibits three single-family dwellings with a setback line of seven (7) feet and a reduction in the required number of parking spaces from a maximum required five (5) spaces to two (2) spaces for Lot 1, a maximum required four (4) spaces to one (1) space with one (1) lift space for Lot 2, and a maximum required two (2) spaces to one (1) space with one (1) lift space for Lot 2 in the C-4, Commercial District; said property being more particularly described as follows:

77 EAST RUSSELL STREET (43215), being 0.1± acres located at the southeast corner of East Russell and Kerr Streets, and being more particularly described as follows:

**Parcel 1
010-052103**

Situated in the State of Ohio, County of Franklin, City of Columbus and being 0.086 acre all out of Lots 82, 83, and 84 of "William Neil's 2nd Addition to the City of Columbus" of record in Plat Book 1, Page 291, as conveyed to Eugene Hawkins of record in Official Record 19778B12 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning at a railroad spike set at the intersection of the westerly limited access right-of-way line of Interstate 670 and the southerly right-of-way of Russell Street, also being the northeasterly corner of said Lot 84, also being the northeasterly corner of said Lot 84, also being 177.25 feet left of Stations 168+59.76 in the Centerline Survey of FRA-670-3.17;

Thence South 8 degrees 35'14" East, with the said westerly limited access right-of-way line of Interstate 670, a distance of 25.00 feet to an iron pin set, being 153.39 feet left of Station 168+52.28 in said Centerline Survey;

Thence South 67 degrees 40'52" West, across said Lots 84 and 83, a distance of 102.96 feet to an iron pin set in the easterly right-of-way line of Kerr Street, being 162.12 feet left of Station 167+56.06 in said Centerline Survey;

Thence North 8 degrees 20'43" West, with the easterly right-of-way line of said Kerr Street, a distance of 49.90 feet to an iron pin found at the northwesterly corner of said Lot 84, also being the intersection of the southerly right-of-way line of said Russell Street, also being 209.18 feet left of Station 167+72.18 in said Centerline Survey;

Thence North 81 degrees 40'47" East with the right-of-way of said Russell Street, a distance of 99.81 feet to the true point of beginning, containing 0.086 acre of land, more or less.

**Parcel 2
010-273466**

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of a twenty (20) foot wide alley, running in a north south direction between Lots 84 and 85 of Wm. Neil's 2nd Addition as recorded in Plat Book 1, Page 281, all records being of the Recorder's Office, Franklin County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning at a railroad spike found at the intersection of the westerly limited access right-of-way line of Interstate 670 and the southerly right-of-way of Russell Street, also being the northeasterly corner of said Lot 84, the northwesterly corner of said twenty (20) foot wide alley and being 177.25 feet left of Station 168+59.76 in the centerline survey of FRA-670-3.17: Thence, with the southerly right-of-way of said Russell Street, the northerly right-of-way of said Interstate 670, N 81° 40'

47" E, 20.00 feet to an iron pin set at the northeasterly corner of said twenty (20) foot wide alley:

Thence, crossing through said limited access right-of-way of Interstate 670 and with the easterly line of said twenty (20) foot wide alley, S 08° 35' 14" E, 20.02 feet to an iron pin set;

Thence, leaving the easterly right-of-way of said twenty (20) foot wide alley and crossing through said limited access right-of-way Interstate 670 and said twenty (20) foot wide alley, S 67° 40' 52" W, 20.59 feet to an iron pin found on the easterly line of said Lot 84, the westerly right-of-way of said twenty (20) foot wide alley;

Thence, with the easterly line of said Lot 84, the westerly limited access right-of-way of said Interstate 670 and westerly right-of-way of said twenty (20) foot wide alley N 08° 35' 14" W, 25.00 feet to the True Place of Beginning, containing 0.0103 acres (450.19 sq. ft.) more or less.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a three single-family dwellings, or those uses permitted in the C-4, Commercial District.

SECTION 3. That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plan titled "**TRIANGLE HOUSES AT RUSSELL AND KERR,**" drawn by Lincoln Street Studio Architects and Planners, dated November 11, 2009, and signed by Connie J. Klema, Applicant. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the Site Plan shall be subject to review and approval by the Director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

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

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

Legislation Number: 1602-2009

Drafting Date: 11/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the City Auditor to allow the Division of Power and Water's (Power) capital bonds fund to reimburse the operating fund, for labor and equipment costs incurred in the installation of various street lighting projects from June 12, 2009 through October 31, 2009.

FISCAL IMPACT: There is sufficient cash in the 2009 Capital Improvements Budget to contract for this project. However, an amendment to the 2009 Capital Improvements Budget is necessary to establish sufficient authority.

EMERGENCY DESIGNATION: The Department of Public Utilities is requesting City Council to consider this legislation an emergency measure, so that there will be sufficient cash to pay operating expenses through the end of the year.

Title

To authorize the City Auditor to allow the Division of Power and Water's capital bond fund to reimburse the operating fund in the amount of \$103,086.97 for labor and equipment costs incurred in the installation of various street lighting; to amend the 2009 Capital Improvement Budget; and to declare an emergency. (\$103,086.97)

Body

WHEREAS, it is necessary to reimburse the Division of Power and Water (Power) for labor and equipment incurred in the installation of various street lighting projects; and

WHEREAS, the costs from the operating fund are reimbursed through the capital bonds fund; and

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

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer funds from the Voted Street Lighting and Electricity Distribution Improvement Fund to the Power Operating Fund; 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 necessary to reimburse the Power operating fund in an emergency manner for the immediate preservation of public health, peace, property and safety; now therefore,

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

SECTION 1. That the City Auditor's Office hereby authorizes the reimbursement (expenditure) up to an amount not to exceed \$103,086.97, or so much thereof as may be needed, from the Division of Power and Water's Electricity Build America Bonds Fund and the Voted Street Lighting and Distribution Bond Fund to the Power Operating Fund, via internal bill, for labor and equipment costs incurred in the installation of various street lighting projects be and is hereby authorized from Division of Power and Water (Power), Division No. 60-07, Object Level Three 6625, and is to be disbursed as follows:

Fund:	Project Number:	Project Name:	OCA Code:	Amount:
559	670003-100002	Street Lighting Reimbursements		530032
\$103,043.27				
553	670787-100000	Willow Creek St. Light. Impv.		553787
<u>43.70</u>				<u> </u>
				TOTAL
\$103,086.97				

SECTION 2. That the 2009 Capital Improvements Budget is hereby amended as follows:

<u>Fnd</u>	<u>Project No.</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>change</u>
553	670608-100000	(carryover) Distribution System Improvements	\$-0-	\$28,600	+\$28,600
553	670771-100000	(carryover) 69 KV Line Relocation to West Substation	\$0	\$39,933	+\$39,933
553	670784-100000	(carryover) N. High St. Circuit Improvements	\$-0-	\$6,072	+\$6,072
553	670787-100000	(carryover) Willow Creek Street Lighting Improvements	\$1,579	\$14,381	+\$12,802

SECTION 3. 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 4. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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

SECTION 6. That for 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: 1605-2009

Drafting Date: 11/16/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Community Capital Development Corporation (CCDC) has administered the Economic Development Loan Program since 2005. This program includes the Business Development Fund (BDF), the Working Capital Loan Fund (WC) and the Neighborhood Commercial Revitalization Loan Fund. Since 2005 CCDC has closed over 30 loans using City of Columbus loan funds, creating over 100 jobs and leveraging private investment.

The City of Columbus has been allocated \$1,100,000 in Energy Efficiency and Conservation Block Grant Funds (EECBG) from the U.S. Department of Energy for a revolving loan fund for energy efficient construction and renovation to commercial facilities. CCDC will administer the EECBG loans for the City of Columbus in the same manner they administer our CDBG and CDBG-R loans.

This legislation authorizes the expenditure of \$1,100,000 from the General Government Grant Fund for a contract with the Community Capital Development Corporation for the administration of the EECBG funded revolving loan program. The funding for the administration of this loan program and the actual loan funds will remain within the City of Columbus. CCDC will submit monthly requests for funds for administrative costs and will request loan funds on a case-by-case basis upon approval by a loan committee and the City of Columbus.

Emergency action is requested so the Energy Efficiency Revolving Loan Program can be up and running by January 1, 2010. This requires entering into a contract with CCDC and having it approved by the City Attorney and certified by the City Auditor. Thirty day legislation would not allow the program to be in place until February or March 2010. This grant from the U.S. Department of Energy must be spent in a specified time or the City must return the funds.

FISCAL IMPACT: This legislation authorizes the expenditure of \$1,100,000 from the General Government Grant Fund to provide funding for a contract with the Community Capital Development Corporation for the administration of the EECBG revolving loan program. Passage of this legislation is contingent upon prior passage of appropriation ordinance 1511-2009.

Title

To authorize the Director of the Department of Development to enter into a contract with the Community Capital Development Corporation for the administration of the Energy Efficiency and Conservation Block Grant Revolving Loan Program; to authorize the expenditure of \$1,100,000 from the General Government Grant Fund; and to declare an emergency. (\$1,100,000)

Body

WHEREAS, the Community Capital Development Corporation successfully administers the current economic development loan programs funded with CDBG and CDBG-R funds; and

WHEREAS, the City of Columbus has been allocated \$1,100,000 in Energy Efficiency and Conservation Block Grant Funds (EECBG) for a revolving loan fund program for energy efficient construction and renovation to commercial facilities.; and

WHEREAS, the City of Columbus, Department of Development, Economic Development Division wishes to continue the good working relationship with the Community Capital Development Corporation and is desirous of contracting with them for the EECBG Revolving Loan Program; and

WHEREAS, the activities proposed by the Community Capital Development Corporation within this legislation are permitted by the United States Department of Energy pursuant to Title V, Subtitle E of the Energy Independence and Security Act (EISA) of 2007; and

WHEREAS, since its inception in 1981 Community Capital Development Corporation's sole purpose has been to underwrite, service and monitor loans, and can undertake these objectives more efficiently, more accurately and more economically than City staff; and

WHEREAS, the Community Capital Development Corporation will continue to promote the City of Columbus' philosophy of taking informed risk to assist businesses to grow and flourish; and

WHEREAS, the Economic Development loan administrative costs are eligible under EECBG funding guidelines; and

WHEREAS, emergency action is requested so the Energy Efficiency Revolving Loan Program can be up and running by January 1, 2010. This grant from the U.S. Department of Energy must be spent in a specified time or the City must return the funds: and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to authorize the expenditure of said funds for a contract with Community Capital Development Corporation, thereby preserving the public health, peace, property, safety and welfare; **Now, Therefore,**

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into a contract with the Community Capital Development Corporation for the administration of the Energy Efficiency and Conservation Block Grant Revolving Loan Program.

Section 2. That for the purpose stated in Section 1, the expenditure of \$1,100,000 or so much thereof as may be necessary, be and is hereby authorized to be expended from the General Government Grant Fund, Fund 220, Grant No. 459106, Department of Development, Economic Development Division, Division 44-02, Object Level One 03, Object Level Three 3336, OCA Code 499107.

Section 3. That this contract is awarded in accordance with Chapter 329.15 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.

Legislation Number: 1608-2009

Drafting Date: 11/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for Big Walnut Augmentation Rickenbacker Interceptor (BWARI) Lockbourne Intermodal Subtrunk Project.

Fiscal Impact: Funding for this project is from the Department of Public Utilities, Division of Sewerage and Drainage.

Emergency Justification: Emergency action is requested to allow acquisition activities to begin as soon as possible in order to maintain the division project time line.

Title

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Big Walnut Augmentation Rickenbacker Interceptor (BWARI) Lockbourne Intermodal Subtrunk Project, and to declare an emergency.

Body

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Big Walnut Augmentation Rickenbacker Interceptor (BWARI) Lockbourne Intermodal Subtrunk Project, # 650491; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0009X-2008, on the 4th day of February 2008, and Resolution No. 0018X-2009 on 6th day of April, 2009 declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

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

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

Section 1. That construction and permanent easements in and to the following described real property, be appropriated for the public purpose of the Big Walnut Augmentation Rickenbacker Interceptor (BWARI) Lockbourne Intermodal Subtrunk Project, #650491, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL 5A
PERMANENT SANITARY SEWER EASEMENT
BELOW ELEVATION 682.00 FEET (NAVD88)
0.135 ACRE
across the lands of
VILLAGE OF LOCKBOURNE
for the
CITY OF COLUMBUS LOCKBOURNE INTERMODAL SUBTRUNK
C.I.P. 650491.2

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being on, over, and across that 7.6128 acre tract conveyed to the Village of Lockbourne by deed of record in Official Record 6800J08 (all references refer to the records of the Recorder's Officer, Franklin County, Ohio) and described as follows:

BEGINNING at the northwesterly corner of that 0.108-acre tract conveyed to Troy M. Brenton by deed of record in instrument Number 200703290054302, being on the southerly line of said 7.6128-acre tract;

thence South 55°33'23" West, with the southerly line of said 7.6128-acre tract, a distance of 19.67 feet to a point on a curve to the left;

thence across said 7.6128-acre tract, with the arc of said curve, having a central angle of 04°48'24", a radius of 1170.00 feet, an arc length of 98.16 feet, a chord bearing and distance of North 17°22'32" West, 98.13 feet to a point on the southerly line of that 249.67-acre tract conveyed to Pickaway Properties, LLC by deed of record in Instrument Number 200712110212437;

thence North 55°50'35" East, with said southerly line, a distance of 61.84 feet to a point on a curve to the right.

Thence across said 7.6128-acre tract with the arc of said curve, having a central angle of 04°32'13", a radius of 1230.00 feet, an arc length of 97.40 feet, a chord bearing and distance of South 18°13'33" East, 97.37 feet to a point on the northerly line of said 0.108-acre tract;

Thence South 55°33'23" West, with said northerly line, a distance of 43.77 feet to the POINT OF BEGINNING and containing 0.135- acre of land, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71°52'56" W. Distances shown hereon are ground distances.

The perpetual sub-surface easement rights (Parcel No. 5A) granted herein are "exclusive" as to all except any previously granted rights of record. Grant/Defendant, his heirs, executors, administrators and assigns, shall not in any way, shape or form enter, encroach, infringe, or penetrate into three dimensional perpetual easement described below as Parcel 5A, and Grantor/Defendant, his heirs, executors, administrators, and assigns, shall not cause or allow any pressure exceeding 3,300 pounds per square foot to be exerted upon the top of the tunnel.

PARCEL 5B-P

Situated in the State of Ohio, County of Franklin, Township of Hamilton, located in Section 10, Township 3, Range 22, Matthews Survey of Congress Lands East of the Scioto, being on, over, and across that 0.066 acre tract conveyed to Village of Lockbourne by deed of record in Deed Book 3059, Page 87 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

BEGINNING in the westerly right-of-way line of Lockbourne Road, at a common corner of said 0.066 acre tract and the 25.00 acre tract conveyed to Doersam Properties, Ltd. by deed of record in Instrument Number 199905110119153;

thence North 03° 35' 07" East, with the line common to said 0.066 and 25.00 acre tracts, a distance of 231.57 feet to a point;

thence with a curve to the right, having a central angle of 02° 01' 42", a radius of 1230.00 feet, an arc length of 43.55 feet, a chord bearing and distance of South 09° 41' 30" East, 43.54 feet, across said 0.066 acre tract, to a point in the westerly right-of-way line of a 33 foot alley;

thence South 03° 35' 07" West, with said westerly right-of-way line, a distance of 181.52 feet to a point in the westerly right-of-way line of said Lockbourne Road;

thence South 56° 05' 07" West, with the westerly right-of-way line of said Lockbourne Road, a distance of 12.60 feet to the POINT OF BEGINNING and containing 0.048 acre of land, more or less.

The bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse, which was referenced to said coordinate system by GPS observations of Franklin County Geodetic Survey Monuments, Smith and FCGS 9926. The grid bearing between said monuments being N 71° 52' 56" W. Distances shown hereon are ground distances. EVANS, MECHWART, HAMBLETON, & TILTON, INC. James M. Pearsall, Registered Surveyor No. 7840

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

Section 3. That the Council of the City of Columbus hereby fixes the value of said fee simple title and lesser

interests as follows:

1. 5A; 5B \$550.00

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

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

Legislation Number: 1611-2009

Drafting Date: 11/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. BACKGROUND

The Department of Public Service employs personnel that are engaged in traffic sign and signal installation, permanent pavement marking, and roadway improvement design and construction expenses. Project costs incurred by the operating fund are salaries, overhead, overtime, materials and other direct costs. These personnel and project expenses are budgeted within and paid from the division's operating fund, the Street Construction, Maintenance and Repair Fund. These costs can be capitalized. Doing so is consistent with earlier efforts by the Division to reimburse its operating fund when the operating fund incurred expenses more appropriate to capital improvement funding.

This ordinance authorizes the expenditure of \$1,300,000.00 or so much thereof as may be necessary for this purpose.

2. FISCAL IMPACT

Fiscal Impact: This expenditure is budgeted and available within the Division of Planning and Operation's Fund 746, the Gov'l Build America Bonds (B.A.B.s) Fund. The 2009 revenue estimate for the Street Construction, Maintenance and Repair Fund reflects and assumes this revenue.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow the reimbursement of these operating expenses at the earliest possible time to make the Street Construction Maintenance Repair Fund whole.

TitleTo authorize the Director of Public Service to expend \$1,300,000.00 or so much thereof as may be necessary to reimburse the Street Construction, Maintenance and Repair Fund for traffic sign and signal installation, permanent pavement marking, roadway improvement design and construction expenses, salaries, overhead, overtime, materials and other direct costs incurred by the Fund in connection with the Division of Planning and Operations' capital improvements program in 2009; and to authorize the expenditure of \$1,300,000.00 from the Gov'l Build America Bonds (B.A.B.s) Fund for the of Division of Planning and Operations; and to declare an emergency. (\$1,300,000.00)

Body**WHEREAS**, the Department of Public Service employs personnel that are engaged in traffic sign and signal installation, permanent pavement marking activity, and roadway improvement design and construction activities and incurs various salary and material expenses within its operating fund associated with capital projects; and

WHEREAS, these costs can be capitalized; and

WHEREAS, the 2009 revenue estimate for the Street Construction, Maintenance and Repair Fund reflects and assumes

this revenue; and

WHEREAS, it is necessary to authorize this expenditure in order to provide adequate operating resources for the Division of Planning and Operations;

WHEREAS, an emergency exists in the usual daily operation of the Division of Planning and Operations in that this reimbursement should be authorized to provide reimbursement to the Street Construction Maintenance and Repair Fund at the earliest possible time and make this fund whole, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the Director of Public Service be and hereby is authorized to expend \$1,300,000.00 or so much thereof as may be necessary from Fund 746, the Gov'l Build America Bonds (B.A.B.s) Fund to reimburse the Street Construction, Maintenance and Repair Fund for traffic sign and signal installation, permanent pavement marking, roadway improvement design and construction expenses, salaries, overhead, overtime, materials and other direct cost expenses incurred in connection with the Division of Planning and Operations, Dept.-Div., 59-11, capital improvements program as follows.

Fund/ Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount
746 / 530161-100013 / Roadway Improvements-SCMRF Reimbursement / 06-6631 / 531613 / \$1,300,000.00

Section 2. 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 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: 1612-2009

Drafting Date: 11/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND:

On September 6, 2005 a Request for Proposal (RFP) for various banking services was issued by the Columbus City Treasurer's Office. Proposals were received from six (6) local banks and subsequently reviewed by the Columbus Depository Commission, which recommended, subject to the approval of City Council, the award of banking services to specific banks on December 2, 2005. All such banks are currently eligible depositories of the City of Columbus, pursuant to Chapter 321.04 of the Columbus City Code. Approval is based upon Applications for the Deposit of Public Funds, which were submitted by each bank and approved at a meeting of the Columbus Depository Commission held on December 23, 2008. The contracts are for a period of seven (7) years starting March 1, 2006 through February 28, 2013 subject to annual appropriations and approval of contracts by the Columbus City Council.

Ordinance number 0222-2009, passed by Columbus City Council on February 23, 2009, authorized the City Treasurer to enter into the fourth year of a seven year contract for banking services for the period of March 1, 2009 through February 28, 2010. The City Treasurer's Office wishes to modify its contracts for banking services to add funds to its contracts as follows:

Fifth Third Bank -- Investment Safekeeping Account -- \$5,000

JP Morgan Chase Bank -- Payroll Account and Main Operating Account -- \$92,000
Huntington National Bank - Operating Account -- \$5,300

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:

Funding for this modification is available within the City Treasurer's 2009 budget appropriations. The expenditures reflected in this ordinance are consistent with the Department of Finance and Management's third quarter review.

Contract Compliance: JP Morgan Chase Bank, 134994650, expiration 9/10/2010; Fifth Third Bank, 310740333, expiration 11/5/2010; Huntington National Bank, 113328074, expiration 3/17/2011 and 310966785, expiration 9/15/2011

Title

To authorize the City Treasurer to modify contracts for various banking services; to authorize the expenditure of up to \$102,300 from the General Fund; and to declare an emergency. (\$102,300.00)

Body

WHEREAS, the City Treasurer awarded various contracts for the provision of banking services as provided for in a Request for Proposal issued on September 6, 2005 and for which approval for banking services was approved by the Columbus Depository Commission at a meeting held on December 2, 2005; and

WHEREAS, ordinance 0222-2009, passed by Columbus City Council on February 23, 2009, authorized the City Treasurer to modify and extend its contracts for banking services; and

WHEREAS, the City Treasurer wishes to modify its contracts for banking services to increase the funding for those services and authorize the related expenditures; and

WHEREAS, an emergency exists in the usual daily operation of various City divisions, as it is immediately necessary to modify the contracts and authorize the expenditures as cited below, providing banking services necessary for the daily operation of normal business activities of the City of Columbus 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 is hereby authorized to modify the contracts with JP Morgan Chase Bank for the provision of the main operating account (for the City Treasurer and the Department of Public Utilities) and the payroll account of the City of Columbus within the guidelines set forth in the original bid document with a contract ending date of February 28, 2010 and to authorize the expenditure of \$92,000.00 or as much thereof as may be necessary as follows:

Division: 2301 | Fund: 010 | OCA: 230227 | Object level one: 03 | Object level three code: 3348 | Amount: \$92,000.00 | City Treasurer

SECTION 2. That the City Treasurer is hereby authorized to modify the contract with Fifth Third Bank for the provision of the Investment Safekeeping Account of the City of Columbus within the guidelines set forth in the original bid document with a contract ending date of February 28, 2010 and to authorize the expenditure of \$5,000.00 or as much thereof as may be necessary as follows:

Division: 2301 | Fund: 010 | OCA: 230227 | Object level one: 03 | Object level three code: 3348 | Amount: \$5,000.00 | City Treasurer

SECTION 3. That the City Treasurer is hereby authorized to modify its contract with the Huntington National Bank for the provision of banking services for the period March 1, 2009 through February 28, 2010, and to authorize the

expenditure of up to \$5,300, or so much thereof as may be necessary, as follows:

Division: 2301 | Fund: 010 | OCA: 230227 | Object level one: 03 | Object level three code: 3348 | Amount: \$5,300.00 |
City Treasurer

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

Legislation Number: 1613-2009

Drafting Date: 11/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

ExplanationBACKGROUND: For the option to establish a UTC contract to purchase Screw Conveyor Parts for the Division of Sewerage and Drainage, the sole user, in accordance with sole source provisions. These replacement parts will be utilized by the Jackson Pike and Southerly Wastewater Treatment Plants for repairs of the system used in the dewatering process to transport bio-solids. The sole source, ML Separation & Conveying, is the owner of the parts drawings and do not sell the drawings nor do they sell to a third party for resale. The term of the proposed option contract would be approximately two (2) years, expiring December 31, 2011, with the option to renew for one (1) additional year.

The Purchasing Office has received a completed bid document:

ML Separation & Conveying, Inc., MAJ, CC# 99-9999992 expires 8/06/2010, \$1.00
Total Estimated Annual Expenditure: \$150,000.00, Division of Sewerage and Drainage, the sole user

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.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed. The Division of Sewerage and Drainage intends to purchase from this pending contract yet this year.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund Account. City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into a contract for the option to purchase Screw Conveyor Parts with ML Separation & Conveying, Inc., in accordance with sole source provisions; to authorize the expenditure of \$1.00 to establish the contract from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Division of Sewerage and Drainage is in need of parts for the existing Spaans Babcock OEM Full Flygt Screw Conveyors at the Jackson Pike and Southerly Wastewater Treatment Plant; and,

WHEREAS, ML Separation & Conveying, Inc. is the sole source for these parts; and,

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, in order to maintain a supply of Screw Conveyor Parts, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into a contract for an option to purchase Screw Conveyor Parts, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contract for the option to purchase Sludge Conveyor Parts in accordance with Solicitation No. SA003324 for a term of approximately two (2) years, expiring December 31, 2011, with the option to renew for one (1) additional year, as follows:

ML Separation & Conveying, Inc., All Items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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 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: 1614-2009

Drafting Date: 11/17/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Rezoning Application Z09-027

APPLICANT: B&I Group LLC; c/o Laura MacGregor Comek, Atty.; Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200; Columbus, Ohio 43215.

PROPOSED USE: Self-storage facility or limited commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (4-1) on November 12, 2009.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-M, Limited Manufacturing District will allow a self storage facility with accessory truck rental or C-2 commercial development. The limitation text commits to a site plan and includes development standards that address use restrictions, landscaping, buffering, screening, exterior building materials, and lighting controls. The proposal includes bicycle parking to address Columbus Healthy Places comments and contains restrictions for the maximum number and parking location of rental trucks. The requested L-M, Limited Manufacturing District, with the proposed limitations, provides a transition from the commercial uses along Cleveland Avenue and the multi-family residential development to the south and west. The limitations prohibiting doors from facing the adjacent residences along with the extensive buffering and screening along the property lines will ensure that the proposal is compatible with the surrounding development. The request is consistent with similar requests for self-storage facilities adjacent to residential developments.

Title

To rezone **1250 BRADY DRIVE (43231)**, being 1.82± acres located on the east side of Brady Drive, 426± feet south of Hampstead Drive, **From:** L-AR-12, Limited Apartment Residential, and C-2, Commercial Districts, **To:** L-M, Limited Manufacturing District (Rezoning # Z09-027).

Body

WHEREAS, application #Z09-027 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.82± acres from L-AR-12, Limited Apartment Residential, and C-2, Commercial Districts, to L-M, Limited Manufacturing District; and

WHEREAS, the Columbus Public Health Healthy Places program reviews applications for active living features and recognizes that this development has bike racks for customers or employees that ride their bike by choice or because of limited alternatives; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested L-M, Limited Manufacturing District, with the proposed limitations, provides a transition from the commercial uses along Cleveland Avenue and the multi-family residential development to the south and west. The limitations prohibiting doors from facing the adjacent residences along with the extensive buffering and screening along the property lines will ensure that the proposal is compatible with the surrounding development. The request is consistent with similar requests for self-storage facilities adjacent to residential developments, now, therefore:

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

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

1250 BRADY DRIVE (43231), being 1.82± acres located on the east side of Brady Drive, 426± feet south of Hampstead Drive, and being more particularly described as follows:

Tract 1

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter township 4, Township 2, Range 18, United States Military Lands containing 1.714 acres of land, more or less, said 1.714 acres being part of that 3.763 acres tract referred to as PARCEL 1, and part of that 3.764 acre tract, referred to as PARCEL 2, both being described in the Certificate of Transfer to Ines Lusignolo et al (6) of record in Deed Book 3094, Page 446, Recorder's Office, Franklin County, Ohio, said 1.714 acres being more particularly described as follows:

Beginning, for reference, at a point in the centerline of Cleveland Avenue, as the same is shown and delineated upon the recorded plat of Street Dedication Plat for Cleveland Avenue and Brady Drive, of record in Plat Book 62, Page 68, Recorder's Office, Franklin County, Ohio, said point being the southeasterly corner of said PARCEL 1, said reference point also being in the northeasterly corner of that 8.350 acre tract of land described in the deed to Winthrop Court Apartments of Columbus, Ltd., of record in Official Record 05151C09, Recorder's Office, Franklin County, Ohio, thence N-86° 44' 52"W, with the southerly line of said PARCEL 1 and with the northerly line of said 8.350 acre tract, a distance of 439.51 feet to a 3/4 inch (I.D.) iron pipe at the true point of beginning;

Thence from said true point of beginning N-86° 44' 52" W, with the southerly line of said PARCEL 1 and with the northerly line of said 8.350 acre tract, a distance of 478.15 feet to a 3/4-inch (I.D.) iron pipe at the northeasterly corner of Brady Drive, as the same is shown and delineated upon the said recorded plat of Street Dedication Plat for Cleveland Avenue and Brady Drive;

Thence northwardly, with the arc of a curve to the right, having a radius of 575.00 feet, a central angle of 5° 21' 84" and a chord that bears N-18° 28' 19" W, a chord distance of 53.82 feet to a 3/4-inch (I.D.) iron pipe;

Thence S-86° 44' 52" E, parallel with and 50.00 feet northerly from as measured at right angles, the southerly line of said PARCEL 1, the same being the northerly line of said 8.350 acre tract, a distance of 223.32 feet to a 3/4-inch (I.D.) iron pipe;

Thence N-3° 32' 40" E, crossing said PARCEL 1 and PARCEL 2, a distance of 183.29 feet to a 3/4-inch (I.D.) iron pipe in the northerly line of said PARCEL 2, the same being the southerly line of that 3.765 acre tract of land described in the deed to Northland Masonic Temple Corporation, of record in Deed Book 3169, Page 75, Recorder's Office, Franklin County, Ohio;

Thence S-86° 27' 20" E, with the northerly line of said PARCEL 2 and with the southerly line of said 3.765 acre tract, a distance of 275.00 feet to a 3/4-inch (I.D.) iron pipe;

Thence S-3° 32' 40" W, crossing said PARCEL 2 and PARCEL 1, a distance of 231.69 feet to the true point of beginning and containing 1.714 acres of land, more or less;

Subject to all rights-of-way, easements, legal highways and restrictions, if any, of previous record,

The bearings referred to in the above description were based on an assumed meridian.

To Rezone From: L-AR-12, Limited Apartment Residential, and C-2, Commercial Districts

To: L-M, Limited Manufacturing District

Tract 2

Situated in the State of Ohio, Franklin County, City of Columbus, being part of Quarter Township 4, Township 2, Range 18, United States Military Lands. Being part of a 1.696 acre tract conveyed to B&I Group, LLC, recorded in Instrument Number 200812110178483 of the Franklin County Recorder's Office, being more particularly described as follows:

Commencing at a point in the centerline of Cleveland Avenue as shown on the STREET DEDICATION PLAT FOR CLEVELAND AVENUE AND BRADY DRIVE as shown in Plat Book 62, Page 68 of the Franklin County Recorder's Office, said point being the northeasterly corner of an original 8.350 acre tract conveyed to Winthrop Court Apartments of Columbus, Ltd., recorded in Official Record 05151 Page C09;

Thence, North 86°44'52" West along the northerly line of said 8.350 acre Winthrop Court Apartments of Ohio, Ltd. tract for a distance of 439.51 feet to a 5/8" rebar found with Lee Surveying cap at the southwest corner of the above referenced 1.696 acre B&I Group, LLC tract;

Thence, North 03°34'32" East along the westerly line of said 1.696 acre B&I Group, LLC tract, the easterly line of a 1.714 acre tract conveyed to B&I Group, LLC, recorded in Instrument Number 200812110178483 for a distance of 148.23 feet to a 3/4" iron pipe set at the TRUE POINT of BEGINNING for the herein described tract:

Thence, North 03°34'32" East continuing along the above referenced line for a distance of 83.68 feet to a 5/8" rebar found with Lee Surveying cap on the south line of an original 3.765 acre tract conveyed to the Northland Masonic Temple Corporation (Deed Volume 3169, Page 75), currently listed as 1.765 acres by Franklin County Auditor's Records and being the northwest corner of the above referenced 1.696 acre B&I Group, LLC tract;

Thence, South 86°27'36" East along the south line of said current 1.765 acre Northland Masonic Temple Corporation tract, the north line of said 1.696 acre B&I Group, LLC tract for a distance of 56.83 feet to a 3/4" iron pipe set;

Thence, South 03°32'24" West into said 1.696 acre B&I Group, LLC tract for a distance of 83.71 feet to a 3/4" iron pipe set;

Thence, North 86°25'28" West for a distance of 56.88 feet to the TRUE POINT of BEGINNING.

Containing 0.109 acres, more or less together with and subject to covenants, easements, and restrictions of record. All iron pipes set are 3/4" iron pipe being 30" inches in length with plastic cap inscribed "Sands Decker".

Bearings are based on the south line of the B&I Group, LLC 1.696 acre tract as North 86°44'52" West as referenced in Instrument Number 200812110178483 of the Franklin County Recorder's Office, of which the above described acreage is a part of.

This description is based on an actual field survey performed by Sands Decker CPS, LLC in August 2009.

To Rezone From: C-2, Commercial District

To: L-M, Limited Manufacturing District

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

SECTION 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said plan being titled, "**CLEVELAND AVENUE SELF STORAGE**," said text being titled, "**DEVELOPMENT TEXT**," both signed by Laura MacGregor Comek, Attorney for the Applicant, dated November 5, 2009, and the text reading as follows:

Development Text
L-M, Limited Manufacturing
1250 Brady Drive
1.823± Acres

Existing District: C-2, Commercial District; L-AR-12, Limited Apartment Residential District.

Proposed District: LM, Limited Manufacturing

Property Address: 1250 Brady Drive

Owner: B&I Group, LLC, 5612 Windwood Drive, Dublin, Ohio 43017

Owner/Applicant: B&I Group, LLC, 5869 Cleveland Avenue, Columbus, Ohio 43231, c/o Laura MacGregor Comek, Esq., CRABBE, BROWN & JAMES, LLP, 500 S. Front Street, Suite 1200, Columbus, Ohio 43215
<::ODMA\GRPWISE\CBJPS.Columbus.CBJPS_Library:357824.1?|x?>.

Date of Text: November 5, 2009

Zoning Application No.: Z09-027

INTRODUCTION: The subject property ("Site") consists of 1.823± acres situated between Brady Drive and Cleveland Avenue, and generally located between S.R. 161 and Morse Road, south of Hampstead Drive. The Site is zoned C-2 (Z85-026), and represents a residual vacant tract surrounded by development of various types. The access strip to the site from Brady Drive is zoned L-AR-12. The Site is immediately surrounded by such uses as offices, a church, and multi-family development.

The proposed rezoning for this Site contemplates a self-storage unit business, to the rear of the Owner's existing office

building fronting Cleveland Avenue. Although the proposed use is commercial in nature, the storage aspect of the business requires a rezoning to the M, Manufacturing district. This Development Text includes standards intended to maximize the compatibility of the development with that of the surrounding uses.

The Site is located within the boundaries of the Northland Community Council and the Northland Plan, Volume I.

1. PERMITTED USES

Self-storage units (per C.C.C. §3363.01 - M, Manufacturing District) with accessory truck rentals (per C.C.C. §3356.03 - C-4 District); and all uses per §3353.03 - C-2, Office Commercial District.

2. DEVELOPMENT STANDARDS

Unless otherwise indicated herein, the applicable development standards shall be those standards contained in Chapter 3363 (M, Manufacturing District) of the Columbus City Code.

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

1. Building Setbacks: The minimum building setback from the property's west property line (exclusive of the access drive) shall be 25 feet.
2. Parking, and Maneuvering Setback: The minimum paving setback shall be fifteen (15) feet from the north, west and south property lines, and five (5) feet from the east property line, where the site abuts the rear of the Owner's existing office development. The parking of commercial trucks (i.e., moving trucks), shall be prohibited within the front building setback, and the use of said trucks for advertising purposes is strictly prohibited.
3. Lot coverage shall not exceed eight (80%) percent.

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

1. Any and all traffic-related commitments shall be designated and located to the specifications of the City of Columbus Planning and Operations Division.
2. As shown on the submitted site plan, a maximum of five (5) rental trucks may be utilized and must be parked in the designated spaces at the rear of the site, as shown on the site plan.

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

1. Any parking areas oriented to the street frontage shall have headlight screening parallel to the frontage with a minimum height of 30 inches as measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earthen mounding or wall.
2. A buffer shall be provided along all property lines, and specifically where the Site abuts residentially-zoned property.
 - a). Along the north, west and south property lines, a minimum 6-foot high wood board-on-board fence shall be provided, with trees/landscaping to be located between the property line and the fence to soften the view from adjacent properties.
 - b). The Applicant shall, to the extent possible, maintain existing trees along the north and west property lines but, where removed, trees shall be replaced with deciduous trees planted 15 feet on center as depicted on the submitted site plan. In any event, a minimum 5-foot high, 75% opaque screening treatment shall be provided within the setback, in the form of existing trees, a privacy fence, deciduous trees planted 15 feet on center, or any combination thereof.
 - c). The existing chain link fence along the east property line where the Site abuts an office development may remain.
3. Size of trees. Minimum caliper size as the time of planting shall be 2 inches for deciduous, 1.5 inches for ornamental, and a minimum 5-foot tree height for evergreens. Frontage trees shall be a minimum three inches in diameter. Caliper shall be measured at six (6) inches above grade.
4. All trees and landscaping shall be well maintained. Dead items shall be replaced within six (6) months or the next

planting season, whichever occurs first.

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

1. If a self-storage unit business is developed, roofs shall be pitched/sloped and shall be finished with one of the following materials: dimensional asphalt shingles, slate, or composite slate, aluminum shingles or standing seam. Pitched, mansard roofs shall be permitted. If a C-2 use is developed, flat roofs are permitted.-
2. If a self-storage unit business is developed, the Developer shall utilize neutral, earth tone colors such as beiges, tans, dark greens or browns, for exterior building materials to maximize the development's cohesiveness with the adjacent multi-family residential property.
3. Building exteriors may be constructed of no more than three (3) building material types, excluding roof and window materials. Minor accenting of structures through the use of a fourth building material shall be permitted.
4. Rooftop mechanical equipment shall be screened from view by the same material used on the building roof or exterior, and shall be of the same or similar color. Ground-level mechanicals and equipment shall be fully screened from view by a wall, fence or landscape materials, or a combination thereof. Such screening shall match or complement the character of the building.
5. Building illumination shall be permitted, provided such light source is concealed. No colored light shall be used to illuminate the exterior of the building.
6. In the event a self-storage business is developed, the storage unit buildings shall be situated so that the individual storage doors face the interior of the site.

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

1. Dumpsters shall be screened from view by structures and/or landscaping to a minimum height of 6 feet. Deposited refuse should not be visible from outside the refuse enclosure, which shall be screened on all four (4) sides.
2. All surface lot or ground-mounted lighting shall use fully shielded cutoff fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.
3. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
4. Light poles in the parking lot areas shall not exceed eighteen (18) feet in height. All light poles and standards shall be dark brown, bronze, or black.

F. Graphics and Signage Commitments.

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-2 Office District. Any variance to the applicable requirements of the C-2 district shall be submitted to the Columbus Graphics Commission.
2. No billboards shall be permitted.

G. Miscellaneous Commitments.

1. Key-code access into the site shall be limited to the hours of 6:00 a.m. to 10:00 p.m., 7 days a week.
2. Approximately 0.022± acres of the site (the access drive area) is currently zoned L-AR-12, while the balance of the site is zoned C-2. As such, a monetary contribution shall be made to the City of Columbus per the Parkland Dedication provisions of C.C.C. §3318.13, for the 0.022± acres zoned L-AR-12, as calculated at a rate of \$400.00 per acre. Said contribution shall be made at the time of final plan approval and based upon verified engineering calculation.

3. The subject Site shall be developed in accordance with the submitted Site Plan. The buildings and parking as shown only apply if the site is developed with the self-storage business use. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time the development and engineering plans are completed. Any slight adjustments to the plan are subject to approval by the director of the Department of Development, or his designee, upon submission of the appropriate data regarding the proposed adjustment.

4. The Applicant has agreed to place a bike rack on site.

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

Legislation Number: 1616-2009

Drafting Date: 11/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation This ordinance authorizes and directs the City Auditor to transfer \$1,554,930.00 from Public Safety's Governmental Build American Bond Funds to the Central Ohio Data Sharing Grant Fund. The Division of Police was awarded \$4,664,790.00 through the FY 2007 COPS Technology Program to improve data information-sharing and enhance voice interoperability with regional, state and federal partners, by purchasing radios, mobile data computer laptops and mugshot equipment. As part of this award, the City was required to provide twenty-five percent matching funds of \$1,554,930.00 for a total project allocation of \$6,219,720.00. This match was authorized and budgeted in the City's 2008 Capital Improvement Budget. Bonds were sold for this project and funds are available to be transferred to meet the City's obligation of twenty-five percent match.

EMERGENCY ACTION is requested because funds are now available from the City's recent bond sale and the City Auditor needs to eliminate the deficit reflected in the Central Ohio Data Sharing Initiative Grant Fund before the end of the year.

FISCAL IMPACT: This ordinance authorizes a transfer of \$1,554,930 from the Public Safety Governmental Build American Bond funds to the Central Ohio Data Sharing Grant Fund. A negative balance of \$1,122,170.00 is currently reflected in the Grant Fund. This negative balance is the City's required twenty-five percent match of all purchases that have been made so far. Although the match was budgeted at \$1,555,000.00, the actual amount purchased in equipment is \$1,554,930.00

Title To authorize and direct the City Auditor to transfer \$1,554,930.00 from Public Safety's Governmental Build American Bond Funds to the Central Ohio Data Sharing Grant Fund to meet the City's twenty-five percent Grant Fund match needed for the purchase of police communication and mug shot equipment for Central Ohio Public Safety Agencies; and to declare an emergency. (\$1,554,930.00)

Body **WHEREAS**, the Division of Police was awarded funding through a FY2007 COPS Technology Program Grant from the U.S. Department of Justice, Office of Community Oriented Policing Services for technology to improve data information-sharing and enhance voice interoperability with regional, state and federal partners; and

WHEREAS, the Grant award of \$4,664,790.00 requires a city twenty-five percent match of \$1,554,930.00 for a total project amount of \$6,219,720.00 including the match; and

WHEREAS, the match was made available through recent bond sales by the city and needs transferred to the Central Ohio Data Sharing Grant Fund account for the City's share of the project; 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 authorize the transfer of funds to eliminate the deficit created in the Grant Fund before

the end of the year, for the preservation of the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the City Auditor is hereby authorized to transfer \$1,554,930.00 **FROM** the Governmental Build American Fund 746| Project Name: COPS Technology Program| Project Number: 320001-100005| OCA Code: 710001| Obj Level 3:6600

TO

Governmental American Fund 746|Project Name:COPS Technology Program|Project Number: 320001-100005| OCA Code: 710001| Obj Level 3:5501

FROM

Governmental American Fund 746|Project Name:COPS Technology Program|Project Number: 320001-100005| OCA Code: 710001| Obj Level 3:5501.

TO

Division: 30-03|Fund 220|OCA Code:337040|Grant Number:337040| Amount: \$1,554,930.00

SECTION 2. That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred in Section 1 above.

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

Legislation Number: 1617-2009

Drafting Date: 11/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Light Duty Trucks for the City of Columbus. Light Duty Trucks are used in various City agencies.

The term of the proposed option contract would be from the date of execution by the City up to and including September 30, 2010 or manufacturer's build-out date. The Purchasing Office opened formal bids on October 29, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA003416). Forty Five (45) bids were solicited; Five (5) bids were received. Bid specifications for eleven different types of light duty trucks included options for hybrid, flexible fuel capability, and compressed natural gas (CNG), diesel engine, and propane conversion to meet the City's Environmental Code.

The recommendation for award includes three awards which include environmentally preferred options. The three awards are flexible fuel capability options (Ford E150, Ford E250, Ford E350, Ford Ranger, and Ford F150), hybrid two wheel drive and hybrid four wheel drive (Chevrolet Silverado), and diesel engine (Ford F250, Ford F350, and Ford F450).

No responsive bids were received for 1/2 Ton Cargo Van, 3/4 Ton Cargo Van, 1 Ton Cargo Van and Full Size Passenger Van that operate on hybrid, compressed natural gas capability (CNG), diesel engine, or propane conversion; no responsive bids were received for Compact 1/2 Ton Pick-up and Light Duty Cargo Van that operate on hybrid, flexible fuel capability,

compressed natural gas capability (CNG), diesel engine, or propane conversion; no responsive bids were received for 1/2 Ton Full Size Pick-up that operate on compressed natural gas capability (CNG), diesel engine, or propane conversion; no responsive bids were received for 3/4 Ton Full Size Pick-up, 1 Ton Full Size Pick-up, 1 Ton Cab & Chassis, and Heavy Duty 1 Ton Cab & Chassis that operate on hybrid two wheel drive, hybrid four wheel drive, flexible fuel capability, compressed natural gas capability (CNG), or propane conversion.

The Purchasing Office is recommending award of contracts to the lowest, responsive, responsible and best bidders:

Item 1:

1/2 Ton Cargo Van/Ford E150 - Ricart Properties Inc. dba Ricart Ford CC# 311282546 (Expires 10-23-10)

Item 2:

3/4 Ton Cargo Van/Ford E250 - Ricart Properties Inc. dba Ricart Ford CC#311282546 (Expires 10-23-10)

Item 3:

1 Ton Cargo Van/Ford E350 - Ricart Properties Inc. dba Ricart Ford CC#311282546 (Expires 10-23-10)

Item 4:

Compact 1/2 Ton Pick-up/Ford Ranger - Ricart Properties Inc. dba Ricart Ford CC#311282546 (Expires 10-23-10)

Item 5:

1/2 Ton Full Size Pick-up/Ford 150 - (Primary with Flexible Fuel Capability) Ricart Properties Inc. dba Ricart Ford CC#311282546 (Expires 10-23-10)

1/2 Ton Full Size Pick-up/Chevrolet Silverado - (Primary with Hybrid Two Wheel Drive and Hybrid Four Wheel Drive) - White-Allen Chevrolet CC#314446316 (Expires 11-19-2011)

Item 6:

3/4 Ton Full Size Pick-up/Ford F250 - 32 Ford Mercury, Inc. CC#311285506 (Expires 10-14-10)

Item 7:

1 Ton Full Size Pick-up/Ford F350 - 32 Ford Mercury, Inc. CC#311285506 (Expires 10-14-10)

Item 8:

1 Ton Cab & Chassis/Ford F350 - 32 Ford Mercury, Inc. CC#311285506 (Expires 10-14-10)

Item 9:

Heavy Duty 1 Ton Cab & Chassis/Ford F450 - 32 Ford Mercury, Inc. CC#311285506 (Expires 10-14-10)

Item 10:

Full Size Passenger Van/Ford E150 - Ricart Properties Inc. dba Ricart Ford CC#311282546 (Expires 10-23-10)

Item 11:

Light Duty Cargo Van/Ford Transit Connect - Ricart Properties Inc. dba Ricart Ford CC#311282546 (Expires 10-23-10)

Total Estimated Annual Expenditure: \$4,000,000.00

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. City

Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance and Management Director to enter into three (3) contracts for the option to purchase Light Duty Trucks with Ricart Properties Inc. dba Ricart Ford, White Allen Chevrolet, Inc., and 32 Ford Mercury, Inc., to authorize the expenditure of three (3) dollars to establish the contracts from the Mail, Print Services, and UTC Fund. (\$3.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 29, 2009 seeking environmental options and selected the lowest, responsive, responsible and best bids; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) purchasing environmentally preferred materials, supplies and equipment; and 4) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, these Light Duty Trucks will replace older, high maintenance units used in the daily operations of City Agencies, this is being submitted for consideration as an emergency measure; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for an option to purchase Light Duty Trucks in accordance with SA003416 thru September 30, 2010 as follows:

Ricart Properties Inc. dba Ricart Ford, Items 5 (Primary with Flexible Fuel Capability), Items 1, 2, 3, 4, 10, and 11: Amount: \$1.00

White Allen Chevrolet Inc., Item 5 (Primary with Hybrid 2 wheel drive and Hybrid 4 wheel drive): Amount: \$1.00

32 Ford Mercury, Inc., Items 6, 7, 8, and 9: Amount: \$1.00

SECTION 2. That the expenditure of \$3.00 is hereby authorized from the Mail, Print Services, and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2140, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 1618-2009

Drafting Date: 11/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes the Director of the Department of Development to modify contract EL009067 with the Northland Alliance, Inc. by extending the contract termination date from December 31, 2009 to December 31, 2010, by changing the Scope of Services, and by modifying the contract budget.

The funding for the Northland Alliance Inc. is for administrative costs associated with the creation of a Special Improvement District (SID) and for grass cutting along the Route 161 Corridor. Since its inception in early 2001, Northland Alliance, Inc. has been cooperatively working with the City of Columbus on revitalization efforts. The group

has been aggressively working on the creation of a Special Improvement District (SID) along the Route 161 Corridor, but with the down turn in the economy those efforts have temporarily been put on hold.

The Northland Alliance, Inc. desires to continue the revitalization efforts along the Route 161 Corridor despite not moving forward with the SID. The remaining funds will continue to be used for grass cutting services in 2010 and revitalization efforts in the Route 161 (East Dublin Granville Road) business corridor in the Northland area.

Emergency action is requested in order to amend the current contract before the expiration date of December 31, 2009.

FISCAL IMPACT: No additional funds are needed for this modification.

Title

To authorize the Director of the Department of Development to amend the agreement with the Northland Alliance Inc. by extending the expiration date of the agreement to December 31, 2010, by changing the Scope of Services and by modifying the contract budget; and to declare an emergency.

Body

WHEREAS, the Director of the Department of Development desires to modify Contract EL009067 with Northland Alliance Inc. by extending the term of the contract from December 31, 2009 to December 31, 2010; and

WHEREAS, the Director of the Department of Development desires to modify Contract EL009067 with Northland Alliance Inc. by changing the Scope of Services to reflect new revitalization efforts in 2010.; and

WHEREAS, the Director of the Department of Development desires to modify Contract EL009067 with Northland Alliance Inc. by modifying the contract budget to reflect the new revitalization efforts in 2010; and

WHEREAS, no additional funds are needed to complete this agreement; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend the agreement with Northland Alliance Inc. before the expiration date of December 31, 2009, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW THEREFORE**,

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

Section 1. That the Director of the Department of Development is hereby authorized and directed to amend Agreement EL009067 with Northland Alliance Inc. by extending the term of the agreement to December 31, 2010, by changing the Scope of Services and by modifying the contract budget.

Section 2. That this modification is made pursuant to Section 329.16 of the Columbus City Code.

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

Legislation Number: 1620-2009

Drafting Date: 11/18/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

Background: On November 23, 2009 pursuant to Ordinance No. 1504-2009, the City purchased fee title to two tracts of land underlying the city's new parking garage at Front and Rich. The rights of possession to these two tracts belong to Riversouth Holdings under a 99 year, renewable forever, lease which Riversouth purchased from Federated Stores when it bought the Lazarus Building and parking lots. Riversouth Holdings has agreed to assign the lease to the City before the end of calendar year 2009. Assignment of the lease will result in the city owning the property without any other encumbrance and will enable the City to obtain a real estate tax exemption pursuant to Ohio Revised Code Section 717.051 for years beginning 2010.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested as not to delay the immediate execution of the Assignment and Assumption of Lease Agreement with Riversouth Holdings, LLC and the recording the Assignment before December 31, 2009 in order to allow the filing of the real estate tax exemption for 2010 and subsequent years

Title

To authorize the Director of Finance and Management to execute an Assignment and Assumption of Lease Agreement with Riversouth Holdings, LLC; and to declare an emergency.

Body

WHEREAS, the City purchased fee simple title to two tracts of land for the City's parking garage at Front and Rich Streets; and

WHEREAS, the purchase was subject to a 99 year lease with Riversouth Holdings, LLC as lessee; and

WHEREAS, Riversouth Holdings, LLC has agreed to assign its leasehold interest to the City, thus removing it as encumbrance on the property and permitting the City to file for a tax exemption under Ohio Revised Code Section 717.051; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Finance and Management in that it is necessary to authorize the Director of Finance and Management to execute an Assignment and Assumption of Lease Agreement with Riversouth Holdings, LLC and to record the Assignment before December 31, 2009 in order to allow the filing of the real estate tax exemption for 2010 and subsequent years; now therefore:

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

Section 1. That the Director of Finance and Management be and hereby is authorized to execute an Assignment and Assumption of Lease Agreement with Riversouth Holdings, LCC for the lease of record in the Franklin County Recorder's Office at Instrument No. 200407020154126.

Section 2. That for the reason stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor nether approves nor vetoes the same.

Legislation Number: 1622-2009

Drafting Date: 11/18/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND:

The Municipal Court Judges have been provided funding from the State of Ohio, Department of Rehabilitation and Correction, in order to establish a work release program with Alvis House. This legislation authorizes the Franklin County Municipal Court Judges to enter into contract with the Alvis House and authorizes the expenditure for the purpose of providing work release. This is to provide alternatives for incarceration consistent with public safety in the Franklin County Municipal Court.

EMERGENCY ACTION is requested in order to have a contract in place with Alvis House as soon as possible.

FISCAL IMPACT: This expenditure will be solely funded by the grant.

Contract Compliance Number - 31-0743167

Title

To authorize the Franklin County Municipal Court Judges, through the Administrative and Presiding Judge, to contract with Alvis House to provide a work release program as an alternative for incarceration consistent with public safety; to authorize the expenditure of up to an amount not to exceed \$140,000 from the Court's governmental grant fund; and to declare an emergency. (\$140,000.00)

Body

WHEREAS, it is in the city's best interest that the Franklin County Municipal Court receive support for an enhanced probationary service for offenders; and

WHEREAS, funds in an amount up to an amount not to exceed \$140,000.00 is budgeted within the Franklin County Municipal Court Judges governmental grants for this contractual agreement; and

WHEREAS, an emergency exists in the usual daily operation of the Franklin County Municipal Court Judges in that it is immediately necessary to authorize a contract and associated expenditures with the Alvis House in order to assure the start of the work release program, thereby preserving the public peace, property, health, safety, and welfare; Now, Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Administrative and Presiding Judge of the Franklin County Municipal Court be and hereby is authorized and directed to contract with the Alvis House to provide work release to persons in the Franklin County Municipal Court when consistent with public safety, in accordance with the following:

- A. That the period of said contract shall commence December 1, 2009 and terminate June 30, 2010.

SECTION 2. That up to an amount not to exceed the sum of \$140,000.00 be and hereby is authorized to be expended from the Franklin County Municipal Court, department 2501, grant number 259012, oca 259012 as follows \$140,000 to object level 1 - 01, object level 3 - 3336

SECTION 3. That for the reason 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 proves nor vetoes the same.

Legislation Number: 1623-2009

Drafting Date: 11/18/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This ordinance authorizes the Finance and Management Director to increase a contract for the Facilities Management Division for Pad Door Systems for the maintenance and repair of overhead garage doors and entrance doors. The overhead garage door portion of the contract is predominately used to service doors at Fire Division facilities, as well as some overhead doors in five other divisions. The entrance doors portion of the contract includes doors in seven divisions and departments, as well as the Fire Training Academy. The original contract was formally bid and authorized by Ordinance No. 0193-2007, passed February 27, 2007, with four one-year renewal options. Ordinance No. 0232-2009, passed February 23, 2009, authorized the second of four one-year renewal options. The term of this contract is March 1, 2009 to February 28, 2010.

The proposed increase provides funding for emergency repairs of various doors under the purview of the Facilities Management Division. Prices already established in the contract were used to determine the cost of this increase. This increase is necessary to add funds to the current contract to allow services to continue without interruption.

Emergency action is requested to ensure door repairs and maintenance at various City facilities continues without interruption. The current purchase order is very low and may be exhausted soon. It was not possible to request more funds through legislation until completion of the Third Quarter Financial Review.

Pad Door Systems Contract Compliance Number 31-1546098, expiration date 10/27/2010.

Fiscal Impact: The Facilities Management Division budgeted \$107,849.00 for door repair in the 2009 General Fund Budget. The cost of the door contract in 2008 was \$97,849.62. The cost of this increase is \$20,000.00, bringing the total contract to \$127,849.00. This additional expense was projected in the Third Quarterly Financial Review.

Title

To authorize the Finance and Management Director to increase a contract for the Facilities Management Division with Pad Door Systems for the maintenance and repair of overhead garage doors and entrance doors; to authorize the expenditure of \$20,000.00 from the General Fund; and to declare an emergency. (\$20,000.00)

Body

WHEREAS, Ordinance No. 0193-2007, passed February 27, 2007, authorized the original door contract and Ordinance No. 0232-2009, passed February 23, 2009, in the amount of \$107,849.00 authorized the second renewal of the contract; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to increase a contract with Pad Door Systems for ongoing maintenance and repair of overhead garage doors and entrance doors at various City owned facilities so that the current purchase order isn't exhausted, thereby leaving leaving the City without an overhead door repair contract, thereby preserving the public health, peace, property 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 increase a contract for the Facilities Management Division with Pad Door Systems for maintenance and repair of overhead garage doors and entrance doors.

SECTION 2. That the expenditure of \$20,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 45-07
Fund: 010
OCA Code: 450044
Object Level 1: 03

Object Level 3: 3370
Amount: \$20,000.00

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

Legislation Number: 1628-2009

Drafting Date: 11/19/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: This legislation authorizes an agreement with the Ohio Traffic Safety Office (OTSO), State of Ohio, for the High Visibility Enforcement Overtime 2010 project and to appropriate funds to cover the costs of the project. The OTSO works to reduce high traffic related crashes to save lives and reduce injuries and economic loss. This project will target reducing fatal crashes through strict enforcement on speed, aggressive driving behaviors, OVI, seat belt violations and driver inattention within the interstate system in the City of Columbus and major arterial streets during specific holiday and national mobilization periods. The agreement authorizes reimbursement for the overtime costs of sworn personnel working on the project. The funding for the agreement is dependent on federal funds from the US Department of Transportation for Federal Fiscal Year 2010 and follows the fiscal year period, October 1, 2009 through September 30, 2010.

EMERGENCY DESIGNATION: Emergency legislation is necessary to make funds available for the start-up of project activities during specified holiday periods in 2009.

FISCAL IMPACT: This ordinance authorizes the appropriation of \$96,859.01 from the unappropriated balance of the General Government Grant Fund for the Division of Police to cover the costs associated with the High Visibility Enforcement Overtime 2010 project. All funds appropriated are reimbursable from the State of Ohio; therefore there will be no effect of the status of the City General Fund.

Title

To authorize the Director of Public Safety to enter into an agreement with the Ohio Traffic Safety Office, State of Ohio, to participate in the High Visibility Enforcement Overtime 2010 project; to authorize an appropriation of \$96,859.01 from the unappropriated balance of the General Government Grant Fund to the Division of Police to cover the costs associated with this project; and to declare an emergency. (\$96,859.01).

Body

WHEREAS, the Division of Police will work overtime on a project to target reducing fatal crashes by strict enforcement of speed, aggressive driving behaviors, OVI, seat belt violations and driver inattention within the interstate system of the City of Columbus and major arterial streets during specific holiday and national mobilization periods; and

WHEREAS, the Ohio Traffic Safety Office (OTSO), State of Ohio, will provide funds through the High Visibility Enforcement Overtime 2010 project to the City of Columbus, Division of Police; and

WHEREAS, an appropriation is needed to cover the costs associated with the High Visibility Enforcement Overtime 2010 project; and

WHEREAS, the project period is October 1, 2009 through September 30, 2010 and funds need to be available as soon as possible for the specified holiday periods in 2009; 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 the aforementioned agreement for the High Visibility Enforcement Overtime 2010 project and to appropriate \$96,859.01 for the project costs, thereby preserving the public peace, property, health, safety and welfare; now, therefore

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

SECTION 1. That the Director of Public Safety is hereby authorized and directed to enter into agreement with the Ohio Traffic Safety Office, State of Ohio, to accept an award in the amount of \$96,859.01 which represents funding for the High Visibility Enforcement Overtime 2010 project.

SECTION 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project period the sum of \$96,859.01 is appropriated as follows:

DIV FUND	OBJLV #1	OBJLV #3	OCACD	GRANT	AMOUNT	
30-03	220 01 1127	339050	339050	\$3,266.13		
30-03	220 01 1131	339050	339050	\$43,548.45		
30-03	220 01 1161	339050	339050	\$8,491.95		
30-03	220 01 1171	339050	339050	\$631.45		
30-03	220 01 1173	339050	339050	\$2,177.42		
			TOTAL			\$58,115.40

DIV FUND	OBJLV #1	OBJLV#3	OCACD	GRANT	AMOUNT	
30-03	220 01 1127	339051	339051	\$2,177.42		
30-03	220 01 1131	339051	339051	\$29,032.30		
30-03	220 01 1161	339051	339051	\$5,661.30		
30-03	220 01 1171	339051	339051	\$420.97		
30-03	220 01 1173	339051	339051	\$1,451.62		
			TOTAL			\$38,743.61

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

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

Legislation Number: 1629-2009

Drafting Date: 11/19/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The City of Columbus Division of Police has been awarded funding through the Federal Fiscal Year 2009 Justice Assistance Grant (FY09-JAG) from the Bureau of Justice Assistance, Office of Justice Programs via the Franklin County Office of Homeland Security and Justice Programs. The JAG program provides funding to allow states and local governments to support a broad range of activities to prevent and control crime, and improve the criminal justice system. The City must act as a subgrantee to the Franklin County Office of Homeland Security and Justice Programs per the Memorandum of Understanding and Interlocal Agreement required by this program and agreed to by the city and the county (ORD# 1488-2009). Therefore, the Mayor is required to sign subgrantee award documents on behalf of the city to accept the \$460,447.00 awarded to funded projects for the Division of Police. The projects and their approved funding awards are as follows:

Part-time Civilian Personnel (3)	\$ 85,599.00
Canines with Basic Training (4)	\$ 64,000.00
Safety Equipment (Helmet & Eyepiece inserts)	\$ 85,104.00
Computer Software (Intelligence Units)	\$155,744.00
Alert System (web-based multi-function)	\$ 20,000.00
DNA Supplies (Cold Case investigations)	\$ 50,000.00

EMERGENCY DESIGNATION: Emergency legislation is needed to process the acceptance documents in a timely manner for the grant and to expedite making the awarded funds available for the grant project activities. The grant award period start date is January 1, 2010.

FISCAL IMPACT: This ordinance authorizes the appropriation of \$460,447.00 for grant projects approved for FY09 Justice Assistance Grant funding. There will be no effect on the financial status of the General Fund. All expenditures will be reimbursed with the approved grant funds.

Title

To authorize and direct the Mayor of the City of Columbus to accept a subgrantee award through the FY09 Justice Assistance Grant (JAG) program from the Bureau of Justice Assistance, Office of the Justice Programs via the Franklin County Office of Homeland Security and Justice Programs; to authorize an appropriation of \$460,477.00 from the unappropriated balance of the General Government Grant Fund to the Division of Police for the grant activities; and to declare an emergency. (\$460,477.00)

Body

WHEREAS, the City of Columbus Division of Police has been awarded grant funding through the Federal Fiscal Year 2009 Justice Assistance Grant (FY2009-JAG) program for eligible grant project activities; and

WHEREAS, the projects include part-time civilian staffing, K-9s with basic training, safety equipment, computer software, DNA supplies and a web based alert system; and

WHEREAS, emergency legislation is needed to process the grant acceptance documents in a timely manner and to expedite making the awarded funds available for approved project activities at the start of the grant award period on January 1, 2010; 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 accept and appropriate the FY09 Justice Assistance Grant from the Bureau of Justice

Assistance for the immediate preservation of the public peace, health, safety and welfare; now, therefore

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

SECTION 1. That the Mayor of the City of Columbus be and is hereby authorized and directed to accept a FY09 Justice Assistance Grant for approved grant project activities for the Columbus Division of Police.

SECTION 2. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project periods, the sum of \$460,477.00 is appropriated as follows:

DIV	FD	OBJ	LV#1	OBJLV#3	OCACD	GRANT	AMOUNT
30-03	220	01	1112	339049	339049	67,695.00	
30-03	220	01	1121	339049	339049	4,062.00	
30-03	220	01	1160	339049	339049	9,477.00	
30-03	220	01	1171	339049	339049	981.00	
30-03	220	01	1173	339049	339049	3,384.00	
					TOTAL		85,599.00
30-03	220	02	2194	339055	339049	85,104.00	
30-03	220	02	2203	339052	339049	50,000.00	
30-03	220	02	2224	339054	339049	155,744.00	
30-03	220	02	2224	339053	339049	20,000.00	
					TOTAL		310,848.00
30-03	220	03	3336	339056	339049	16,000.00	
30-03	220	06	6651	339056	339049	48,000.00	
					TOTAL	64,000.00	
					TOTAL		460,447.00

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

SECTION 4. That for 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: 1630-2009

Drafting Date: 11/19/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

This ordinance proposes several amendments to the Management Compensation Plan (MCP), Ordinance No. 1150-2007 as follows:

A one percent (1%) decrease in pension pickup effective March 21, 2010.

Employees hired after January 1, 2010 will pay the full pension contribution of ten percent (10%).

Another personal business day will be added for the 2010 vacation year.

The employee monthly insurance contribution will increase to ten percent (10%) effective April 1, 2010.

Emergency action is recommended so that the implementation process can begin.

Title

To amend Ordinance No. 1150-2007, the Management Compensation Plan, by amending Sections 4(D), 10(F), and 16(G); and to declare an emergency.

Body

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend certain provisions of the Management Compensation Plan, thereby preserving the public peace, property, health, safety, and welfare; Now, Therefore

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

See Attachment

Legislation Number: 1632-2009

Drafting Date: 11/20/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

1. **BACKGROUND:**

A. **Need.** This legislation authorizes the Director of Public Utilities to enter into a professional services agreement with H.R. Gray & Associates Inc. for the Wastewater Treatment Facilities Professional Construction Management project, the Division of Sewerage and Drainage. The contract provides construction administration and management services including, construction inspection, construction and startup coordination, reporting, budgeting, scheduling, document tracking, and related tasks associated with a multi-project program for six construction contracts to begin construction within the next two years. This contract will be a two year, approximately annually funded, agreement based on known or executed construction contracts. Adjustments to fees and scope to this contract will be made by Contract Modification based on annual (or semiannual) proposals as requested by the City. The duration of the contract may extend into subsequent years based on the complexity and progress of the assigned work. This initial funding will provide for services estimated to be needed for construction contracts beginning in 2010. The amount requested under this ordinance is \$1,810,636.00. The Division has determined that these services cannot be performed by City personnel at this time, and has planned for the procurement of these services on a routine basis.

Future Contract Modifications.

Original Contract	\$1,810,636.00
Proposed Modification No. 1 (estimated 2011 funding)	<u>\$1,386,000.00</u>
CURRENT PROPOSED TOTAL	\$3,196,636.00

B. **Procurement Information:** The basis for selection of the chosen professional construction management services firm: The Division advertised Request for Proposals (RFP's) for the subject services in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage received two technical proposals on September 21, 2009 from G. Stephens, Inc. and H.R. Gray &

Associates Inc.. These proposals were reviewed and ranked by a Professional Construction Management Services Selection Committee in order to determine the offeror best qualified to provide the services for this project. The committee ranked the proposals on quality and feasibility. After careful consideration, the committee recommended that H.R. Gray & Associates Inc. be selected to provide the professional construction management services for this project, for which the Division Administrator has concurred.

C. **Contract Compliance No.:** H.R. Gray & Associates Inc. | 31-1050479 | (MAJ) | (Expires 01/17/2010)

D. **Emergency Designation:** The Division of Sewerage and Drainage is requesting City Council to designate this ordinance an emergency measure in order to allow for the immediate commencement of this work. These services are needed immediately and are required to begin simultaneously with the commencement of construction of the Southerly Wastewater Treatment Plant Support Facilities project, in order to provide professional services pursuant to the proper management and timely completion of the project.

2. **FISCAL IMPACT:**

This ordinance authorizes the Director of Public Utilities to expend \$1,810,636.00 in funds from within the Sanitary B.A.B.s (Build America Bonds) Fund Wastewater Treatment Facilities Professional Construction Management project. There is sufficient authority in the 2009 Capital Improvements Budget for this expenditure.

Title

To authorize the Director of Public Utilities to enter into a professional construction management services agreement with H.R. Gray & Associates Inc. for the Wastewater Treatment Facilities Professional Construction Management project; to authorize the expenditure of \$1,810,636.00 within the Sanitary B.A.B.s (Build America Bonds) Fund, for the Division of Sewerage and Drainage; and to declare an emergency (\$1,810,636.00)

Body

WHEREAS, the procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959: two proposals were received and the Division's Evaluation Committee selected H.R. Gray & Associates Inc. between the two firms; and

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to enter into an agreement for professional construction management services with H.R. Gray & Associates Inc., 3770 Ridge Mill Drive, Columbus, Ohio 43026, for an amount of \$1,810,636.00 in connection with the Wastewater Treatment Facilities Professional Construction Management project ; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary B.A.B.s (Build America Bonds) Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into an agreement for professional construction management services with H.R. Gray & Associates Inc., for the purposes of funding these services required for the immediate commencement of the construction management services necessary to begin construction of the Southerly Wastewater Treatment Plant Support Facilities 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 Public Utilities be, and hereby is, authorized to enter into an agreement for professional construction management services with H.R. Gray & Associates Inc., 3770 Ridge Mill Drive, Columbus, OH 43026, in connection with Wastewater Treatment Facilities Professional Construction Management 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 for the purpose of paying the cost of the professional construction management services contract, the expenditure of \$1,810,636.00 or as much thereof as may be needed, is hereby authorized from the Sanitary B.A.B.s (Build America Bonds) Fund, Fund No. 668 | Division 60-05 | Project No. 650361-100002 | OCA Code 652361 | Object Level Three 6621 .

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

Section 4. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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 said firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

Section 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1633-2009

Drafting Date: 11/20/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

Background: Pursuant to the terms of the TIF Ordinance, the Columbus City Council established the East Broad Commercial Property and the Lucent Commercial Property districts which are two (2) commercial real property tax increment financing ("TIF") incentive districts established pursuant to Section 5709.40(B) of the Ohio Revised Code (collectively, the "East Broad Commercial Incentive Districts") and the Lucent District, the East Broad Dominion District and the Waggoner M/I District which are three (3) residential TIF incentive districts established pursuant to Section 5709.40(C) of the Ohio Revised Code (collectively, the "East Broad Residential Incentive Districts" and together with the East Broad Commercial Incentive Districts, the "East Broad Incentive Districts"); declared the improvements to real estate parcels located within the East Broad Incentive Districts to be a public purpose and exempt from real property taxation; provided for the owners of real estate parcels in the East Broad Commercial Property district to make annual service payments in lieu of taxes (the "East Broad Commercial Service Payments"); provided for the owners of real estate parcels in the Lucent Commercial Property district to make annual service payments in lieu of taxes (the "Lucent Commercial Service Payments"); provided for the owners of real estate parcels in the East Broad Residential Incentive Districts to make annual service payments in lieu of taxes (the "Residential Service Payments"); established the East Broad TIF Funds for the deposit of the East Broad Commercial Service Payments, the Lucent Commercial Service Payments and the Residential Service Payments collected from the East Broad Incentive Districts' real property owners; provided for the non-school portion of the East Broad Commercial Service Payments, the Lucent Commercial Service Payments and the Residential Service Payments to be paid to the City for deposit into the East Broad TIF Funds; described the Public Infrastructure Improvements and Residential Infrastructure Improvements to be made within the East Broad Incentive Districts; and authorized the execution of a Tax Increment Financing Agreement made and entered into as of September 7, 2005 by and among the City of Columbus, Ohio, Mount Carmel Health System, Empire Ventures/6200 E. Broad, LLC, Dominion Homes, Inc., and M/I Homes of Central Ohio, LLC (the "TIF Agreement"). This legislation authorizes the

necessary appropriation of monies deposited in the East Broad TIF Funds to be used to pay or reimburse costs of the Commercial Public Infrastructure Improvements and the Residential Public Infrastructure Improvements which have been constructed in accordance with the terms of the TIF Ordinance and TIF Agreement.

Emergency Justification: Emergency action is requested in order to make necessary disbursements before the year's end.

Fiscal Impact: No funding is required for this legislation.

Title

To appropriate monies deposited in the East Broad TIF Funds to be used to pay or reimburse costs of the Commercial Public Infrastructure Improvements and the Residential Public Infrastructure Improvements in accordance with the terms of the TIF Ordinance and the TIF Agreement; and to declare an emergency.

Body

WHEREAS, it is necessary to appropriate monies deposited in the East Broad TIF Funds to be used to pay or reimburse costs of the Commercial Public Infrastructure Improvements and the Residential Public Infrastructure Improvements in accordance with the terms of the TIF Ordinance and the TIF Agreement; and

WHEREAS, emergency action is requested in order to make necessary disbursements before the year's end; and

WHEREAS, an emergency exists in that this Ordinance is required to be immediately effective in order to facilitate the development of the real property located within the East Broad Incentive Districts, such immediate action being necessary for the preservation of the public health, peace, property and safety; **NOW, THEREFORE,**

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

- Section 1.** The non-school portion of East Broad Commercial Service Payments, the Lucent Commercial Service Payments, the Residential Service Payments, and any other payments that are received by the Franklin County Treasurer in connection with the Tax Increment Financing Agreement made and entered into as of September 7, 2005 by and among the City of Columbus, Ohio, Mount Carmel Health System, Empire Ventures/6200 E. Broad, LLC, Dominion Homes, Inc., and M/I Homes of Central Ohio, LLC (the "TIF Agreement"), authorized by Council Ordinance No. 1159-2005 passed on July 11, 2005 (the "TIF Ordinance"), as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time, shall be deposited in the East Broad TIF Funds and are hereby deemed appropriated by the City for the purposes set forth in the TIF Agreement. Subject to receiving the prior written approval of the Director of the City's Department of Development (the "Director"), the City Auditor is hereby authorized to make payments or reimbursements on an annual basis from the East Broad TIF Funds in accordance with the terms of the TIF Agreement.
- Section 2.** This Council further authorizes the Director of the Department of Development, the City Clerk or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement the terms of this Ordinance.
- Section 3.** For the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after the passage if the Mayor neither approves nor vetoes the same.

Drafting Date: 11/20/2009

Current Status: Passed

Version: 2

Matter Type: Ordinance

Explanation

Rezoning Amendment Z90-104A

Ordinance 3024-90 (Z90-104), passed on December 10, 1990, rezoned 66.02± acres to the L-AR-12, Limited Apartment Residential, L-C-2 and L-C-4, Limited Commercial Districts to permit multi-family, office, and retail commercial uses in five sub-areas. That rezoning established use restrictions and specific development standards including parking and building setbacks. The property subject to this amendment is developed with an office complex and consists of sub-areas 11 and 12 in the northeast quadrant of Tuttle Crossing and Britton Parkway. These arterials are in the process of being improved and widened which has necessitated the acquisition of additional right-of-way. These recent and pending right-of-way acquisitions are compromising existing setbacks thereby creating a non-conforming situation. This ordinance adjusts the setbacks in sub-areas 11 and 12 in response to the City's road widening project. Staff recognizes this amendment as a technical measure to remove negligible non-conforming setbacks created by recent and pending right-of-way acquisitions. This amendment makes no other changes to Ordinance 3024-90 (Z90-104).

CITY DEPARTMENTS' RECOMMENDATION: Approval.

Title

To amend Ordinance #3024-90, passed January 23, 1990, for property located at **5316 TUTTLE CROSSING BOULEVARD (43220)**, by amending the limitation overlay text in Section 9 as it pertains to building and parking setbacks **and to declare an emergency.** (Z90-104A)

Body

WHEREAS, Ordinance #3024-90, passed on January 23, 1990 (Z90-104), established the L-C-2 and L-C-4, Limited Commercial Districts on property located at **5316 TUTTLE CROSSING BOULEVARD (43220)**, being 66.02± acres located at the northeast corner of Britton Parkway and Tuttle Road, from the District; and

WHEREAS, it is necessary to amend Ordinance #3024-90 to modify the building and parking setbacks due to right-of-way acquisition; and,

WHEREAS, **an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the need for transaction for the property to be processed by the year's end for the immediate preservation of the public peace, property, health and safety; and**

WHEREAS, all other aspects of the L-C-2 and L-C-4 texts contained in Ordinance #3024-90 are unaffected by this amendment and remain in effect, now, therefore:

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

SECTION 1. That the existing Sections 1 through 12 of Ordinance #3024-90, passed on January 23, 1990 (Z90-104) be hereby repealed and replaced with new Sections 1 through 12 reading as follows:

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

Section 1. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

5316 MILE TUTTLE CROSSING BOULEVARD (43220), being 4.41 acres of the 66.02 + acres located on the north side of Tuttle Crossing Boulevard west of and adjacent to Interstate 270, and being more particularly described as follows:

SUBAREA 11 (4.41 ac.):

Situated in the State of Ohio, County of Franklin, City of Columbus, Virginia. Military Survey 2419 & 3011, being 4.41 acres of land for zoning purposes, *said* 4.41 acres described as follows:

Beginning for reference at the centerline intersection of Tuttle Road with interstate Route 270, thence South 79 degrees 17' 32" West with said centerline of Tuttle Road a distance of 1000.00 feet to the true point of beginning;

Thence South 78 degrees 17' 32" West continuing with said centerline of Tuttle Road a distance of 278.00 feet to a point at the centerline intersection with a proposed North South Road;

Thence with the centerline of said proposed North South Road the following two courses:

Thence North 10 degrees 42' 28" West a distance of 100.00 feet to a point of curvature;

Thence with a curve to the left having a central angle of 12 degrees 31' 11" a radius of 1400.00 feet of which whose chord bears North 16 degrees 58' 04" West a chord distance of 305.31 feet to a point;

Thence North 80 degrees 13' 08" East a distance of 520.57 feet to a point; Thence North 83 degrees 21' 36" East a distance

of 53.59 feet to a point; Thence South 6 degrees 38' 24" East a distance of 296.06 feet to a point; Thence South 75 degrees

34' 37" West a distance of 91.86 feet to a point;

Thence South 77 degrees 22' 59" West a distance of 150.08 feet to a point;

Thence South 10 degrees 42' 28" East a distance of 100.00 feet to the point of beginning and containing 4.41 acres of land more or less.

To Rezone From: L--C-4, Limited-Commercial District.

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

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

Section 3. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

5316 TUTTLE CROSSING BOULEVARD (43220), being 10.88 acres of the 66.02 acres located on the north side of Tuttle Crossing Boulevard west of and adjacent to Interstate 270, and being more particularly described *as* follows:

SUBAREA 11A (10.88 ac.):

Situated in the State of Ohio, County of Franklin, City of Columbus, being 10.88 acres in Tuttle Crossing Northwest (P.R. 71, POS. 33 & 34) and described as follows:

Beginning, FOR REFERENCE, at the centerline intersection of Tuttle Crossing Boulevard with Interstate Route 270; thence South 79 degrees 17' 32" West, along the centerline of Tuttle Crossing Boulevard, a distance of 1565.28 feet to the TRUE POINT OF BEGINNING:

Thence South 79 degrees 17' 32" West, continuing along said centerline of Tuttle Crossing Boulevard, a distance of 30.10 feet to an angle point;

Thence South 83 degrees 15' 21" West, a distance of 483.76 feet to a point;

Thence North 6 degrees 40' 42" West, along a westerly line of Tuttle Crossing Northwest, a distance of 755.89 feet to a point;

Thence North 83 degrees 18' 56" East, a distance of 296.64 feet to a point of curvature;

Thence with the arc of a curve to the left, having a radius of 320.00 feet, a central angle of 34 degrees 47' 55", the chord of which bears North 65 degrees 54' 58" East, a chord distance of 191.38 feet to the point of tangency;

Thence North 48 degrees 31' 01" East, a distance of 60.61 feet to a point in the centerline of Britton Parkway;

Thence along said centerline with the arc of a curve to the right, having a radius of 1400.00 feet, a central angle of 23 degrees 42' 26", the chord of which bears South 30 degrees 51' 26" East, a chord distance of 575.15 feet to a point;

Thence South 79 degrees 17' 32" West, a distance of 272.63 feet to a point;

Thence South 10 degrees 42' 28" East, a distance of 302.00 feet to the. TRUE POINT OF BEGINNING and containing 10.88 acres of land, more or less.

To Rezone From: L-AR-12. Limited-Apartment Residential. District and CPD, Commercial. Planned Development District,

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

Section 4. That a Height District of Thirty-five (35) feet is hereby established on the L-C-4, Limited-Commercial District on this property.

Section 5. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same *is* hereby revised by changing the zoning of the property as follows:

5326 TUTTLE CROSSING BOULEVARD (43220), being 39.78 acres of the 66.02 4. acres located on the north side of Tuttle Crossing Boulevard west of and adjacent to Interstate 270, and being more particularly described as follows:

SUBAREA 12 (39.78 ac.):

Situated in the State of Ohio, County of Franklin, City of Columbus, being 39.78 acres in Tuttle Crossing Northwest (P.B. 71, PGS. 33 & 34) and described as follows:

Beginning, FOR REFERENCE, at the centerline intersection of Tuttle Crossing Boulevard with Interstate Route 270; thence South 79 degrees 17' 32" West, along the centerline of Tuttle Crossing Boulevard, a distance of 1311.29 feet to a point; thence North 10 degrees 42' 28" West, a distance of 403.49 feet to a point in the centerline of Britton Parkway, the TRUE POINT OF BEGINNING:

Thence along said centerline with the arc of a non-tangent curve to the left, having a radius of 1400.00 feet, a central angle of 20 degrees 23' 22", the chord of which bears North 33 degrees 25' 36" West, a chord distance of 495.58 feet to a point of reverse curvature;

Thence along the centerline of proposed Britton Parkway with the arc of a curve. to the right, having a radius of 495.59 feet, a central angle of 48 degrees 36' 18", the chord of which bears North 19 degrees 19' 08" West, a chord distance of 407.92 feet to the point of tangency;

Thence North 4 degrees 59' 01" East, continuing along said proposed centerline, a distance of 363.02 feet to a point in a northerly line of Tuttle Crossing Northwest;

Thence along the perimeter of said Tuttle Crossing Northwest the following 9 courses:

1. North 83 degrees 21' 49" East, a distance of 838.60 feet to a point;
2. North 4 degrees 46' 51" East, a distance of 589.22 feet to a point;
3. North. 82 degrees 39' 22" East, a distance of 246.43 feet to a point;
4. South 12 degrees 46' 38" East, a distance of 676.66 feet to a point;
5. South 6 degrees 11' 52" East, a distance of 541.39 feet to a point;
6. South 9 degrees 36' 29" East, a distance of 183.90 feet to a point;
7. South 11 degrees 44' 39" West, a distance of 452.51 feet to a point;
8. South 3 degrees 32' 56" West, a distance of 179.65 feet to a point;
9. South 75 degrees 34' 37" West, a distance of 293.95 feet to a point;

Thence North 6 degrees 38' 24" West, along a westerly line of Lot 1, a distance of 296.06 feet to a point;

Thence South 83 degrees 21' 36" West, along a southerly line of Lot 1, a distance of 53.59 feet to a point;

Thence South 80 degrees 13' 08" West, through Reserve "E", a distance of 520.57 feet to the TRUE POINT OF BEGINNING and containing 39.78 acres of land, more or less.

To Rezone From: L-C-2, Limited-Commercial District,

To: L-C-2, Limited-Commercial District.

Section 6. That a Height District of Thirty-five (35) feet is hereby established on the L-C-2, Limited-Commercial District on this property.

Section 7. That the Zoning Map attached to Ordinance No, 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

5316 TUTTLE CROSSING BOULEVARD (43220), being 8.98 acres of the 66.02 acres located on the north side of Tuttle Crossing Boulevard west of and adjacent to Interstate 270, and being more particularly described as follows:

SUBAREA 14 (8.98 ac.):

Situated in the State of Ohio, County of Franklin, City of Columbus, being 8.98 acres in Tuttle Crossing Northwest (P.B. 71, PGS. 33 & 34) and described as follows:

Beginning, FOR REFERENCE, at the centerline intersection of Tuttle Crossing Boulevard with Interstate Route 270; thence South 79 degrees 17' 32" West, along the centerline of Tuttle Crossing Boulevard, a distance of 1595.38 feet to a point; thence South 83 degrees 15' 21" West, a distance of 483.76 feet to an angle point; thence North 6 degrees 40' 42" West, along the westerly line of Tuttle Crossing Northwest, a distance of 755.89 feet to the TRUE POINT OF BEGINNING:

Thence North 6 degrees 40' 42" West, continuing along said westerly line, a distance of 864.08 feet to a northwesterly corner of Tuttle Crossing Northwest;

Thence North 83 degrees 21' 49" East, along a northerly line of same, a distance of 500.00 feet to a point in the centerline of proposed Britton Parkway;

Thence along said centerline the following three courses:

South 4 degrees 59' 01" West, a distance of 363.02 feet to a point of curvature;

With the arc of a curve to the left, having a radius of 495.59 feet, a central angle of 48 degrees 36' 18", the chord of which bears South 19 degrees 19' 08" East, a chord distance of 407.92 feet to a point of reverse curvature;

3. With the arc of a curve to the right, having a radius of 1400.00 feet, a central angle of 0 degrees 54' 38", the chord of which bears South 43 degrees 09' 58" East, a chord distance of 22.25 feet to a point;

Thence South 48 degrees 31' 01" West, a distance of 60.61 feet. to a point of curvature;

Thence with the arc of a curve to the right, having a radius of 320.00 feet, a central angle of 34 degrees 47' 55", the chord of which bears South 65 degrees 54' 58" West, a chord distance of 191.38 feet to the point of tangency;

Thence south 83 degrees 18' 56" West, a distance of 296.64 feet to the TRUE POINT OF BEGINNING and containing 8.98 acres of land, more or less.

To Rezone From: L-AR-12, Limited-Apartment Residential District and L-C-2, Limited-Commercial District,

To: L-AR-12, Limited-Apartment Residential District.

Section 8. That a Height District of Thirty-five (35) feet is hereby established on the L-AR-12, Limited-Apartment Residential District on this property.

Section 9. That the Regulation Administrator of the Development Regulation Division be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Development Regulation Division and shall register a copy of each of the following approved district: L--C-4, Limited-Commercial District; L-C-2, Limited-Commercial District;; and L-AR-12, Limited-Apartment Residential District and Application among the records of the Development Department as required by Section 3370.03 of the Columbus City Codes; said plan for all these districts being titled: "**TUTTLE CROSSING AT I-270 AND TUTTLE CROSSING BOULEVARD PROPOSED ZONING PLAN (Z90-104)**", signed by Jeffrey L. Brown, the attorney for the applicant, The Edwards Company, and dated November 1, 1990, and text titled, "**Z90-104 LIMITATION TEXT WEST SIDE OF I-270, NORTH OF TUTTLE CROSSING BOULEVARD**", signed by Jeffrey L. Brown, the attorney for the applicant, The Edwards Company, and dated November 1, 1990, **and site plan titled TUTTLE CROSSING SUB-AREAS 11 AND 12," signed by Raif Webster, agent for Duke Realty Corp; and dated 11/19/09,** and reading as follows:

Z90-104

LIMITATION TEXT

WEST SIDE OF 1-270, NORTH OF TUTTLE CROSSING BOULEVARD

GENERAL DEVELOPMENT STANDARDS:

The following general development standards shall apply to all of the subareas, except where noted:

Waste and Refuse:

1. All waste and refuse shall be containerized and fully screened from public view by a solid wall or fence to a minimum height of ~~six~~ (6) feet.

Storage and Equipment:

No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside a permitted structure.

Mechanical equipment or other utility hardware on the roof, ground or building shall be screened from public view with materials compatible with the building.

Landscaping:

Any open vehicular use area excluding loading, unloading and storage area containing 20 or more vehicular parking spaces shall provide interior landscaping in addition to previously required perimeter landscaping. Interior landscaping may be peninsular or island type. For each 100 square feet or fraction thereof, of vehicular use area, a minimum total of 5 square feet of landscaped area shall be provided. Landscaped areas shall contain one tree per every ten parking spaces. The interior landscaping required in this paragraph shall count toward satisfying the landscaping requirements contained in Section 3342.11 Landscaping of the Columbus City Code.

Any parking lot which *is* located within eighty (80) feet of residentially zoned property shall be screened as hereinafter set forth, on the perimeter affecting same. Said screening shall consist of a continuous earth mound (a minimum of three (3) feet in height) with vegetation, which together will provide a screening which *is* not less than five feet above the parking lot grade with an opacity of not less than seventy-five percent (75%). This paragraph does not apply to Subarea 14 (L-AR-12).

3. All loading docks which are visible from either Tuttle Crossing Blvd. or Britton Parkway shall be screened to a height of ten (10) feet with either mounding, plantings, fence, wall or a combination thereof. Plant material shall be a combination of deciduous and evergreen trees and shall have a winter opacity of at least 50% and a summer opacity of at least 70%.

4. Minimum size of all trees shall be 2 to 2 1/2 inch caliber for shade, 6 to 8 feet high for evergreen, and 1 to 1 1/2 inch caliber for ornamental.

Signage and Graphics:

All signage and graphics shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to the appropriate zoning district. Any variance to the sign requirements as they apply to the appropriate zoning district shall be submitted to the Columbus Graphics Ccxnmission.

Signage may be internally or externally illuminated.

No roof top graphics shall be permitted.

The height of any free-standing graphic shall not exceed twenty (20) feet. Lighting:

All external lighting shall be cutoff type fixtures and shall not spill any light off the property, except that uplighting may be used to illuminate landscaped areas and buildings.

All types of parking, pedestrian and other exterior lighting shall be on poles or wall mounted cutoff fixtures and shall be from the same type and style.

All light poles and standards shall be dark brown, bronze or black in color and shall either be constructed of dark wood or dark brown, black or bronze metal.

Parking lot lighting shall be no higher than 28 feet. Entry Features - Setback:

The various setbacks listed within the text shall not apply to architectural features which are used at street intersections. Architectural features shall include, but shall not be limited to, walls, arbors and fountains. (See V89-0054 in which the Board of Zoning Adjustment granted a setback variance to eight feet for the proposed entry features.)

SUBAREAS 11 AND 11A (L-C-4):

PERMITTED USES FOR SUBAREAS 11 AND 11A: Those uses contained in Section 3355.02, C-4 of the Columbus City Code with the following exceptions:

- adult book store adult motion picture
- adult-only entertainment
- billboard, off-premise graphic
- book bindery
- bus or truck terminal
- frozen food locker (this shall not exclude cold storage which is in association with a permitted use)
- garage repair ice house
- plumbing shop poultry
- stables
- tinsmith
- tire repair (this shall not prohibit a tire, battery and accessories store)

DEVELOPMENT STANDARDS FOR SUBAREAS 11 AND 11A: Unless otherwise indicated in the written text or site plan, the applicable development standards are contained in Chapter 3355 of the Columbus City Code.

Yard and Setback Requirements: Minimum setback for:

(a) Buildings

- I-270 50 feet
- Tuttle Crossing Blvd. 50 feet
- Britton Parkway 50 feet
- Other public street 25 feet

(b) Parking and Maneuvering

- I-270 25 feet
- Tuttle Crossing Blvd. 25 feet
- Britton Parkway 25 feet
- Other public street 25 feet

(c) The above setbacks may be reduced pursuant right-of-way acquisition as shown on the site plan titled "Tuttle Crossing Subareas 11 and 12."

Traffic and Circulation:

One right-in/right-out curbcut not less than 200 feet from a public street shall be permitted on Tuttle Crossing Blvd. for Subarea 11. The 200 foot distance is measured from centerline to centerline of each curbcut or street. Curbcuts on Britton Parkway shall have a minimum of 200 foot spacing from other curbcuts or public streets. The proposed curbcuts shall either align with cuts on the other side of Britton Parkway or shall be offset from the other *side* cuts by at least 100 feet. The alignment and 100 foot offset requirement do not apply to right-in/right-out curbcuts. The 100 and 200 foot distance is measured from centerline to centerline of each curbcut or street.

3. A full access curbcut shall be permitted on Tuttle Crossing Blvd. for Subarea 11A. This curbcut shall split the west property line of Subarea 11A. In addition a right-in/right-out curbcut shall be permitted between the new curbcut for Subarea 13 on Tuttle Crossing Blvd. and the full access curbcut on the west property line of Subarea 11A.

Landscaping:

1. Within the setback area along Tuttle Crossing Blvd. and the Britton Parkway and any other public street within these subareas, a 3 foot average height continuous planting hedge, fence, wall, earth mound or combination hereof shall be installed as well as one tree per 40 feet of frontage or fraction thereof. Trees do not have to be equally spaced, but may be grouped.

Height District:

The height district for Subarea 11 shall be 110 feet and for Subarea IIA, 35 feet.

SUBAREA 12 (L-C-2):

PERMITTED USES: Those uses contained in Section 3353.01 (C-2) of Columbus City Code,

DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text or site plan, the applicable development standards are contained in Chapter 3353 of the Columbus City Code.

Traffic and Circulation:

1. Curbcuts on Britton Parkway shall have a minimum of 200 foot spacing from other curbcuts or public streets. The proposed curbcuts shall either align with cuts on the west side of Britton Parkway or shall be offset from the west side cuts by at least 100 feet. The alignment and 100 foot offset requirement do not apply to right-in/right-out curbcuts. The 100 and 200 foot distance is measured from centerline to centerline of each curbcut or street.

Landscaping:

Within the setback area along Tuttle Crossing Blvd. and Britton Parkway and any other public street within these subareas, a 3 foot average height continuous planting hedge, fence, wall, earth mound or combination thereof shall be installed as well as one tree per 40 feet of frontage or fraction thereof. Trees do not have to be equally spaced, but may be grouped.

A continuous landscape treatment shall be provided along the 1-270 frontage containing a mixture of deciduous and evergreen trees planted in a decorative manner.

Height District:

The height district for Subarea 12 shall be 110 feet. SUBAREA 14 (L-AR-12):

PERMITTED USES: Those uses contained in Section 3333.02 (AR-12) of the Columbus City Code.

DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text or site plan, the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

Yard and Setback Requirements:

Minimum setback for:

Buildings	Britton Parkway	50 feet
Parking and Maneuvering	Britton Parkway	25 feet

(c) The above setbacks may be reduced pursuant right-of-way acquisition as shown on the site plan titled "Tuttle Crossing Subareas 11 and 12.

Break 1

Traffic and Circulation:

1. Curbcuts on Britton Parkway shall have a minimum of 200 foot spacing from other curbcuts or public streets. The proposed curbcuts shall either align with cuts on the other side of Britton Parkway or shall be offset from the other side cuts of Britton Parkway by at least 100 feet. The alignment and 100 foot offset requirement do not apply to right-in/right-out curbcuts. The 100 and 200 foot spacing requirement is measured from centerline to centerline of each curbcut or street.

Landscaping:

1. Within the setback area along Britton Parkway a three foot average height continuous planting hedge, fence, wall, earth mound or combination thereof shall be installed as well as one tree per 40 feet of frontage or fraction thereof. Trees do not have to be equally spaced, but may be grouped.

Height District:

The height district for Subarea 14 shall be 35 feet.

Section 10. That the Zoning Map attached to Ordinance No. 1620-77, passed September 19, 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

5316 TUTTLE GROSSING BOULEVARD (43220). being 1.97 acres of the 66.02 acres located on the north side of Tuttle Crossing Boulevard west of and adjacent to Interstate 270, and being more particularly described as follows:

SUBAREA 13 1.97 ac.):

Situated in the State of Ohio, County of Franklin, City of Columbus, being 1.97 acres in Tuttle Crossing Northwest (P.B. 71, PGS. 33 & 34) and described as follows:

Beginning, FOR REFERENCE, at the centerline intersection of Tuttle Crossing Boulevard with Interstate Route 270; thence South 79 degrees 17' 32" West, along the centerline of Tuttle Crossing Boulevard, a distance of 1278.00 feet to the centerline intersection of Britton Parkway. the TRUE POINT OF BEGINNING:

Thence South 79 degrees 17' 32" West, continuing along said centerline of Tuttle Crossing Boulevard, a distance of 287.28 feet to a point;

Thence North 10 degrees 42' 28" West, a distance of 302.00 feet to a point;

Thence North 79 degrees 17' 32" East, a distance of 272.63 feet to a point in the centerline of Britton Parkway;

Thence along said centerline with the arc of a curve to the right, having a radius of 1400.00 feet, a central angle of 8 degrees 17' 45". the chord of which bears South 14 degrees 51' 21" East, a chord distance of 202.53 feet to the point of tangency;

Thence South 10 degrees 42' 28" East, a distance of 100.00 feet to the TRUE POINT OF BEGINNING and containing 1.97 acres of land, more or less.

To Rezone From: CPD, Commercial Planned Development District, To: CPD). Commercial Planned Development District.

Section 11. That a Height District of Thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

Section 12. That the Regulation. Administrator of the Development Regulation Division be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Development. Regulation Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Development Department as required by Section 3311.12 of the Columbus City Codes; said plan being titled: "**TUTTLE CROSSING AT 1-270 AND TUTTLE CROSSING BOULEVARD PROPOSED ZONING PLAN (Z90-104)**", signed by Jeffrey L. Brown, attorney for the applicant, The Edwards Company, and dated November 1, 1990, and text titled, "**Z90-104 CPD TEXT WEST OF 1-270, NORTH OF TUTTLE CROSSING BOULEVARD**", signed by Jeffrey L. Brown, attorney for the applicant, The Edwards Company, and dated November 1, 1990, and reading as follows:

Z90-104

CPD TEXT

WEST OF 1-270. NORTH OF TUTTLE CROSSING BOULEVARD

SUBAREA 13 (CPD):

PERMITTED USES FOR SUBAREA 13: Those uses contained in Section 3353.01, C--2 of the Columbus City Code with the following additional uses:

child care center

convenient store with or without gas pumps

gas station with or without convenient store (with or without as an accessory use in automatic car wash)

restaurant

DEVELOPMENT STANDARDS FOR SUBAREA 13: Unless otherwise indicated in the written text or site plan, the applicable development standards are contained in Chapter 3355 of the Columbus City Code.

Yard and Setback Requirements: Minimum setback for:

(a) Buildings

I-270 50 feet

Tuttle Crossing Blvd. 50 feet

Britton Parkway 50 feet

Other public street 25 feet

(b) Parking and Maneuvering

I-270 25 feet

Tuttle Crossing Blvd. 25 feet

Britton Parkway 25 feet

Other public street 25 feet

A full access curbcut shall be permitted on Britton Parkway for Subarea 13. This curbcut shall be at least 300 feet from Tuttle Crossing Blvd. The spacing requirement is measured from centerline to centerline of each curbcut or street.

A full access curbcut shall be permitted on Tuttle Crossing Blvd. for Subarea

13. The centerline of this curbcut shall be approximately 287 feet from the centerline of Britton Parkway. The Division of Traffic Engineering, however, reserves the right to ban eastbound left turns at said curbcut until such time that Old Hirth Road is closed at Tuttle Crossing Blvd. No utility lines shall be extended west of Old Hirth Road south of Tuttle Crossing Blvd. or south of that portion of Tuttle Crossing Blvd. which is west of Old Hirth Road, nor shall any development be permitted south of Tuttle Crossing Blvd. between Britton Parkway and Old Birth Road until Old Hirth Road has been closed at Tuttle Crossing Blvd.

Landscaping:

1. Within the setback area along Tuttle Crossing Blvd. and the Britton Parkway and any other public street within these subareas, a 3 foot average height continuous planting hedge, fence, wall, earth mound or combination hereof shall be installed as well as one tree per 40 feet of frontage or fraction thereof. Trees do not have to be equally spaced, but may be grouped.

Height District:

The height district for Subarea 13 shall be 35 feet.

GENERAL DEVELOPMENT STANDARDS:

The following general development standards shall apply, except where noted: Waste and Refuse:

1. All waste and refuse shall be containerized and fully screened from public view by a solid wall or fence to a minimum height of six (6) feet.

Storage and Equipment:

No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside a permitted structure.

Mechanical equipment or other utility hardware on the roof, ground or building shall be screened from public view with materials compatible with the building.

Landscaping:

Any open vehicular use area excluding loading, unloading and storage area containing 20 or more vehicular parking spaces shall provide interior landscaping in addition to previously required

perimeter landscaping. Interior landscaping may be peninsular or island type. For each 100 square feet or fraction thereof, of vehicular use area, a minimum total of 5 square feet of landscaped area shall be provided. Landscaped areas shall contain one tree per every ten parking spaces. The interior landscaping required in this paragraph shall count toward satisfying the landscaping requirements contained in Section 3342.11 Landscaping of the Columbus City Code.

Any parking lot which is located within eighty (80) feet of residentially zoned property shall be screened as hereinafter set forth, on the perimeter affecting same. Said screening shall consist of a continuous earth mound (a minimum of three (3) feet in height) with vegetation, which together will provide a screening which is not less than five feet above the parking lot grade with an opacity of not less than seventy-five percent (75%).

All loading docks which are visible from either Tuttle Crossing Blvd. or Britton Parkway shall be screened to a height of ten (10) feet with either mounding, plantings, fence, wall or a combination thereof. Plant material shall be a combination of deciduous and evergreen trees and shall have a winter opacity of at least 50% and a summer opacity of at least 70%.

Minimum size of all trees shall be 2 to 2 1/2 inch caliber for shade, 6 to 8 feet high for evergreen, and 1 to 1 1/2 inch caliber for ornamental.

Signage and Graphics:

1, All signage and graphics shall conform to Chapters 3375 through 3383 of the Columbus City Code as they apply to the C-4, Commercial District. Any variance to the sign requirements as they apply to the C-4, Commercial District shall be submitted to the Columbus Graphics Commission.

Signage may be internally or externally illuminated.

No roof top graphics shall be permitted.

The height of any free-standing graphic shall not exceed twenty (20) feet.

Lighting:

1. All external lighting shall be cutoff type fixtures and shall not spill any light off the property, except that uplighting may be used to illuminate landscaped areas and buildings.

2 All types of parking, pedestrian and other exterior lighting shall be on poles or wall mounted cutoff fixtures and shall be from the same type and style.

All light poles and standards shall be dark brown, bronze or black in color and shall either be constructed of dark wood or dark brown, black or bronze metal.

Parking lot lighting shall be no higher than 28 feet. Entry Features - Setback:

The various setbacks listed within the text shall not apply to architectural features which are used at street intersections. Architectural features shall include, but shall not be limited to, walls, arbors and fountains. (See V89-0054 in which the Board of Zoning Adjustment granted a setback variance to eight feet for the proposed entry features.)

Natural Environment:

The property is located on the northwest corner of Tuttle Crossing Blvd. and Britton Parkway. The property is basically flat and is currently undeveloped.

Existing Land Uses:

This area is part of the overall Edwards Company land development involving the new Tuttle Crossing Blvd. interchange on I-270. To the north and west the property is zoned for freeway orientated uses, office and apartments; to the south and west the property is zoned for office, apartments, and single-family houses.

Transportation and Circulation:

There are curbcuts limitations contained in the Development Standards.

View and Visibility:

In the development of the subject property and in the location of the buildings and access points, consideration has been given to the visibility and safety of the motorist and pedestrian.

Emissions:

No adverse affect from emissions shall result from the proposed development.

Behavior Patterns:

This development is the result of the new 1-270 interchange at Tuttle Crossing Blvd. The interchange will create new behavior patterns for the residents and the motorists in this area as they discover new shopping, eating and traffic opportunities. Existing patterns were established by the development, both residential and commercial, along Frantz Road.

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

SECTION 2. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**

Legislation Number: 1639-2009

Drafting Date: 11/20/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The 2009 Columbus Tax Incentive Review Council (TIRC) reviewed the Carr Supply, Inc. Enterprise Zone project on August 18, 2009, and recommended that the City should consider dissolving the Enterprise Zone Agreement (EZA) between Carr Supply, Inc. (hereinafter "ENTERPRISE") and the City (EZA# 023-05-11). The City concurs with the recommendation of the TIRC.

Columbus City Council (hereinafter "COUNCIL") approved the EZA by Ordinance No. 0348-2005, adopted March 7, 2005. The EZA (hereinafter the "AGREEMENT") was entered into effective November 16, 2005 and granted a 65%/7-Year abatement on real property improvements and personal property investment with a commitment of \$1 million in real property improvements, \$500K in personal property investment, the creation of 5 new permanent full-time jobs with a payroll of \$128,960, and the retention of 42 jobs related to the expansion of between 30,000 to 40,000 square feet at their facility located on parcel number 010-231120 at 1415 Old Leonard Avenue within the City of Columbus Enterprise Zone (Zone #023). The project was expected to begin April 2005 and all acquisition, construction and installation were expected to be completed by April 2008. Three of the new full-time jobs were to be created by 2006, four by 2007, and five by 2008. No personal property tax exemption was to neither commence after tax return year 2008 nor extend beyond tax return year 2014 and no real property exemption was to neither commence after 2006 nor extend beyond 2014.

The AGREEMENT was subsequently amended effective August 1, 2006 (Ordinance No. 1020-2006, passed by COUNCIL June 19, 2006) to modify the exemption window so that no personal or real property tax exemption was to neither commence after tax return year 2009 nor extend beyond tax return year 2015.

As of the TIRC review on August 18, 2009, ENTERPRISE reported that 42 jobs had been retained (100% attainment) and that 19 jobs had been created (380% attainment). However, as of December 31, 2008 no real or personal property investment had been reported as having begun. Additionally, ENTERPRISE has refused to pay the annual \$1,000 monitoring fee for reporting year (RY) 2008. ENTERPRISE was found to be out of compliance with the investment window and as of the date of the TIRC, both the investment and exemption windows had closed. It should also be noted that ENTERPRISE has not filed their DTE-24 application.

The TIRC recommended that a letter be sent to ENTERPRISE requesting that an investment decision be made within 30 days of receipt of the letter to be sent by certified mail. Should they agree to move forward (investment to be complete by 12/31/10) and to pay the yet unpaid RY2008 monitoring fee, then the AGREEMENT would be continued and amended to reflect new investment and job creation windows. Should ENTERPRISE decide not to do so then the AGREEMENT was recommended to be dissolved. The 30-day window for response by ENTERPRISE was October 1, 2009. ENTERPRISE did not respond.

Should the EZA be dissolved, 2008 will have been the final tax year for the incentives and the City will not seek repayment of the exempted or credited taxes from prior years.

This legislation is presented as an emergency measure in order to meet the deadline under state law for City Council to vote on TIRC recommendations.

FISCAL IMPACT: No funding is required for this legislation.

Title

To dissolve the Enterprise Zone Agreement with Carr Supply, Inc.; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

Body

WHEREAS, Columbus City Council approved an Enterprise Zone Agreement ("EZA") with Carr Supply, Inc. ("ENTERPRISE") by Ordinance No. 0348-2005 on March 7, 2005; and

WHEREAS, the EZA grants Enterprise a 65%/ 7-Year abatement on real and personal property investment; and

WHEREAS, the EZA requires Enterprise to invest \$1,000,000 in real property improvements, \$500,000 in personal property, create 5 new full-time jobs, and retain 42 jobs at its 1415 Old Leonard Avenue facility; and

WHEREAS, the EZA was amended effective August 1, 2006 (Ordinance No. 1020-2006, passed by COUNCIL June 19, 2006) to modify the exemption window time frame; and

WHEREAS, as per the review by the 2009 Columbus Tax Incentive Review Council (TIRC) on August 18, 2009, Enterprise had fulfilled the terms of the job creation and retention requirements of their EZA but as of December 31, 2008 no real or personal property investment had been reported as having begun nor had the RY2008 monitoring fee been paid; and

WHEREAS, the TIRC found ENTERPRISE to be in a state of non-compliance in that ENTERPRISE had missed the investment and exemption windows as per the AGREEMENT; and

WHEREAS, the TIRC recommended that a certified letter be sent to ENTERPRISE requesting that an investment decision be made within 30 days of receipt of the letter (October 1, 2009) and that should ENTERPRISE agree to move forward with the investment to be completed by December 31, 2010 and to pay the yet unpaid RY2008 monitoring fee, then the AGREEMENT would be continued and amended to reflect new investment and job creation windows but should ENTERPRISE decide not to comply with the terms of the letter then the AGREEMENT was recommended to be dissolved; and

WHEREAS, as ENTERPRISE did not respond, the City concurs with the TIRC recommendation and desires to dissolve the EZA and end the tax abatement as of December 31, 2008; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to dissolve the Enterprise Zone Agreement with Carr Supply, Inc. in order to meet the deadline under state law for City Council to vote on TIRC recommendations, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW THEREFORE**,

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

Section 1. That Columbus City Council hereby dissolves the Carr Supply, Inc. Enterprise Zone Agreement as of

December 31, 2008, with 2008 as the final tax year for the exemptions.

Section 2. That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the Carr Supply, Inc. Enterprise Zone Agreement.

Section 3. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1640-2009

Drafting Date: 11/20/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The 2009 Columbus Tax Incentive Review Council (TIRC) reviewed the Farber Specialty Vehicles Enterprise Zone project on August 19, 2009, and recommended that the City should consider dissolving the Enterprise Zone Agreement (EZA #392-06-01, hereinafter "AGREEMENT") between the City and Farber Specialty Vehicles, Inc. and its affiliate Farber Development I LLC (hereinafter "ENTERPRISE"). The City concurs with the recommendation of the TIRC.

Columbus City Council approved the AGREEMENT by Ordinance No. 0811-2006, adopted May 1, 2006. The AGREEMENT was entered into effective August 9, 2006 and granted a 65%/7-Year abatement on real property improvements with a commitment of \$2.5 million in real property improvements, \$350K in personal property investment, the creation of 20 new permanent full-time jobs with a payroll of \$582,400, and the retention of 95 jobs related to the construction of a 40,000 square feet manufacturing facility on parcel number 540-166446 adjacent to their current facility located at 7052 Americana Parkway within the Columbus Southeast Enterprise Zone (Zone #392).

The project was expected to begin April 1, 2007; all real property improvements were expected to be completed by December 31, 2008 and all acquisition and installation of personal property were expected to be completed by December 31, 2010. Seven (7) of the new full-time jobs were to be created by the end of the first year the AGREEMENT was in effect (year end 2007), seven (7) more by year end 2008, and six (6) more by year end 2009. No real property tax exemption was to neither commence after 2009 nor extend beyond 2015.

As of the TIRC review on August 19, 2009, ENTERPRISE reported that 95 jobs had been retained (100% attainment) but that job creation was low with 7 jobs having been created (50% attainment for the period and 35% attainment overall). As of December 31, 2008 the real property improvements and personal property investment had been reported as not having begun. Additionally as per a site visit by city staff in July 2009, ENTERPRISE had not yet begun real property improvements nor were these improvements foreseen to began and be completed by year end 2009. The TIRC found ENTERPRISE to be out of compliance with the real property investment window and as of the date of the TIRC, it was evident that compliance with both the investment and exemption windows would not be possible.

The TIRC recommended that a letter be sent to ENTERPRISE requesting that an investment decision be made within 30 days of receipt of the letter to be sent by certified mail. Should they agree to move forward (investment to be complete by 12/31/10), then the AGREEMENT would be continued and amended to reflect new investment and job creation windows. Should ENTERPRISE decide not to do so then the AGREEMENT was recommended to be dissolved. The 30-day window for response by ENTERPRISE was October 1, 2009. ENTERPRISE did not respond.

Should the EZA be dissolved, 2008 will have been the final tax year for the incentives and the City will not seek repayment of the exempted or credited taxes from prior years.

This legislation is presented as an emergency measure in order to meet the deadline under state law for City Council to vote on TIRC recommendations.

FISCAL IMPACT: No funding is required for this legislation.

Title

To dissolve the Enterprise Zone Agreement between the City of Columbus and Farber Specialty Vehicles, Inc. and its affiliate Farber Development I LLC; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

Body

WHEREAS, Columbus City Council approved an Enterprise Zone Agreement ("EZA") with Farber Specialty Vehicles, Inc. and its affiliate Farber Development I LLC ("ENTERPRISE") by Ordinance No. 0811-2006 on May 1, 2006; and

WHEREAS, the EZA grants Enterprise a 65%/ 7-Year abatement on real property improvements; and

WHEREAS, the EZA requires Enterprise to invest \$2,500,000 in real property improvements, \$350,000 in personal property, create 20 new full-time jobs, and retain 95 jobs at and adjacent to its current facility at 7052 Americana Parkway; and

WHEREAS, as per the review by the 2009 Columbus Tax Incentive Review Council (TIRC) on August 18, 2009, Enterprise had fulfilled the terms of the job retention requirements of their EZA but as of December 31, 2008 ENTERPRISE was low on job creation and no real or personal property investment had been reported as having begun; and

WHEREAS, the TIRC found ENTERPRISE to be in a state of non-compliance in that ENTERPRISE had missed the investment window and would miss the exemption window as per the AGREEMENT; and

WHEREAS, the TIRC recommended that a certified letter be sent to ENTERPRISE requesting that an investment decision be made within 30 days of receipt of the letter (October 1, 2009) and that should ENTERPRISE agree to move forward with the investment to be completed by December 31, 2010, then the AGREEMENT would be continued and amended to reflect new investment and job creation windows but should ENTERPRISE decide not to comply with the terms of the letter then the AGREEMENT was recommended to be dissolved; and

WHEREAS, as ENTERPRISE did not respond, the City concurs with the TIRC recommendation and desires to dissolve the EZA and end the tax abatement as of December 31, 2008; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to dissolve the Enterprise Zone Agreement with Farber Specialty Vehicles, Inc. and its affiliate Farber Development I LLC in order to meet the deadline under state law for City Council to vote on TIRC recommendations, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW THEREFORE,**

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

Section 1. That Columbus City Council hereby dissolves the Farber Specialty Vehicles, Inc. and its affiliate Farber Development I LLC Enterprise Zone Agreement as of December 31, 2008, with 2008 as the final tax year for the exemptions.

Section 2. That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the Farber Specialty Vehicles Enterprise Zone Agreement.

Section 3. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10)

days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1641-2009

Drafting Date: 11/20/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: The 2009 Columbus Tax Incentive Review Council (TIRC) reviewed the Weiler-Bowen Ltd. Enterprise Zone project on August 18, 2009, and recommended that the City should consider dissolving the Enterprise Zone Agreement (EZA #023-98-05, hereinafter "AGREEMENT") between the City and Weiler-Bowen, Limited (hereinafter "ENTERPRISE"). The City concurs with the recommendation of the TIRC.

Columbus City Council (hereinafter "COUNCIL") approved the AGREEMENT between the City of Columbus and Weiler-Bowen, Limited and Calltech Communications, Incorporated by Ordinance No. 2329-97, adopted September 30, 1997. The AGREEMENT was entered into effective September 30, 1997 and granted a ten (10) year real property tax abatement with the abatement amount being 100% for years 1 through 5 and 50% for years 6 through 10 on real property improvements with a commitment of \$3.5 million in real property improvements, \$3.8 million in personal property investment, the creation of between 150 to 200 new permanent full-time jobs related to the redevelopment of approximately 95,000 square feet of office/warehouse space on 1108 City Park Avenue within the City of Columbus Enterprise Zone (Zone #023). The project was expected to begin June 1, 1998 and all acquisition, construction, and installation were expected to be completed by June 1, 1999. No real property tax exemption was to neither commence before 1998 nor extend beyond 2009.

The AGREEMENT was subsequently authorized to be amended for the first time by Ordinance No. 2507-2003, passed by COUNCIL December 8, 2003, effective March 4, 2004, to remove Calltech Communications, Incorporated from the AGREEMENT and to acknowledge multiple tenants at the facility.

The AGREEMENT was subsequently authorized to be amended for the second time by Ordinance No. 1916-2004, passed by COUNCIL November 1, 2004 to modify the abatement schedule to be 100% for years 1 through 4 (2000 to 2003) and 50% for years 5 through 10 (2004 to 2009).

The AGREEMENT was subsequently authorized to be amended for the third time by Ordinance No. 1744-2006, passed by COUNCIL October 16, 2006, effective November 15, 2006, to modify the job, payroll, and personal property investment requirements.

As of the TIRC review on August 18, 2009, it was reported to the TIRC that ENTERPRISE was in a state of non-compliance, that as of the March 31, 2009 annual reporting deadline, ENTERPRISE had not submitted their annual reporting materials. ENTERPRISE was sent the reporting materials in January, a reminder notice was sent prior to the deadline, and that non-compliance letters were sent in May and July (the July letter via Certified Mail).

The TIRC recommended that a letter be sent to ENTERPRISE via Certified Mail requesting full reporting compliance within 30 days of receipt of the letter, and that if ENTERPRISE did not comply then the AGREEMENT would be dissolved. The 30-day window for response by ENTERPRISE was October 1, 2009. ENTERPRISE did not respond.

Should the EZA be dissolved, 2007 will have been the final tax year for the incentives and the City will not seek repayment of the exempted or credited taxes from prior years.

This legislation is presented as an emergency measure in order to meet the deadline under state law for City Council to vote on TIRC recommendations.

FISCAL IMPACT: No funding is required for this legislation.

Title

To dissolve the Enterprise Zone Agreement between the City of Columbus and Weiler-Bowen, Limited; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

Body

WHEREAS, Columbus City Council ("COUNCIL") approved an Enterprise Zone Agreement ("EZA") with Weiler-Bowen, Limited ("ENTERPRISE") and Calltech Communications, Incorporated by Ordinance No. 2329-97 on September 30, 1997; and

WHEREAS, the EZA granted a 10-year abatement on real property improvement, with the abatement amount being 100% for years 1 through 5 and 50% for years 6 through 10; and

WHEREAS, the EZA required \$3,500,000 in real property improvements, \$3,800,000 in personal property investment, and the creation of between 150 to 200 new full-time jobs, related to the redevelopment of approximately 95,000 square feet of office/warehouse space on 1108 City Park Avenue; and

WHEREAS, the EZA was subsequently authorized to be amended for the first time by Ordinance No. 2507-2003, passed by COUNCIL December 8, 2003, effective March 4, 2004, to remove Calltech Communications, Incorporated from the EZA and to acknowledge multiple tenants at the facility; and

WHEREAS, the EZA was subsequently authorized to be amended for the second time by Ordinance No. 1916-2004, passed by COUNCIL November 1, 2004 to modify the abatement schedule to be 100% for years 1 through 4 (2000 to 2003) and 50% for years 5 through 10 (2004 to 2009); and

WHEREAS, the EZA was subsequently authorized to be amended for the third time by Ordinance No. 1744-2006, passed by COUNCIL October 16, 2006, effective November 15, 2006, to modify the job, payroll, and personal property investment requirements; and

WHEREAS, as per the review by the 2009 Columbus Tax Incentive Review Council (TIRC) on August 18, 2009, ENTERPRISE had not yet submitted their annual reporting materials, having missed the reporting deadline of March 31, 2009 and having been unresponsive to repeated communications requesting submission of reporting materials; and

WHEREAS, the TIRC found ENTERPRISE to be in a state of non-compliance in that ENTERPRISE had missed the annual reporting window; and

WHEREAS, the TIRC recommended that a certified letter be sent to ENTERPRISE requesting full reporting compliance within 30 days of receipt of the letter, and that if ENTERPRISE did not comply then the AGREEMENT would be dissolved; and

WHEREAS, the 30-day window for response by ENTERPRISE was October 1, 2009; and

WHEREAS, as ENTERPRISE did not respond, the City concurs with the TIRC recommendation and desires to dissolve the EZA and end the tax abatement as of December 31, 2007; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to dissolve the Enterprise Zone Agreement with Weiler-Bowen, Limited in order to meet the deadline under state law for City Council to vote on TIRC recommendations, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW THEREFORE**,

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

Section 1. That Columbus City Council hereby dissolves the Weiler-Bowen, Limited Enterprise Zone Agreement as of

December 31, 2007, with 2007 as the final tax year for the exemptions.

Section 2. That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the Weiler-Bowen, Limited Enterprise Zone Agreement.

Section 3. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1644-2009

Drafting Date: 11/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation1. **BACKGROUND**

The Department of Public Service, Keep Columbus Beautiful (KCB) program is eligible to apply for a Building Healthy Communities grant sponsored by The Home Depot Foundation. The grant is requesting funding to support a new litter abatement and beautification effort targeted at helping neighborhoods remove accumulated trash and debris from the historic Parsons Avenue corridor which serves as the gateway into the City of Columbus Southside neighborhoods. The cleanup and beautification is meant to focus on grassroots issues such as removing litter and graffiti while improving streetscape with flowers and shrubs to compliment a forthcoming revitalization of this area. The effort will bring together volunteers from both east and west neighborhoods surrounding the corridor to target blight and improve the area's image.

The Ohio Revised Code (ORC), Chapter 1502, authorizes The Home Depot Foundation to award grants for the purpose of supporting community improvement activities. Grant awards may range up to \$2,500.00 in gift cards from The Home Depot. No cash match is required.

Those eligible to apply include non-profit 501c3, and tax exempt public agencies.

Keep Columbus Beautiful is requesting funding from The Home Depot Foundation to develop and support a Plant Pride on Parsons, a Parsons Avenue spring cleanup and beautification beginning at Livingston Avenue to State Route 104 targeted at removing litter and graffiti along the business corridor and employing a new floral greenscape down the corridor. Neighborhoods such as Schumacher Place, Merion Village, Ganthers Place, Swain's Corner, Southside Can, Vassar Village, Hungarian Village, Reeb Hosack, and more would be the focus of volunteer recruitment to help remove grassroots blight such as litter and graffiti from the area. Grant funds in gift cards would be used to support the cleanup and beautification by purchasing trash bags, cotton gloves, paint and flowers/shrubs etc.

This legislation authorizes the Director of Public Service to formally apply for the grant and accept it [if awarded,]; it also authorizes the appropriation of these funds within the General Government Grant Fund and its expenditure from that fund.

2. FISCAL IMPACT

None. No city match is required for this grant. No cash match is expected, but local financial or in-kind contributions will help to demonstrate a sense of commitment, and offset the overall cost of the project. KCB resources that will be dedicated to managing/implementing this grant are included in the program's 2009 operating budget within the Street Construction, Maintenance and Repair Fund.

ORC Section 1502.02 and the grant agreement require all grantees, to create and maintain a separate account for grant funds received, and cash donations (ORC Section 5733.064) received for their grant program. The separate account must remain open throughout the effective dates of the grant agreement and during whatever additional time is necessary to close out all charges and payments related to the grant.

The grantee must use an accounting system that complies with generally accepted accounting principles. Local government accounting systems that comply with standards and procedures published by Ohio's state auditor will meet the department's accounting standards. The accounting system must provide a timely and accurate record of transactions and

must produce reports that correspond with the total funds expended and the unexpended balance. In order to sub-grant funds for eligible purposes, as identified in the approved budget, grantees are required to enter into a contract with any approved contractor. Total expenditures cannot exceed the amounts budgeted.

3. EMERGENCY DESIGNATION

Emergency action is requested to meet the application deadline apply for this funding(December 15, 2009).

TitleTo authorize the Director of Public Service to apply to The Home Depot Foundation Building healthy Communities grant to help facilitate Plant Pride on Parsons a beautification effort along the Parsons Avenue corridor leading into Columbus' Southside neighborhoods with highly visible destination areas and accept said grant if awarded; to authorize the appropriation of up to \$2,500.00 of gift cards within the General Government Grant Fund; to authorize the expenditure of \$2,500.00 in Home Depot gift cards or so much thereof as may be needed for this purpose from the General Government Grant Fund and to declare an emergency. (\$2,500.00 in gift cards)

Body**WHEREAS**, The Home Depot Foundation is sponsoring the Building Healthy Communities Community Improvement Grant; and

WHEREAS, this grant is designed to facilitate a beautification initiative in Spring of 2010 and collaborative efforts with the City of Columbus, Nationwide Children's Hospital, Parsons Avenue Merchants Association, area commissions and neighborhood leaders to recruit area volunteers to remove blighted conditions from Parsons Avenue beginning at Livingston Avenue to State Route 104; and

WHEREAS, Keep Columbus Beautiful must complete and submit an online application to The Home Depot website by December 15th 2009 detailing the project; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service Director to apply for the grant and accept it if awarded as soon as possible to meet the application deadline and to allow the planning for an effective litter abatement project and miscellaneous sustainable efforts in Spring of 2010; thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the Director of Public Service be and hereby is authorized to apply to The Home Depot Foundation Building Healthy Communities Grant designed to facilitate a new litter abatement initiative in Spring of 2010.

Section 2. That from the unappropriated balance of the General Government Grant Fund, Fund 220, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2010, the sum of up to \$2,500.00 in gift cards be and hereby is appropriated to the Department of Public Service, No. 59-02, O.L. 01-03 Codes 02-2200, OCA Code and Grant number to be assigned by the City Auditor.

Section 3. That the monies appropriated in Section 2 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. That the Director of Public Service be and hereby is authorized to expend \$2,500.00 or so much thereof as may be needed to pay appropriate "2010 Plant Pride on Parsons Cleanup and Beautification" program expenses from the General Government Grant Fund, Fund 220, Department of Public Service, 59-02, O.L. 01-03 Codes 02-2200, OCA Code and Grant number to be assigned by the City Auditor.

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

Drafting Date: 11/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: The Columbus Health Department, through grant funds from the Ohio Department of Health, operates clinics for the Women, Infants and Children (WIC) Program. The WIC clinics are serving a greater number of clients from further west in Franklin. Therefore, in order to properly serve the greatest number of clients in west Columbus and beyond, WIC seeks approval to relocate a clinic to 1288 Georgesville Road, on the west side of Columbus.

This legislation authorizes the Director of the Department of Finance and Management, on behalf of Columbus Health Department, to execute those documents necessary to enter into a lease agreement with Columbus Center For Human Services Inc. (Contract Compliance # 310996044) for the occupancy of 3,764 square feet for the period commencing from the time the premises are ready for occupancy (anticipated to be available in late November) through September 30, 2010. The lease also contains four (4) automatic successive one-year renewals, each subject to City Council approval of funding. In order to coincide with WIC's annual grant period, each one-year renewal term shall commence on October 1st and terminate on September 30th of the following year. The WIC Program also seeks to renew four lease contracts for the rental of real property. The WIC budget provides \$184,439.50 for the lease of real property to be used as clinic space for the WIC Program.

<u>Property Owner</u>	<u>Number of sq ft</u>	<u>Price Per Sq Ft.</u>	<u>Contract Compliance</u>
Columbus Center Human Services Inc.	3,764	\$13.50	310996044
PLM Company	3,145	\$10.76	311416454
Jane Setterlin	2,520	\$10.75	287323903
Scott Family Legacy	2,900	\$14.20	880491953
77-83 Outerbelt	2,860	\$12.50	200344671

Emergency action is requested in order to allow the WIC clinic to begin offering program services to the community as quickly as possible.

Fiscal Impact The lease payments cited above are entirely funded by the WIC grant. This grant does not generate revenue or require a City match.

Title

To authorize and direct the Director of the Department of Finance and Management, on behalf of the Columbus Health Department, to renew four existing lease contracts for the period of October 1, 2009 through September 30, 2010, and to enter into a lease agreement with Columbus Center For Human Services Inc. for the lease of clinic space for the WIC program, for the period of late November 2009 through September 30, 2010; to authorize the expenditure of \$184,439.50 from the Health Department Grants Fund; and to declare an emergency (\$184,439.50)

Body

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

WHEREAS, the City desires, for the benefit of the Department of Health, to renew four lease contracts for the rental of real property, in order to provide services for the Women, Infants and Children program; and,

WHEREAS, the City desires, for the benefit of the Columbus Health Department, to enter into a lease agreement with Columbus Center For Human Services Inc. for the rental of real property containing 3,764 square feet of space at 1288

Georgesville Road, Columbus, Ohio for the expansion of the Women, Infants and Children program; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Health in that it is immediately necessary to enter into the lease as described herein, with automatic options to renew the lease if so desired, in order to allow the WIC clinic to begin offering program services to the community as quickly as possible for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Director of the Finance and Management Department is hereby authorized and directed to renew four existing leases, for the provision of rental space for WIC clinics for the period October 1, 2009 through September 30, 2010, and to enter into a lease agreement for rental space for a new WIC clinic for the period of November 23, 2009 through September 30, 2010.

SECTION 2. That the terms and conditions of the new leases are as stated in the lease agreement approved by the Real Estate Division, City Attorney's Office, and includes the following:

- a) The lease agreement shall include four (4) one-year automatic renewal options. Each renewal shall be effective for one year, commencing on October 1st and terminating on September 30th of the following year, as provided in the lease agreement.
- b) All rents are subject to appropriation of rental funds by City Council.

SECTION 3. That to pay the costs of said contracts, the expenditure of \$184,439.50 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Division No. 50-01, as follows:

<u>Property Owner</u>	<u>OCA</u>	<u>Object</u>	<u>Level 01</u>	<u>Level 03</u>	<u>Amount</u>
Columbus Center	509116	03	3301		\$46,579.50
For Human Services					
PLM Company	509116	03	3301		\$33,840.00
Jane Setterlin	509116	03	3301		\$27,090.00
Scott Family Leg.	509116	03	3301		\$41,180.00
77-83 Outerbelt	509116	03	3301		\$35,750.00

SECTION 4. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records. That the City Auditor is authorized to make any changes to revise the funding source for any contract or contract modifications associated with this ordinance

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

Legislation Number: 1649-2009

Drafting Date: 11/23/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase Cisco Equipment and Smartnet Maintenance for the Department of Technology. Cisco Equipment and Smartnet Maintenance provides the ability to purchase equipment and maintenance for various computer and connectivity projects (including VoIP) for all City agencies.

The term of the proposed option contract would be through June 30, 2012 with the option to extend the contract for one additional year, subject to mutual agreement. The Purchasing Office opened formal bids on November 5, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003427. Two hundred and fifty six (256) bids were solicited (F1:3, M1A:13). Six (6) bids were received.

The Purchasing Office is recommending award of the contract to the lowest, responsive, responsible and best bidder:

Omeroy IT Solutions CC#611352158 (Expires September 22, 2011), All items.

Total Estimated Annual Expenditure: \$1,000,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. City agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase Cisco Equipment and Smartnet Maintenance for the Department of Technology, to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on November 5, 2009 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, because Cisco Equipment and Smartnet Maintenance will be used to purchase equipment and maintenance for various computer and connectivity projects (including VoIP), this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to enter into a contract for an option to purchase PGP Security Products and Support, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase Cisco Equipment and Smartnet Maintenance for the Department of

Technology for the term ending June 30, 2012 with the option to extend the contract for one (1) additional one-year periods, subject to mutual agreement, in accordance with Solicitation No. SA003427 as follows:

Pomery IT Solutions, All items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 1650-2009

Drafting Date: 11/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: For the option to purchase PGP Security Products and Support for the Department of Technology. PGP Security Products provide information protection via encryption and other methods for all City agencies.

The term of the proposed option contract would be through June 30, 2012 with the option to extend the contract for one additional year, subject to mutual agreement. The Purchasing Office opened formal bids on October 15, 2009.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA003392. Two hundred and thirty one (231) bids were solicited (F1:3, M1A:7). Three (3) bids were received.

The Purchasing Office is recommending award of the contract to the lowest, responsive, responsible and best bidder:

Paragon Development Sysytems, CC#391563465 (Expires August 20, 2011), All items.

Total Estimated Annual Expenditure: \$91,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. City agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

Title

To authorize and direct the Finance & Management Director to enter into a contract for the option to purchase PGP Security Products and Support for the Department of Technology, to authorize the expenditure of one (1) dollar to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$1.00)

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids on October 15, 2009 and selected the lowest, responsive, responsible and best bid; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for City agencies to efficiently maintain their supply chain and service to the public; and

WHEREAS, because PGP Security Products and Support will be used to provide information protection via encryption and other methods, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Technology in that it is immediately necessary to enter into a contract for an option to purchase PGP Security Products and Support, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance & Management Director be and is hereby authorized and directed to enter into the following contract for an option to purchase PGP Security Products and Support for the Department of Technology for the term ending June 30, 2012 with the option to extend the contract for one (1) additional one-year periods, subject to mutual agreement, in accordance with Solicitation No. SA003392 as follows:

Paragon Development Systems., All items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

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

Legislation Number: 1654-2009

Drafting Date: 11/23/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

BACKGROUND: To modify and extend the existing contracts for the option to purchase office papers (recycled) by City agencies to and including March 30, 2010. The existing contracts , FL003367 with RIS Paper Company and FL003368 with Sterling Paper Company, end on January 31, 2010 and there are no further extensions available. However, the extension of these contracts will permit agencies the ability to get office paper until 2010 funds are available and until a new contract(s) is/are established. A new bid process (SA003425) opened on November 12, 2009 but will not be awarded in sufficient time this year so that agencies can make office paper purchases after January 31, 2010. On the current contracts, formal bids were opened by the Purchasing Office on November 16, 2006. The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06. (Solicitation #SA002233). The following contracts were established in accordance with bids received:

FL003367 with RIS Paper Company, FID# 13-5585947 and
FL003368 with Sterling Paper Company, FID# 31-4317038

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

1. Amount of additional funds: The estimated annual expenditure for the contract is \$350,000.00. City agencies must obtain approval to expend from their own budgeted funds for their estimated expenditures.

2. Reason additional needs were not foreseen: The need was unforeseen, as the current bid results require additional time to determine an award, but the modification and extension requires City Council approval.
3. Reason other procurement processes not used: A new formal bid process was done but can not be awarded in time to prevent a lapse.
4. How cost was determined: The cost, terms and conditions are in accordance with the original agreement.

FISCAL IMPACT: No funding is required to extend the option contracts. City agencies must set aside their own funding for their estimated expenditures.

To keep interrupted supply of service to the City Agencies using the Universal Term Contracts, this ordinance is be submitted as an emergency.

Title

To authorize and direct the Finance and Management Director to modify and extend the current option contracts for Office Papers (recycled) with RIS Paper Company and Sterling Paper Company; and to declare an emergency.

Body

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bids; and

WHEREAS, the vendors have agreed to extend FL003367 and FL003368 at current prices to and including March 31, 2010, and it is in the best interest of the City to exercise this modification and extension; and

WHEREAS, in order to avoid a lapse in our ability for city agencies to purchase Office Papers (recycled) for their communication needs, this is being submitted for approval as an emergency measure; and

WHEREAS, an emergency exists, it is immediately necessary to modify and extend FL003367 and FL003368 for the option to purchase Office Papers (recycled), thereby preserving the public and the City's health, peace, property, safety, and welfare, now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to modify and extend FL003367 with RIS Paper Company and FL003368 with Sterling Paper Company, to and including March 31, 2010.

SECTION 2. That this modification and extension is in accordance with Section 329.16 of the Columbus City Codes.

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

Legislation Number: 1656-2009

Drafting Date: 11/23/2009

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes The Director of Public Service to enter into a contract with the Ohio Department of Transportation (ODOT) for the Construction of the Rich Street Bridge and Second Street and improvements to the surrounding area. This project includes the following components:

Part 1 - Relocation of the existing U.S. Route 62D structure (Town Street Bridge) over the Scioto River to Civic Center Drive and Rich Street intersection (Eastern Bank). Approach roadway reconstruction at intersections with Washington Boulevard and Civic Center Drive, including 0.24 miles of Town Street and Main Street including Scioto West Bank Park improvement; and

Part 2 - Resurfacing of 0.05 miles and reconstruction of 0.14 miles of Second Street, including reconstruction of sidewalks, traffic control, waterline, sanitary sewer improvements, storm sewer construction and post construction storm water best management practices, lying within the City of Columbus; and

As part of this project approximately 0.25 miles of new bikeway will be added which will allow for a continuous bike path at the rivers edge along the west side of the river. Approximately 0.75 miles of sidewalk will be retained in compliance with the walkability and pedestrian quality of service in the downtown area. Also, 32 curb ramps will be added or retained. This project connects to the Scioto Mile project, and supports downtown festival activities, Bicentennial park, and COSI. Bioretention planters will also be installed along with street trees, and West Bank Park will be rebuilt.

2. EMERGENCY DESIGNATION

Emergency action is requested in order to meet ODOT's schedule to bid this project on January 13, 2010. In order to do this paperwork needs to be returned to ODOT by December 31, 2009. The project is scheduled to begin construction in February 2010 and end in August 2011.

3. FISCAL IMPACT

There are many components to this project including bridge construction, roadway work, sidewalk and bikeway construction, park construction, reconstruction of waterlines, and sanitary and stormwater sewer lines. The Ohio Department of Transportation will bid and administer the construction of this project. As part of ODOT's construction process, the City share of the project based on an ODOT estimate is required prior to the project being bid. Therefore, the City share of this project will be contributed by the Division of Design and Construction and when actual quantities and costs are known the Division of Design and Construction will seek reimbursement from these other Divisions for their shares. There is no contingency funding included in this estimate and therefore it may be necessary to request additional spending authority from council if warranted. Other sources of funding utilized for this project by ODOT and the City will be Ohio Public Works Commission (OPWC), Federal Earmarks, American Recovery and Reinvestment Act (ARRA), and ODOT capital funds.

The estimated cost of construction for this project is \$29,592,105.70. The total share of the cost for the City is now estimated at \$2,698,118.47, but the estimated amount will be adjusted so that the City's ultimate share of the cost of the improvement shall correspond with the actual cost when said actual costs are determined.

Title To authorize the Director of Public Service to enter into agreement with the Director of the Ohio Department of Transportation for this Rich Street Bridge Construction project; to amend the 2009 C.I.B.; to authorize the transfer of funds within the Gov'l Build America Bonds (B.A.B.s) Fund and to the Fed-State Highway Engineering Fund; to authorize the expenditure of \$2,698,118.47 from the within the Fed-State Highway Engineering Fund for the Division of Design and Construction; and to declare an emergency. (\$2,698,118.47)

Body **WHEREAS**, the following ordinance enacted by the City of Columbus, Ohio, hereinafter referred to as the Legislative Authority or Local Public Agency or "LPA", in the matter of the stated described project; and

WHEREAS, this project is being funded by the American Recovery and Reinvestment Act ("ARRA") and funds from that Act are capped at the Federal share amount; and

WHEREAS, on the 25th day of June, 2007, the LPA enacted legislation (Ordinance 0712-2007) proposing cooperation with the Director of the Ohio Department of Transportation (Director of Transportation) for the described project:

Part 1 - Relocation of existing U.S. Route 62D structure over the Scioto River to Civic Center Drive and Rich Street

intersection (Eastern Bank). Approach roadway reconstruction at intersections with Washington Boulevard and Civic Center Drive, including 0.24 miles of Town Street and Main Street including Scioto West Bank Park improvement; and

Part 2 - Resurfacing of 0.05 miles and reconstruction of 0.14 miles of Second Street, including reconstruction of sidewalks, traffic control, waterline, sanitary sewer improvements, storm sewer construction and post construction storm water best management practices, lying within the City of Columbus; and

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

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid funds, including MORPC, ARRA, and Earmark and State Funds set aside by the Director of Transportation of the State of Ohio for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right of Way, excluding in-house preliminary engineering and Right-of-Way charges incurred by the State.

The share of the cost of the LPA is now estimated in the amount of Two Million Six Hundred Ninety Eight Thousand One Hundred Eighteen and 47/100 Dollars, (\$2,698,118.47), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the LPA recognizes that it is responsible for all change orders and that the Department recommends the LPA set aside at least 6% of the total project cost to pay for potential change orders and cost overruns; and

WHEREAS, the Director of the Ohio Department of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is the sense of this Council that the Director of the Ohio Department of Transportation must proceed with the aforesaid highway improvement, thereby preserving the public health, peace, property, and safety; now, therefore

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

Section 1. That the estimated sum of Two Million Six Hundred Ninety Eight Thousand One Hundred Eighteen and 47/100 Dollars, (\$2,698,118.47) or so much thereof as may be needed be and is hereby authorized to be expended from the Fed-State Highway Engineering Fund, Fund 765, Division of Design and Construction, Department No. 59-12, O.L 01-03 Codes 06-6631, OCA Code 591291, Grant 565186 in the Rich Street Bridge Grant for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of the Ohio Department of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

Section 2. That the 2009 Capital Improvements Budget established within ordinance 0806-2009 be and hereby is amended to provide funding for this project as follows:

Project Number / Project / Current CIB Amount / Amendment Amount / CIB Amount

530103 - 100017 / Arterial Street Rehabilitation - Lockbourne Road / \$3,720,000.00 / (\$1,023,505.00) / \$2,696,495.00
530301-100004 / Bridge Rehabilitation - Rich St Bridge / 1,674,614.00 / \$1,023,505.00 / \$2,698,119.00 (Carryover)

Section 3. To move cash and appropriation between projects within Fund 746, the Gov'l Build America Bonds (B.A.B.s) Fund as follows:

FROM:

Fund / Project # / Project / Object Level Three Codes / OCA Code / Amount

Move cash and appropriation

746 / 530103 - 100017 / Arterial Street Rehabilitation - Lockbourne Road / 0-6600 / 528246 / \$1,023,504.47

Move Appropriation

746 / 530301-100004 / Bridge Rehabilitation - Rich St Bridge / 06-6600 / 528301 / \$1,674,614.00

TO:

Fund / Project # / Project / Object Level Three Codes / OCA Code

746 / 530301-100004 / Bridge Rehabilitation - Rich St Bridge / 10-5501 / 528301 / \$2,698,118.47

Section 4. To authorize the transfer of funds between the Gov'l Build America Bonds (B.A.B.s) Fund and the Fed-State Highway Engineering Fund as follows:

FROM:

Fund / Project # / Project / Object Level Three Codes / OCA Code

746 / 530301-100004 / Bridge Rehabilitation - Rich St Bridge / 10-5501 / 528301 / \$2,698,118.47

TO:

Fund / Grant# / Grant / Grant Name / OCA Code / OL01-03 / Amount

765 / 565186 / Rich Street Bridge / 591291 / 80-0886 / \$2,698,118.47

Section 5. That the sum of \$2,698,118.47 be and hereby is appropriated from the unappropriated balance of Fund 765, the Fed-State Highway Engineering Fund, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2009 to the Rich Street Bridge Grant, number 565186 as follows:

Division of Design and Construction, Dept-Div 59-12:

Fund / Project # or Grant# / Grant / Grant Name / OCA Code / OL3 / Amount

765 / Fed-State Highway Eng. / 565186 / Rich Street Bridge / 591291 / 6631 / \$2,698,118.47

Section 6. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Section 7. That the LPA enter into a contract with the State, and that the Director of Public Service be and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

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

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

Drafting Date: 11/25/2009

Current Status: Passed

Version: 1

Matter Type: Ordinance

Explanation

This ordinance proposes several amendments to the Police Management Compensation Plan, Ordinance No. 0676-2006 as follows:

A one percent (1%) decrease in pension pickup effective March 21, 2010.

The employee monthly insurance contribution will increase to ten percent (10%) effective April 1, 2010.

Professional time will increase to 50 hours.

Emergency action is recommended so that the implementation process can begin.

Title

To amend Ordinance No. 0676-2006, the Police Management Compensation Plan, by amending Sections 3(B), 5(G), and 7(K); and to declare an emergency.

Body

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to amend certain provisions of the Management Compensation Plan, thereby preserving the public peace, property, health, safety, and welfare; Now, Therefore

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

See Attachment

City RFPs, RFQs, and Bids

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:
<http://vendorservices.columbus.gov/e-proc/venSolicitationsAll.asp?link=Open+Solicitations&cboType=B>

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE: Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article I, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts EXCEPT PROFESSIONAL SERVICE CONTRACTS: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$10,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - December 16, 2009 3:00 pm

SA003438 - CIP 650252 JPWWTP New Headworks, Berline

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CONTRACT J208: JACKSON PIKE WASTEWATER TREATMENT PLANT, NEW HEADWORKS, BERLINER SITE DECOMMISSIONING AND NEW GRIT PAD

SCOPE: The City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage is receiving proposals for Jackson Pike Wastewater Treatment Plant, New Headworks, Berliner Site Decommissioning and New Grit Pad. The work for which proposals are invited consist of the following at three sites:

1. Berliner Site Decommissioning

Decommissioning of existing facilities, modification of the existing grit tanks to route 108-inch OSIS through the tanks, demolition of the concrete grit pad and various site work.

2. Harmon Avenue/Emig Road

Construction of a new grit pad, storage building, a new gate and various miscellaneous site work.

3. Jackson Pike WWTP

Replacement of two chain link fence gates and operators, replacement of operator for a third gate, security system and associated electrical work, minor concrete work and minor miscellaneous site work.

Copies of the Bidding Documents may be purchased by prospective bidders through the office of Burgess & Niple, Inc., 5085 Reed Road, Columbus, Ohio 43220. Payment for Bidding documents is non-refundable, no partial sets or individual drawing sheets/document pages will be issued and payment arrangements are required before documents are issued. Checks are to be made payable to Burgess & Niple, Inc. Bidding Documents will be available as of November 10, 2009. Please see Bidder's Guide for more details.

Sealed bids will be received by the Director of Public Utilities of the City of Columbus, Ohio at the office of the Director of Public Utilities, 910 Dublin Road, Room 4015, until 3:00 p.m., Local Time, on Wednesday, December 16, 2009, and publicly opened and read at the Department of Public Utilities Complex, 910 Dublin Road, 1st Floor Auditorium, Columbus, OH 43215.

CLASSIFICATION: There is a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal bond and a 100% (One hundred percent) performance bond 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 bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: November 07, 2009

SA003448 - ALTON DARBY CREEK RD 12" WATER MAIN PH 2

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SCOPE: The City of Columbus Department of Public Utilities, Division of Power and Water is receiving proposals for the Alton-Darby Creek 12-Inch Water Main, Phase II Project. The work for which proposals are invited consists of the installation of a 12-inch water line, appurtenances and such other work as may be necessary to complete the contract in accordance with the plans (C-1109) and specifications. All work shall be completed within 45 days from date of the Notice to Proceed.

CLASSIFICATIONS: There is not a Pre-Bid Conference for this bid. Prevailing wage rates apply. A 10% (ten percent) proposal guaranty (proposal bond or certified check) and a 100% (one hundred percent) performance and payment bond are required for this bid. Plans are available to prospective bidders after November 28, 2009. The Bid Date for the project is December 16, 2009.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: November 24, 2009

BID OPENING DATE - December 17, 2009 11:00 am

SA003440 - UTILITY LINE MARKING PAINT & FLAGS - UTC

1.1 Scope: It is the intent of the City of Columbus to solicit formal bids to establish a Universal Term Contract (Blanket Type) for the purchase of Utility Line Marking Paint and Flags for use by various City agencies. The primary user of this contract will be the Division of Sewerage and Drainage, Line Locating Section. It is estimated that \$55,000.00 will be spent annually on this contract. The proposed contract shall be in effect for two (2) years from the date of execution by the City to and including April 30, 2012.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of inverted 20 oz. marking paint and 4" x 5" x 21" marking flags with 16 gauge wire stakes for use in marking utility lines throughout the City of Columbus. All paint quoted shall be water based and lead free. All purchases from this contract will be on as needed basis.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: December 01, 2009

SA003441 - INFOTRONICS TIME CLOCKS - UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities to solicit formal bids to establish a Universal Term Contract (Blanket Type) for the purchase of InfoTronics IT2100 Bar Code Network Type time clocks to be pre-programmed with a City of Columbus supplied IP address, subnet mask, unit number and gateway with optional 10/100 Ethernet card. It is estimated that \$35,000.00 will be spent annually on this contract. The proposed contract shall be in effect for two (2) years from the date of execution by the City to and including April 30, 2012.

1.2 Classification: This bid proposal and the resulting contract will provide for the purchase of InfoTronics IT2100 Bar Code Network Type time clocks. All clocks shall be pre-programmed to run on Attendance Enterprise software currently being used by the Department of Public Utilities. The City of Columbus will not make any changes or alterations to their attendance program for clocks that are not programmed to run on Attendance Enterprise. Bidders are asked to quote on the cost of pre-program set-up and per year support cost on a year to year basis.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 02, 2009

BID OPENING DATE - December 21, 2009 1:00 pm

SA003445 - ART ST REHAB - HARD RD PH A/SAWMILL RD

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Public Service Department is receiving proposals until 1:00 P.M. December 21, 2009, for professional engineering consulting services for the Arterial Street Rehabilitation - Hard Road Phase A/Sawmill Rd. - Smoky Row Rd. project. Proposals are being received by Department of Public Service, Office of Support Services, 109 N. Front St., Room 301, Columbus, OH 43215. The scope of the project shall consist of developing contract construction plans for the widening of Hard Road from two lanes to five lanes. The completed design will include sidewalks, provisions for bicycle traffic, curb, enclosed drainage, signals, street lighting, traffic control, and maintenance of traffic. The length of the project is approximately 1.2 miles, from Sawmill Road to 387 feet west of Smoky Row Road.

A listing of the specifications and deliverables are available in the attached document. Click 'continue' on the first web page of the solicitation and click on the bid packet.

1.2 Classification: Interested firms may request a copy of the RFP via e-mail from capitalprojects@columbus.gov, Subject: Request RFP for Arterial Street Rehabilitation - Hard Road Phase A/Sawmill Rd. - Smoky Row Rd. project. Firms wishing to submit a proposal must meet the mandatory requirements stated in the RFP. Each offeror shall submit with its proposal an active City of Columbus Contract Compliance Certification Number, or a completed application for certification. A pre-proposal meeting will be held at 2:00 p.m. on December 8, 2009 at 1881 E. 25th Avenue, Room C. All questions concerning the RFP are to be sent to capitalprojects@columbus.gov. The last day to submit questions is December 11, 2009. Responses will be posted on the Vendor Services web site as an addendum and an e-mail will be sent to each firm requesting a RFP. Phone calls will not be accepted.

For additional information concerning this bid go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov/e-proc/>) and view this solicitation number in the "open solicitations" listing.

Additional information:

It is highly recommended that proposals are hand delivered and not mailed as US Mail is not delivered directly to this building.

ORIGINAL PUBLISHING DATE: November 18, 2009

BID OPENING DATE - January 6, 2010 3:00 pm

SA003451 - R&P Clover Groff Restoration 2 D/B

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Design/Build Services
REQUEST FOR PROPOSAL
Columbus Recreation & Parks Department

Proposals will be received at the Columbus Recreation and Parks Department, 1111 East Broad Street, Columbus, OH 43205, until 3:00 P.M., Wednesday, January 6, 2010 for:

Clover Groff Stream Restoration---Phase 2

Five (5) copies of each proposal are required for submittal.

The scope of work shall be to provide complete design/build services to prepare construction plans and specifications, permitting, and construction installation for the restoration of 5,340 l.f. of entrenched stream channel along the Clover Groff ditch, from Roberts Road to Spindler Park.

The format for procurement of these services will be per Section 329.14 of the Columbus City Code.

Interested firms should apply to the Recreation and Parks Department with the following information and all other required responses:

1. Firm name, address, telephone number and contact person.
2. Year established, base location.
3. Types of services for which it is qualified.
4. Names of principals in the firm with professional registrations.
5. Names and experience of key personnel assigned to this project.
6. Outside consultants, if any, who will be used on this project.
7. MBE/FBE participation in the project.
8. List of completed projects of similar nature with contact person for each.
9. City of Columbus Contract Compliance Certification Number or copy of completed application.
10. Current workload and availability of personnel.

RFP Information Packets and maps for this project is available from Recreation and Parks office complex, 1111 East Broad Street, Columbus, OH. Advertisement dates in the City Bulletin will be December 5, 12, 19, 2009.

All questions regarding the submittal should be directed to Brad Westall, Recreation and Parks Department, brwestall@columbus.gov or 614-645-2441.

All consultants will be subject to the provisions of the City of Columbus, Contract Compliance Program regarding equal employment opportunity.

Clayton Royder, Chairman Alan D. McKnight, Director
Recreation and Parks Commission Recreation and Parks Department

Advertisement Dates: 12/05, 12/12, 12/19/09
ORIGINAL PUBLISHING DATE: December 05, 2009

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - January 14, 2010 11:00 am

SA003446 - FIRE/AERIAL PLATFORM TRUCKS

1.1 Scope: It is the intent of these specifications to describe a four door, fully enclosed tilt cab, mid-mounted telescoping, 5 section aerial platform, minimum 100' vertical height as measured by NFPA 1901, and to include an optional 1500 GPM pump, for use by the Columbus Division of Fire in sufficient detail to secure bids on comparable equipment.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option to purchase and delivery of Aerial Platform Fire Apparatus.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: November 21, 2009

SA003450 - SLUDGE SAMPLER PARTS UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to solicit formal bids to establish a Universal Term Contract (Blanket Type) for the purchase of Sludge Sampler System Parts for Municipal Sludge/Slurry for the Jackson Pike and Southerly Wastewater Treatment Plants. The City estimates spending annually from this contract \$35,000.00. The equipment and parts are used to monitor the sewerage sludge in the wastewater treatment process. The contract will be in effect for a period of one (1) year to and including March 31, 2011.

1.2 Classification: The resulting contract will be for the option to purchase and the delivery of Isolok Samplers, Parts and Accessories manufactured by Sentry Equipment.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: December 02, 2009

Public Notices

The link to the **Columbus City Health Code** pdf shall constitute publication in the City Bulletin of changes to the Columbus City Health Department's Health Code. To go to the Columbus City Health Code, click [here](#) (pdf).

The Columbus City Code's "**Title 7 -- Health Code**" is separate from the Columbus City Health Code. Changes to "Title 7 -- Health Code" are published in the City Bulletin. To go to the Columbus City Code's "Title 7 -- Health Code," click [here](#) (html).

City of Columbus
City Bulletin Report

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

Legislation Number: PN0002-2009

Drafting Date: 12/26/2008

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

**Title OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS**

Notice/Advertisement Title: Civil Service Commission Notice

Contact Name: Annette Bigham

Contact Telephone Number: 614.645.7531

Contact Email Address: eabigham@columbus.gov

Body

OFFICIAL NOTICE
CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS

APPLY ON-LINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. to 4:00 P.M. MONDAY, WEDNESDAY or THURSDAY.

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is located on our website at www.csc.columbus.gov <<http://www.csc.columbus.gov>> and is also posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area. Applicants interested in City jobs should check our website or visit the Commission offices.

Legislation Number: PN0060-2005

Drafting Date: 02/23/2005

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

**Title
Notice/Advertisement Title:** Published Columbus City Health Code

Contact Name: Richard Hicks

Contact Telephone Number: 654-6189

Contact Email Address: rickh@columbus.gov

Body"The Columbus City Health Code is updated and maintained by the Columbus Health Department.

To view the most current City Health Code, please visit:

<http://www.publichealth.columbus.gov/>

Legislation Number: 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: jcragland@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) 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: PN0257-2009

Drafting Date: 11/19/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Revised Tentative Schedule for Mayor's Proposed 2010 Budget - 12/1/09

Contact Name: Kelly McGuire

Contact Telephone Number: 645-8623

Contact Email Address: kamcguire@columbus.gov

Body

REVISED TENTATIVE 2010 BUDGET SCHEDULE - 12/8/09

Friday, November 20, 2009

Budget ordinances filed with City Clerk's office

Monday, November 23, 2009

Mayor's budget ordinances appear on council agenda (tabled indefinitely pending public hearings)

Saturday, November 28, 2009

Mayor's proposed budget ordinances appear in the City Bulletin for the first time (Public Notice Section)

Tuesday, December 1, 2009 - 5:00 PM

Budget Briefing - Presentations by Auditor Hugh J. Dorrian & Mayor's Administration*

Saturday, December 5, 2009

Mayor's proposed budget ordinances appear in the City Bulletin for the second time (Public Notice Section)

Tuesday, December 8, 2009 - 5:00 PM

Development Committee and Public Safety Committee Budget Briefings

Wednesday, December 9, 2009 - 5:00 PM

Public Serve & Transportation Committee and the Minority & Small Business Development Committee Budget Briefing

Thursday, December 10, 2009 - 5:00 PM

Budget Hearing - Public Comment*

(speaker slips will be accepted until 6:30 p.m. and meeting will last until all speakers have testified)

Tuesday, December 15, 2009 - 5:00 PM

Health, Housing & Human Services Committee and Workforce Development Committee Budget Briefing (session one)

Wednesday, December 16, 2009 - 5:00 PM

Health, Housing & Human Services Committee and Workforce Development Committee Budget Hearing (session two)

Thursday, December 17, 2009 - 5:00 PM

Recreation & Parks Committee Budget Briefing

Tuesday, January 5, 2010 - 5:00 PM

Administration Committee Budget Briefing

Wednesday, January 6, 2010 - 5:00 PM

Judiciary & Court Administration Committee Budget Briefing

Thursday, January 7, 2010 - 5:00 PM

Utilities Committee Budget Briefing

Thursday, January 14, 2010 - 12:00 PM (Tentative)

Council Budget Amendment Request Deadline

Thursday, January 21, 2010 - 5:00 PM (Tentative)

Budget Amendment Public Hearing*

Monday, January 25, 2010 - 5:00 PM

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, 645-4522.

SPECIAL NOTE TO APPLICANT: YOU OR YOUR REPRESENTATIVE MUST ATTEND THIS MEETING. It is the rule of the Commission to withdraw an application when a representative is not present.

SIGN LANGUAGE INTERPRETER: An interpreter will be made available for anyone in need of this service. To request an interpreter, please contact the City of Columbus, Building Services Division at 645-4522 at least four (4) hours before the scheduled meeting time.

1. Application No.: 09320-00286
Location: 5727 EMPORIUM DRIVE (43231), located at the southeast corner of Emporium Dr. & Cleveland Ave.

Area Comm./Civic: Northland Community Council
Existing Zoning: CPD, Commercial Planned Development District
Request: Graphics Plan & Special Permit(s) to Section(s):
3377.15, Ground signs requiring graphics plan approval.

To allow the installation of a third ground sign on the same street frontage with at least 600 ft. of continuous lineal feet along the same street frontage.

3378.01, General provisions.

To allow the installation of an off-premises tenant panel on a ground sign.

3377.11, Tenant panels and changeable copy.

To permit the installation of a four tenant panel sign with one panel being 50% of the total graphic area serving a commercial use with five (5) or more tenants and not using at least 50% of the sign area to identify the entire use.

Proposal: A shopping center.
Applicant(s): Bruce Sommerfelt; c/o Signcom, Inc.
527 W. Rich St.
Columbus, Ohio 43215
Property Owner(s): Mark Murphy; c/o Westerville Square, Ind.
2000 W. Henderson Rd.
Columbus, Ohio 43220

Attorney/Agent:

Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

Legislation Number: PN0270-2009

Drafting Date: 12/02/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Columbus Building Commission Agenda-December 15, 2009

Contact Name: Pam Dawley

Contact Telephone Number: (614) 645-2204

Contact Email Address: pjdawley@columbus.gov

Body

AGENDA
COLUMBUS BUILDING COMMISSION
December 15, 2009 - 1:00 p.m.
757 CAROLYN AVENUE
HEARING ROOM - LOWER LEVEL

1. **ROLL CALL**
2. **APPROVAL OF November 17, 2009 MEETING MINUTES**
3. **ADJUDICATION ORDER #A/O2009-022RE**
2067 SCIOTO POINTE DRIVE
4. **ADJUDICATION ORDER #A/O2009-023TJM**
1936 GENESSEE AVENUE
5. **ITEMS FROM THE FLOOR (as approved by the Board)**

A sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Building Services Division is made aware of this need and given a reasonable notice of at least four (4) hours before the scheduled meeting time. To schedule an interpreter, please call 645-6079 or TDD 645-3293. Should you have any questions regarding this policy, please contact the City of Columbus, Human Resources Department, at 645-6373.

Legislation Number: PN0271-2009

Drafting Date: 12/02/2009

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Title

Notice/Advertisement Title: Downtown Commission Meeting- December 15, 2009

Contact Name: Daniel Thomas

Contact Telephone Number: (614) 645-8404

Contact Email Address: djthomas@columbus.gov

Body Public Hearing - Downtown Commission

Reminder: Because of the Holiday Season The Downtown Commission will be having its December monthly meeting on December 15, 2009, the third Tuesday of the month.

The meeting will take place in the Training Center, 109 N. Front St., starting at 8:30a.m.

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 the arrangements.

Legislation Number: PN0272-2009

Drafting Date: 12/03/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: City Council Zoning Agenda for 12/14/2009

Contact Name: Shezronne Zaccardi

Contact Telephone Number: 614-645-1695

Contact Email Address: sezaccardi@columbus.gov

Body

REGULAR MEETING NO. 58

CITY COUNCIL (ZONING)

DECEMBER 14, 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

1625-2009

To rezone 3871 STELZER ROAD (43219), being 12.56± acres located at the northwest corner of Stelzer Road and Colliery Avenue, From: R-1 Residential District, To: CPD, Commercial Planned Development District (Rezoning # Z09-019).

0702-2009

To rezone 3100 COOPER ROAD (43081), being 21.18± acres located east of the intersection of Forest Hills Boulevard and Cooper Road, From: L-AR-12, Limited Apartment Residential District, To: L-AR-12, Limited Apartment Residential District (Rezoning # Z08-066).

Legislation Number: PN0273-2009

Drafting Date: 12/08/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: University Area Review Board Meeting- 12/17/09

Contact Name: Daniel Ferdelman

Contact Telephone Number: (614) 645-6096

Contact Email Address: dbferdelman@columbus.gov

Body

University Area Review Board December Meeting Announcement

The UARB will be meeting December 17, 2009 beginning at 6:30pm at the Northside Library (1423 N. High St.).

For more information contact Daniel Ferdelman, AIA at (614) 645-6096 or dbferdelman@columbus.gov

[<mailto:dbferdelman@columbus.gov>](mailto:dbferdelman@columbus.gov)

Legislation Number: PN0274-2009

Drafting Date: 12/09/2009

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: Board of Commission Appeals- December 14, 2009

Contact Name: Randy Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rblack@columbus.gov

Body

Special Meeting

Board of Commission Appeals (BOCA)

In accordance with City Code Chapter 3118 and the Board of Commission Appeals Bylaws, a Special Meeting has been scheduled.

December 14, 2009
2:00 p.m.
757 Carolyn Ave
Hearing Room (lower level)
Free parking in south lot

Plan to arrive by 1:45 pm. to ensure the call to order by 2:00 p.m.

A sign language interpreter will be made available provided the Historic Preservation Office has at least 48 hours notice before the meeting. Call 645-8036 to make the arrangements

Legislation Number: PN0307-2008

Drafting Date: 12/22/2008

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Title

Notice/Advertisement Title: 2009 REGULAR MEETINGS OF COLUMBUS RECREATION AND PARKS COMMISSION

Contact Name: Chris Snyder

Contact Telephone Number: 645-7468

Contact Email Address: crsnyder@columbus.gov

Body

EXHIBIT A

NOTICE OF REGULAR MEETINGS

COLUMBUS RECREATION AND PARKS COMMISSION

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercises certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 14, 2009 -1111 East Broad Street, 43205

Wednesday, February 11, 2009 -1111 East Broad Street, 43205

Wednesday, March 11, 2009 -- 1111 East Broad Street, 43205

Wednesday, April 8, 2009 -- 1111 East Broad Street, 43205

Wednesday, May 13, 2009 - 1111 East Broad Street, 43205

Wednesday, June 10, 2009 - Gillie Recreation Center, 4625 Morse Centre Drive, 43229

Wednesday, July 8, 2009 - Westgate Shelterhouse, 3271 Wicklow Road, 43204

August Recess - No meeting

Wednesday, September 9, 2009 - Schiller Recreation Center, 1069 Jaeger Street, 43206

Wednesday, October 14, 2009 - Mentel Golf Course, 6005 Alkire Road, Galloway, 43119

Wednesday, November 11, 2009 - 1111 East Broad Street, 43205

Wednesday, December 9, 2009 - 1111 East Broad Street, 43205

**AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
DECEMBER 15, 2009**

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, DECEMBER 15, 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.

THE FOLLOWING CASES WILL BE HEARD BEGINNING AT 6:00 P.M., AFTER ANY APPEAL(S):

1. **Application No.:** **09310-00259**
 Location: **1029 SOUTH WASHINGTON AVENUE (43206)**, located on the west side of S. Washington Ave., 65 ft. south of Siebert St.
 Area Comm./Civic: Columbus South Side Area Commission
 Existing Zoning: R-2F, Residential District
 Request: Variance(s) to Section(s):
 3332.27, Rear yard.
 To reduce the required rear yard area from 25% of the total lot area to 0%.
 3332.18, Basis of computing area.
 To increase the maximum lot coverage from 50% to 58.33%.
 3332.26, Minimum side yard permitted.
 To reduce the required minimum side yard from 5 ft. to 1.7 ft. to reflect an existing condition.
 3332.21, Building lines.
 To reduce the minimum front setback of an existing dwelling from 10 ft. to .7 ft. and for an existing detached garage from 10 ft. to 4 ft.
 3332.25, Maximum side yards required.
 To reduce the sum of the widths of each side yard from 20% of the width of the lot (___ ft.) to ___% (___ ft.).
 Proposal: To raze and rebuild a building addition on the rear of an existing, single-family dwelling.
 Applicant(s): Lou Russo; Russo Investments, L.L.C.
 1029 S. Washington Ave.
 Columbus, Ohio 43206
 Property Owner(s): Same as applicant.
 Case Planner: Dave Reiss, 645-7973
 E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov

2. **Application No.:** 09310-00281
Location: 2572 SULLIVANT AVENUE (43204), located at the northwest corner of S. Richardson & Sullivant Aves.
Area Comm./Civic: Greater Hilltop 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 34 to 3 (31 spaces).
3342.18, Parking setback line.
To reduce the minimum parking setback for a parking lot from 10 ft. to 0 ft.
- Proposal:** To convert a commercial & apartment building into a church.
Applicant(s): Joseph P. Borghese; c/o Jack D. Walters & Assoc., Inc.; Architects & Engineers
5166 Blazer Pkwy.
Dublin, Ohio 43017
- Property Owner(s):** Ohio Valley District of Christian Missionary; c/o Jeff Rowe, Pastor
7537 Burton Dr.
Liberty Twp., Ohio 45044
- Case Planner:** Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov
3. **Application No.:** 09310-00283
Location: 4780 MARCELLA DRIVE (43230), located on the northwest corner of Marcella Dr. & Cherrybottom Rd.
Area Comm./Civic: Northland Community Council
Existing Zoning: R, Rural District
Request: Variance(s) to Section(s):
3332.38, Private garage.
To increase the allowable area devoted to garage space from a maximum of 720 sq. ft. to 1,748.18 sq. ft. Also, to allow the overall height of a garage to exceed 15 ft.; to increase the overall height of a garage to 15 ft. 6 in.
3332.21, Building lines.
To reduce the required minimum setback from 25 ft. to 18 ft. for an existing, detached garage.
- Proposal:** To construct an 810 sq. ft. addition onto an existing garage.
Applicant(s): Mark Mauri
4780 Marcella Dr.
Columbus, Ohio 43230
- Property Owner(s):** Same as applicant
Case Planner: Dave Reiss, 645-7973
E-mail: DJReiss@Columbus.gov#http://DJReiss@Columbus.gov#

4. **Application No.:** 09310-00284
Location: 3480 REFUGEE ROAD (43232), located at the terminus of Elim Estates Road, approximately 250' East of Wadsworth Drive.
Area Comm./Civic: Southeast Community Coalition
Existing Zoning: L-I, Limited Institutional District
Request: Variance(s) to Section(s):
3349.04, Height, area and yard regulations.
To reduce the minimum lot frontage from 100' to 50' for Parcel A and B.
3349.04 Height, area and yard regulations.
To reduce the minimum rear yard setback from 50' to 27' for Parcel A and B.
3349.04 Height, area and yard regulations.
To reduce the required side yard from 20' to 0' for Parcel A.
Proposal: To construct a 98unit senior living facility.
Applicant(s): EMH&T, Inc., c/o Jeffrey A. Strung
5500 New Albany Road
Columbus, Ohio 43054
Property Owner(s): First Church of God, Inc.
3480 Refugee Road
Columbus, Ohio 43232
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov<http://JFFreise@Columbus.gov>
5. **Application No.:** 09310-00285
Location: 717 NORTH HIGH STREET (43215), located at the southwest corner of Buttles Avenue and North High Street.
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 parking spaces from 29 to 0.
Proposal: A change of use from retail to restaurant
Applicant(s): White Cross Properties, c/o Don Plank, Plank & Brahm
145 East Rich Street
Columbus, Ohio 43215
Property Owner(s): Applicant
Case Planner: Jamie Freise, 645-6350
E-mail: JFFreise@Columbus.gov<http://JFFreise@Columbus.gov>

6. **Application No.:** **09310-00295**
 Location: **2485 BROWN ROAD (43213)**, located on the west side of Brown Road,
 approximately 200' North of Willow View Drive.
 Area Comm./Civic: Southwest Area Commission
 Existing Zoning: R, Rural. District
 Request: Variance(s) to Section(s):
 3332.38, Private garage.
 To increase the total area devoted to garage space from 720 sq.ft.
 to 2,160 sq.ft.

 Proposal: A garage.
 Applicant(s): Christian M. Medina
 2485 Brown Road
 Columbus, Ohio 43235

 Property Owner(s): Applicant
 Case Planner: Jamie Freise, 645-6350
 E-mail: JFFreise@Columbus.gov#http://JFFreise@Columbus.gov