

Columbus City Bulletin



**Bulletin #31
August 04, 2012**

Proceedings of City Council

Saturday August 04, 2012



SIGNING OF LEGISLATION

(Legislation was signed by Council President Andrew J. Ginther on the night of the Council meeting, *Monday, July 30, 2012*; With the exception of Ordinance 1724-2012, which was signed by Mayor, Michael B. Coleman on the night of the Council meeting, all other legislation was signed by Mayor, Michael B. Coleman on *Tuesday, July 31, 2012*; and attested by the City Clerk, prior to Bulletin publishing.)

The City Bulletin Official Publication of the City of Columbus

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

Council Journal (minutes)



City of Columbus

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

Minutes - Final Columbus City Council

***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, July 30, 2012

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 43 OF COLUMBUS CITY COUNCIL, JULY 30, 2012 at 5:00 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present 7 - Hearcel Craig Zachary Klein A. Troy Miller Michelle Mills Eileen Paley
Priscilla Tyson Andrew Ginther

READING AND DISPOSAL OF THE JOURNAL

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley,
Priscilla Tyson, and Andrew Ginther

COMMUNICATIONS AND REPORTS RECEIVED BY CITY CLERK'S OFFICE

1 C0029-2012

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING
COMMUNICATIONS AS OF, WEDNESDAY, JULY 25, 2012:

New Type: D5A
To: DVI Columbus LLC
50 S Front St
Columbus OH 43215
Permit #18856800005

New Type: D2
To: Fusion Restaurant Service Inc
DBA Mings Chinese Restaurant
3482 Sullivant Av
Columbus OH 43204
Permit #2973100

New Type: D1
To: 697 Venue LP LLC
697 N 4th St
Columbus OH 43215

Permit #8201022

Transfer Type: C1, C2, D6
To: 2480 North High Inc
DBA Andys Carryout
2480 N High St & Drive Up Window
Columbus OH 43202
From: Maloney Financial LLC
DBA Andys Carryout
2480 N High St & Drive Up Window
Columbus OH 43202
Permit #9115300

Transfer Type: C1, C2, D6
To: 2900 Westerville Rd Inc
DBA W & Agler Market
2900 Westerville Rd
Columbus OH 43224
From: Ishtiao Corporation
DBA Ishtiao Market
2900 Westerville Rd
Columbus OH 43224
Permit #9115450

Transfer Type: D5
To: Columbus Fuel LLC
1312 S High St
Columbus OH 43206
From: 2418 RBKR Inc
DBA Club 2418
2418 W Broad St
Columbus OH 43204
Permit #1653312

Stock Type: D2, D2X, D3, D3A
To: VBC Entertainment LLC
DBA Southend Tavern
126 E Moler St & Partial Bsmt
Columbus OH 43207
Permit #9179298

Advertise Date: 08/04/12
Agenda Date: 07/30/12
Return Date: 08/07/12

Read and Filed

RESOLUTIONS OF EXPRESSION**MILLS****2 0150X-2012**

To recognize the 29th Annual National Night Out and commend its Columbus area sponsors and participants for their dedicated efforts in crime and drug prevention.

A motion was made by Mills, seconded by Tyson, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

TYSON**3 0148X-2012**

To declare August “Breastfeeding Awareness Month 2012,” and to remind Columbus residents that “the road to lifelong health begins with breastfeeding.”

A motion was made by Tyson, seconded by Craig, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

4 0153X-2012

To honor and recognize the work of Physicians CareConnection and the many doctors, medical professionals, and other volunteers who improve the health and well-being of our community’s most vulnerable residents

A motion was made by Tyson, seconded by Craig, that this Ceremonial Resolution be Adopted. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

FR FIRST READING OF 30-DAY LEGISLATION

A MOTION WAS MADE BY COUNCILMEMBER TYSON, SECONDED BY COUNCILMEMBER CRAIG TO WAIVE THE READING OF THE TITLES OF FIRST READING LEGISLATION. THE MOTION CARRIED THE FOLLOWING VOTE: AFFIRMATIVE: 7 NEGATIVE: 0

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

FR-1 1721-2012 To authorize the Director of the Department of Finance and Management to enter

into lease agreements with AARP Foundation, Central Ohio Minority Business Association, and Grandparents Living Theatre, dba Senior Repertory of Ohio Theater Company, for that City-owned property at 1393 East Broad Street.

Read for the First Time

DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER

FR-2 1495-2012

To authorize supplemental appropriation for the Building and Zoning Services Department in the amount of \$143,007.90 from the Development Services Fund. (\$143,007.90)

Read for the First Time

FR-3 1575-2012

To authorize the Director of the Department of Finance and Management to issue purchase orders with Ricart Properties, Inc. under the terms of an existing Universal Term Contract for the purchase of ten (10) 2013 Ford Focus S models for the Department of Building and Zoning Services; and to authorize the expenditure of \$143,007.90 from the Development Services Fund. (\$143,007.90)

Read for the First Time

FR-4 1636-2012

To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with Electronic Classroom of Tomorrow equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years in consideration of the company's investment of \$3 million, the creation of 90 new permanent full-time positions and the retention of 277 full-time permanent jobs.

Read for the First Time

PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

FR-5 1399-2012

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 an existing citywide contract; to authorize the expenditure of \$243,600.00 or so much thereof as may be needed from the Refuse Collection G.O. Bonds Fund. (\$243,600.00)

Read for the First Time

- FR-6 1400-2012** To authorize the Director of Finance and Management to establish a purchase order for the purchase of eight (8) cubic yard refuse collection containers, replacement parts, and tools required for the Division of Refuse Collection per the terms and conditions of an existing universal term contract; and to authorize the expenditure of \$20,000.00 from the Refuse G.O. Bonds Fund for this purpose. (\$20,000.00)

Read for the First Time

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

- FR-7 1269-2012** To authorize the Director of Public Utilities to enter into a contract with Ohio Mulch, Inc. for services in connection with the Ohio Mulch Deep Row Hybrid Poplar program; and to authorize the expenditure of \$525,000.00 from the Sewer System Operating Fund. (\$525,000.00)

Read for the First Time

RULES & REFERENCE: GINTHER, CHR. PALEY KLEIN MILLS

- FR-8 1769-2012** To amend various sections of Chapter 361 of the Columbus City Codes in order to address the withholding and payment of taxable income derived from a person's winnings at a casino facility and from video lottery terminal prize awards, and the taxation of lottery winnings.

Read for the First Time

CA CONSENT ACTIONS

RESOLUTIONS OF EXPRESSION:

GINTHER

- CA-1 0152X-2012** To recognize and congratulate the owner and staff of Patrick J's on the occasion of their 25th anniversary of operation, and to express thanks and appreciation for their service to the community and contributions to improve the quality of life in Columbus

This item was approved on the Consent Agenda.

MILLS

- CA-2 0146X-2012**

To honor and recognize Pelotonia 12 for promoting cancer research and uniting thousands of people towards the common goal of ending cancer.

This item was approved on the Consent Agenda.

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

- CA-3 1433-2012** To authorize the City Auditor to enter into an agreement along with the Auditor of the State of Ohio and an independent public accounting firm (IPA), as determined by the Auditor of the State of Ohio, for professional auditing services for calendar year 2012 and to authorize the expenditure of up to five hundred thousand dollars from the General Fund; and to declare an emergency. (\$500,000.00)

This item was approved on the Consent Agenda.

- CA-4 1450-2012** To authorize the Finance and Management Director to enter into a contract on behalf of the Facilities Management Division with ProCon Professional Construction Services, Inc. for concrete restoration at City Hall, 90 West Broad Street; to authorize the expenditure of \$30,000.00 from the Construction Management Capital Improvement Fund; and to declare an emergency. (\$30,000.00)

This item was approved on the Consent Agenda.

- CA-5 1519-2012** To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division for the repair of a crack in boiler #2 at the Jerry Hammond Center, 1111 East Broad Street; and to authorize the expenditure of \$6,000.00 from the 1111 East Broad Street Operations Fund. (\$6,000.00)

This item was approved on the Consent Agenda.

- CA-6 1613-2012** To authorize the Finance and Management Director to enter into four (4) contracts for the option to purchase Moyno Pump Parts with Westcoast Rotor, Liberty Process Equipment, Inc., Moyno Inc. and Bassi Pump LLC; to authorize the expenditure of \$4.00 to establish the contract from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$4.00).

This item was approved on the Consent Agenda.

- CA-7 1624-2012** To authorize the Finance and Management Director to expend \$464,200.00, 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 2012 Capital Improvement Budget; to authorize expenditures from various Capital Funds; and to declare an emergency. (\$464,200.00)

This item was approved on the Consent Agenda.

CA-8 1697-2012

To authorize the Finance and Management Director to enter into four Universal Term Contracts for the option to purchase Office Supplies and Office Papers (Recycled) with Bulldog Office Products, Inc., Office Max North America, Inc., Staples Contract & Commercial, Inc. and Sterling Paper; to authorize the expenditure of four (4) dollars to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$4.00)

This item was approved on the Consent Agenda.

CA-9 1706-2012

To amend Ordinance 0582-2012 to authorize the Director of the Department of Finance and Management to execute those documents necessary to purchase from Mikuria K. Tegegne and Alemitu Ayana, husband and wife, that portion of real property known as 4250 Groves Road determined to be in the City's best interest; and to declare an emergency. (\$0.00)

This item was approved on the Consent Agenda.

HEALTH & HUMAN SERVICES: TYSON, CHR. MILLS PALEY GINTHER

CA-10 1589-2012

To authorize the Director of Finance and Management to establish a purchase order with Gen-Probe for the purchase of Chlamydia and gonorrhea test kits for Columbus Public Health in accordance with sole source provisions; to authorize the expenditure of \$85,000.00 from the Health Special Revenue Fund; and to declare an emergency. (\$85,000.00)

This item was approved on the Consent Agenda.

DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER

CA-11 1502-2012

To authorize the expenditure of \$503,421.00 pursuant to the Capital Improvement Project Development and Reimbursement Agreement for the Nationwide Arena District previously authorized by Ordinance No. 2202-98; and to declare an emergency. (\$503,421.00)

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

Abstained: 1 - Zachary Klein

Affirmative: 6 - Hearcel Craig, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

CA-12 1627-2012

To authorize the Director of Development to enter into a contracts with R3, Inc. and Hina Environmental Solutions, LLC to provide asbestos testing services as part of the Vacant and Abandon Properties Initiative; to authorize the expenditure of \$87,000 from the Housing Preservation Fund; and to declare an emergency. (\$87,000.00)

This item was approved on the Consent Agenda.

CA-13 1634-2012

To authorize the Director of the Department of Development to amend the Columbus Downtown Office Incentive Agreement with Teng & Associates, Inc. for the purposes of changing the company's name from Teng & Associates, Inc. to exp U.S. Services, Inc.

This item was approved on the Consent Agenda.

CA-14 1665-2012

To authorize the Director of the Department of Development to enter into a Job Creation Tax Credit Agreement of sixty-five percent (65%) for a period of eight (8) years with MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Management in consideration of the company's investment of \$55.5 million for new building construction, machinery, equipment, furniture and fixtures that will create 300 new permanent full-time positions; and to declare an emergency.

This item was approved on the Consent Agenda.

CA-15 1668-2012

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with MSC Industrial Direct Co., Inc., and its subsidiaries Sid Tool Co., Inc. and MSC Contract Management for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements in consideration of a proposed total investment of \$55.5 million in new building construction, machinery, equipment, furniture and fixtures that will create a total of 300 permanent full-time positions over a five year period; and to declare an emergency.

This item was approved on the Consent Agenda.

CA-16 1702-2012

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (1659 East Greenway Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

This item was approved on the Consent Agenda.

CA-17 1715-2012

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN12-014) of 8.5 ± acres in Franklin Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

This item was approved on the Consent Agenda.

CA-18 1716-2012

To amend Ordinance 2156-2011, passed December 5, 2011, amending and extending the Weinland Park-University Area F Community Reinvestment Area for the purpose of revising the area of eligibility for new construction rental abatement; and to declare an emergency.

This item was approved on the Consent Agenda.

CA-19 1723-2012

To amend Ordinance 0479-2011, passed April 4, 2011, amending Fifth by Northwest Community Reinvestment Area for the purpose of adding parcels within the boundaries of the area that have been recently annexed to the City of Columbus from Clinton Township and wish to participate in the program; and to declare an emergency.

This item was approved on the Consent Agenda.

RECREATION & PARKS: KLEIN, CHR. TYSON MILLS GINTHER

CA-20 1496-2012

To authorize and direct the Director of Recreation and Parks to enter into a Guaranteed Maximum Reimbursement Agreement with Franklin County Historical Society, dba COSI, for the renovation of the COSI facility and surrounding grounds; to authorize the expenditure of \$750,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$750,000.00),

This item was approved on the Consent Agenda.

CA-21 1551-2012

To authorize and direct the Director of Recreation and Parks to modify the contract with Gutknecht Construction Company, Inc. for the Columbus Pools Improvements Project; to authorize the expenditure of \$30,000.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$30,000.00)

This item was approved on the Consent Agenda.

CA-22 1554-2012

To authorize and direct the Director of Recreation and Parks to modify the contract with Pavement Protectors, Inc. dba M&D Blacktop Sealing for the Playground Improvements Various Sites 2012 Project, to authorize the expenditure of \$16,200.00 and a contingency of \$8,800.00 for a total of \$25,000.00 from the Voted Recreation and Parks Bond Fund and to declare an emergency. (\$25,000.00)

This item was approved on the Consent Agenda.

CA-23 1568-2012

To authorize and direct the Director of Recreation and Parks to enter into contract with Builderscape, Inc. for the Street Tree Installation Fall 2012 Project; to authorize the expenditure of \$365,089.00 and a contingency of \$34,911.00 for a total of \$400,000.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$400,000.00)

This item was approved on the Consent Agenda.

CA-24 1607-2012

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$20,000.00 from the Recreation and Parks Voted Bond Fund for costs relative to the acquisition of real property necessary to the Scioto Greenways Project; and to declare an emergency. (\$20,000.00)

This item was approved on the Consent Agenda.

**SMALL & MINORITY BUSINESS DEVELOPMENT: MILLER, CHR. CRAIG
TYSON GINTHER**

CA-25 1720-2012

To authorize the City Auditor to appropriate and transfer \$50,002.00 within the General Permanent Improvement Fund; to authorize the Director of Public Service to purchase two sidewalk clocks for \$2.00; to amend the 2012 C.I.B.; to authorize and direct the Director of Public Service to enter into a reimbursement agreement in an amount not to exceed \$50,000.00 with the Capital Crossroads Special Improvement District for the restoration, relocation and long term maintenance of the clocks currently located at 30 N. High Street and 333 W. Broad Street; to authorize the expenditure of \$50,002.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$50,002.00)

This item was approved on the Consent Agenda.

TECHNOLOGY: MILLER, CHR. KLEIN MILLS GINTHER

CA-26 1454-2012

To authorize the Director of the Department of Technology to enter into a contract with RPI Consultants to develop training materials and provide training in support of the Columbus Human Resources Information System (CHRIS) project; to authorize the expenditure of \$78,300.00 from the Department of Technology, Information Services Division, Capital Improvement Bond Fund and to declare an emergency. (\$78,300.00)

This item was approved on the Consent Agenda.

CA-27 1455-2012

To authorize the Director of the Department of Technology and the Director of the Equal Business Opportunity Commission Office, to renew an agreement with Resource Associates of Nevada, Inc., for software support and upgrade services associated with the BizTrack system; in accordance with the sole source provisions of the Columbus City Code; and to authorize the expenditure of \$5,000.00 from the Department of Technology, Internal Services Fund; and to declare an emergency. (\$5,000.00)

This item was approved on the Consent Agenda.

PUBLIC SAFETY & JUDICIARY: MILLS, CHR. KLEIN CRAIG GINTHER

CA-28 1081-2012

To authorize the City Auditor to transfer \$10,000.00 within the Municipal Court Clerk General Fund; to authorize the Director of the Department of Finance and Management on behalf of the Municipal Court Clerk to establish a purchase order with TAB Products Company LLC for the purchase of case file folders and unit buckets for the Municipal Court Clerk's Office; to authorize the expenditure of \$84,928.60 from the Municipal Court Clerk General Fund; and to declare an emergency. (\$84,928.60)

This item was approved on the Consent Agenda.

CA-29 1577-2012

To authorize and direct the Finance and Management Director to issue a purchase order for cellular phone and communication services to Sprint Solutions, Inc. for the Division of Police, to authorize the expenditure of \$273,500.00 from the General Fund; and to declare an emergency. (\$273,500.00)

This item was approved on the Consent Agenda.

CA-30 1578-2012

To authorize and direct the Director of Public Safety to modify and increase the amount of funds on the towing contract with Metropolitan Towing and Storage, Inc. for the Division of Police, to authorize the expenditure of \$500,000.00 from the General Fund; and to declare an emergency. (\$500,000.00)

This item was approved on the Consent Agenda.

CA-31 1593-2012

To authorize and direct the Director of Public Safety to enter into a contract with Alternative Business Systems LLC for professional consulting services for the Division of Police, to authorize the expenditure of \$25,000.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$25,000.00)

This item was approved on the Consent Agenda.

CA-32 1620-2012

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; authorize the expenditure of up to an amount not to exceed \$200,000 from the Court's governmental grant fund; and to declare an emergency. (\$200,000.00)

This item was approved on the Consent Agenda.

CA-33 1652-2012

To authorize an additional appropriation of \$536,788.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase equipment, supplies, and services; and to declare an emergency. (\$536,788.00)

This item was approved on the Consent Agenda.

**PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER
GINTHER****CA-34 1417-2012**

To authorize the Finance and Management Director to establish a blanket purchase order for the purchase of spread spectrum radios for the Division of Planning and Operations; to authorize the expenditure of \$20,000.00 from the Streets and Highways G.O. Bonds Fund for this purpose; and to declare an emergency. (\$20,000.00)

This item was approved on the Consent Agenda.

CA-35 1457-2012

To authorize the City Attorney's Real Estate Division to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Operation Safewalks - Marion Road and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners and to acquire the additional rights-of-way necessary to complete these projects; to amend the 2012 C.I.B; to authorize the transfer of funds and expenditure of \$435,000.00 or so much thereof as may be necessary for these projects from the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction and the Storm Recovery Zone Super Build America Bonds Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$435,000.00)

This item was approved on the Consent Agenda.

CA-36 1510-2012

To authorize the Director of Public Service to enter into agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this roadway improvement project to repair and resurface State Route 3. (\$0.00)

This item was approved on the Consent Agenda.

CA-37 1541-2012

To authorize the Director of Public Service to enter into contract with Decker Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the Resurfacing - Preventive Surface Treatments - Concrete contract; to authorize the expenditure of up to \$750,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$750,000.00)

This item was approved on the Consent Agenda.

CA-38 1544-2012

To authorize the Director of Public Service to enter into contract with G&G Cement Contractors, LLC to provide for the payment of the contract and construction administration and inspection services, in connection with the Resurfacing - Preventive Surface Treatments - Brick 2012 contract; to authorize the expenditure of \$750,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$750,000.00)

This item was approved on the Consent Agenda.

CA-39 1567-2012

To authorize the Director of Public Service to enter into a professional engineering service contract with EMH&T, Inc, for the Signal Installation - Traffic Signal Design Manual project; to amend the 2012 C.I.B; to authorize the appropriation and transfer of funds within the Street and Highway Improvement Fund; to authorize the expenditure of up to \$225,000.00 from the Street and Highway Improvement Fund for the Department of Public Service; and to declare an emergency. (\$225,000.00)

This item was approved on the Consent Agenda.

CA-40 1570-2012

To authorize the Director of Public Service to enter into a professional engineering service contract with TranSystems Corp, for the Pedestrian Safety Improvements - Hilltop Community Mobility Plan (HCMP) contract; to authorize the expenditure of up to \$250,000.00 from the Streets and Highways G.O. Bonds Fund for the Department of Public Service; and to declare an emergency. (\$250,000.00)

This item was approved on the Consent Agenda.

CA-41 1596-2012

To authorize the Director of Public Service to enter into contract with G&G Cement Contractors, and to provide for the payment of construction administration and inspection services, in connection with the Alley Rehabilitation - Downtown SID Improvements Project; to authorize the expenditure of up to \$204,405.60 within the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction; and to declare an emergency. (\$204,405.60)

This item was approved on the Consent Agenda.

CA-42 1600-2012

To authorize the Director of Finance and Management to enter into a contract for the purchase of 40-Foot Aerial Truck from Utility Truck Equipment, Inc., for the Division of Planning and Operations; and to authorize the expenditure of \$178,870.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$178,870.00)

This item was approved on the Consent Agenda.

CA-43 1609-2012

To authorize the Director of the Department of Public Service to execute a Quitclaim Deed of Aerial Encroachment Easement necessary for Nationwide Realty Investors, Ltd. ("NRI"), to construct a pedestrian bridge over Columbus Convention Center Drive, to accept a pedestrian easement from NRI, and to declare an emergency.

This item was approved on the Consent Agenda.

CA-44 1610-2012

To authorize the Director of Public Service to provide payment to the Ohio Department of Transportation for pavement marking materials needed for the Bridge Rehabilitation - US 23 (4th Street) over Convention Center Connector and Railroad structure; to amend the 2012 C.I.B; to authorize the transfer and expenditure of \$3,642.00 within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$3,642.00)

This item was approved on the Consent Agenda.

CA-45 1616-2012

To authorize the Director of Public Service to enter into contract with G & G Cement Contractors, LLC to provide for the payment of the contract and construction administration and inspection services, in connection with the Curb Reconstruction - Citywide Curb Rehabilitation (Project 1) project; to authorize the appropriation, transfer and expenditure of \$250,000.00 within the Street and Highway Improvement Fund; and to declare an emergency. (\$250,000.00)

This item was approved on the Consent Agenda.

CA-46 1617-2012

To authorize the Finance and Management Director to enter into a contract for the purchase of one (1) paver box from The McLean Company, to authorize the expenditure of \$87,500.00 from the Streets and Highways G.O. Bonds Fund, no. 704; and to declare an emergency. (\$87,500.00)

This item was approved on the Consent Agenda.

CA-47 1638-2012

To accept various deeds for parcels of real property; to dedicate these parcels as public rights-of-way and to name said rights-of-way appropriately.

This item was approved on the Consent Agenda.

CA-48 1641-2012

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement, allowing concrete steps and landing within the public rights-of-way needed for this project.

This item was approved on the Consent Agenda.

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

CA-49 1538-2012

To authorize the Director of Public Utilities to enter into an engineering service agreement with DLZ Ohio, Inc. for the Williams Road Pump Station Force Main Improvement; to authorize the transfer within and the expenditure of \$168,357.21 in funds from the Sanitary Sewer General Obligation Bond Fund; amend the 2012 Capital Improvements Budget; and to declare an emergency.. (\$168,357.21)

This item was approved on the Consent Agenda.

CA-50 1556-2012

To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Company; to encumber funds to provide for payment of inspection and related services to the Department of Public Service, Design and Construction Division; to authorize the transfer of \$76,476.12 within the Electric Permanent Improvement Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditures of \$76,476.12 within the Electric Permanent Improvement Fund for Street Lighting Improvements for the Agler Road area for the Division of Power and Water (Power) and to declare an emergency. (\$76,476.12)

This item was approved on the Consent Agenda.

CA-51 1562-2012

To authorize the Director of Public Utilities to enter into a maximum guaranteed reimbursement agreement with the Columbus Downtown Development Corporation (CDDC) for up to \$236,311.00 for the Scioto Greenways Project; to authorize a transfer within and an expenditure of \$118,155.50 from both the Sanitary Sewer General Obligation Bond Fund and the Storm Water Bond Fund; to authorize an amendment to the 2012 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$236,311.00)

This item was approved on the Consent Agenda.

CA-52 1612-2012

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, to amend the 2012 C.I.B.; to authorize a transfer and expenditure up to \$105,000.00, or so much thereof as may be necessary from the Storm Sewers Bond Fund, for costs in connection with the Eastside Neighborhood Storm Water Improvements Project, and to declare an emergency. (\$105,000.00)

This item was approved on the Consent Agenda.

APPOINTMENTS

CA-53 A0117-2012

Appointment of Laura Shinn 200 McCracken Room 2003 Millikin Road Columbus Ohio 43210 to serve on the University Area Commission with a term expiration date of June 16, 2014 (resume attached).

This item was approved on the Consent Agenda.

CA-54 A0124-2012

Appointment of Lucy Wolfe 2800 Eastleft Drive Columbus Ohio 43221 to serve on the Livingston Avenue Area Commission with a term expiration date of December 31, 2014 (resume attached).

This item was approved on the Consent Agenda.

CA-55 A0125-2012

Appointment of Robert Blakeman 591 Hilock Columbus Ohio 43207 to serve on the Far South Columbus Area Commission with a term expiration date of June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-56 A0126-2012

Appointment of Matthew Baldwin 113 Kail Avenue Columbus Ohio 43207 to serve on the Far South Columbus Area Commission with a term expiration date of June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-57 A0127-2012

Appointment of Donna Bartee 187 Southgate Drive Columbus Ohio 43207 to serve on the Far South Columbus Area Commission with a term expiration date of June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-58 A0128-2012

Appointment of M. Judy Campbell 853 E. London-Groveport Road Lockbourne Ohio 43137 to serve on the Far South Columbus Area Commission with a term expiration date of June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-59 A0150-2012

Appointment of Zachary Kenitzer 4786 Galton Cr. C Columbus Ohio 43220 to serve on the University Area Commission with a term expiration date of June 16, 2014 (resume attached).

This item was approved on the Consent Agenda.

CA-60 A0151-2012 To appoint Wayne Cocchi to the Columbus Advisory Committee on Disabilities for a term expiring on June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-61 A0152-2012 To appoint Susan Willis to the Columbus Advisory Committee on Disabilities for a term expiring on June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-62 A0153-2012 To appoint David Cameron to the Columbus Advisory Committee on Disabilities for a term expiring on June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-63 A0154-2012 To appoint Kathleen Blair to the Columbus Advisory Committee on Disabilities for a term expiring on June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-64 A0155-2012 To appoint L. Scott Lissner to the Columbus Advisory Committee on Disabilities for a term expiring on June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-65 A0156-2012 To appoint Jennifer Flynn to the Columbus Advisory Committee on Disabilities for a term expiring on June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-66 A0157-2012 To appoint Lori Duguid to the Transportation and Pedestrian Commission for a term expiring on June 30, 2015 (resume attached).

This item was approved on the Consent Agenda.

CA-67 A0158-2012 To appoint William Anthony, Jr. to the Board of the Central Ohio Transit Authority for a term expiring on March 31, 2015 (resume attached).

This item was approved on the Consent Agenda.

Approval of the Consent Agenda

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

SR-1 1536-2012

To authorize the Finance and Management Director to modify and extend the Universal Term Contract for the option to purchase Fuel Card Services with US Bank Voyager Fleet Systems Inc.; and to declare an emergency.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-2 1586-2012

To authorize the Finance and Management Director to enter into a universal term contract for the option to purchase EMC Equipment and Services with Advizex Technologies; to authorize the expenditure of one (1) dollar to establish the contracts from the Mail, Print Services and UTC Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$1.00).

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-3 1689-2012

To authorize the appropriation of \$60,000.00 within the Neighborhood Initiatives Fund; to authorize the transfer of \$60,000.00 from the Neighborhood Initiatives Fund to the General Fund; to authorize the appropriation of \$60,000.00 within Department of Finance and Management General Fund for a Grant Writer; and to declare an emergency. (\$60,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-4 1733-2012

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with DLZ Ohio, Inc. with DLZ for a professional services contract (design and construction administration) for Compressed Natural Gas infrastructure for the City of Columbus at 2333 Morse Road; to authorize and direct the City Auditor to transfer \$487,560.00 from the Special Income Tax Fund to the Fleet Capital Improvement Fund; to authorize the City Auditor to appropriate and expend \$487,560.00 within the Fleet Capital Improvement Fund; to authorize the expenditure of \$487,560.00 from the Fleet

Capital Fund; and to declare an emergency. (\$487,560.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-5 1737-2012

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Central Ohio Building Company for installation of the salt brine making system at 1850 East 25th Avenue; to authorize the expenditure of \$329,470.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$329,740.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-6 1739-2012

To amend the 2012 Capital Improvement Budget; to authorize transfers between projects within the Construction Management and Public Safety Capital Improvement Funds; to authorize the Director of Finance and Management to modify a contract on behalf of the Office of Construction Management with Schorr Architects, Inc., for professional architectural and engineering consulting services for various City renovation projects; to authorize the expenditure totaling \$300,000.00 from the Construction Management Capital Improvement Fund and the Safety Capital Improvement Fund; to authorize the expenditure of \$30,000.00 from an Auditor's Certificate established previously for the Department of Public Service Facility Renovation projects; and to declare an emergency. (\$330,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-7 1742-2012

To authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Harris Design Services for renovation of the 120 West Gay Street building; to authorize the expenditure of \$424,857.00 from the Construction Management Capital Improvement Fund; and to declare an emergency. (\$424,857.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-8 1750-2012

To amend the 2012 Capital Improvement Budget; to account for an encumbrance cancellation of \$200,000.00; to authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Messer

Construction Company for the renovation of the 120 West Gay Street Building; to authorize the expenditure of \$406,940.00 from the Gov'l SuperB.A.B.'s (Build America Bonds) Fund and Construction Management Capital Improvement Fund; and to declare an emergency. (\$406,940.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-9 1763-2012

Authorizing the issuance of unlimited tax bonds in an amount not to exceed \$110,855,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City (\$110,855,000.00). Section 55(b) of the City Charter.

A motion was made by Tyson, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-10 1764-2012

Authorizing this issuance of limited tax bonds in an amount not to exceed \$82,305,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City (\$82,305,000.00). Section 55(b) of the City Charter.

A motion was made by Tyson, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-11 1765-2012

Authorizing this issuance of unlimited tax bonds in an amount not to exceed \$56,980,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City (\$56,980,000.00) (Taxable). Section 55(b) of the City Charter.

A motion was made by Tyson, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-12 1766-2012

Authorizing this issuance of limited tax bonds in an amount not to exceed \$15,290,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City (\$15,290,000.00) (Taxable). Section 55(b) of the City Charter.

A motion was made by Tyson, seconded by Klein, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1721-2012

To authorize the Director of the Department of Finance and Management to enter into lease agreements with AARP Foundation, Central Ohio Minority Business Association, and Grandparents Living Theatre, dba Senior Repertory of Ohio Theater Company, for that City-owned property at 1393 East Broad Street.

A motion was made by Tyson, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

HEALTH & HUMAN SERVICES: TYSON, CHR. MILLS PALEY GINTHER

SR-13 1588-2012

To authorize the Board of Health to enter into a revenue contract with the Columbus Public Schools for the provision of public health consultation services in an amount not to exceed \$10,000.00, and to declare an emergency. (\$10,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-14 1640-2012

To authorize and direct the Board of Health to accept a \$60,000.00 grant from the Ohio Commission On Minority Health for the Minority Health Program; to authorize the appropriation of \$60,000.00 to the Health Department in the Health Department Grants Fund; and to declare an emergency. (\$60,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-15 1666-2012

To authorize the Board of Health to enter into a contract with the Council on Healthy Mothers and Babies to provide health education/promotion for the Healthy Start grant program; to authorize the expenditure of \$34,049.00 from the Health Department Grants Fund, to pay the cost thereof; and to declare an emergency. (\$34,049.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-16 1691-2012

To authorize and direct the Board of Health to accept supplemental grant funds from the Ohio Department of Health for the STD Prevention Grant in the amount of \$13,000.00, to authorize the appropriation of \$13,000.00 from the Health Department Grants Fund, and to declare an emergency. (\$13,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-17 1724-2012

To authorize the Director of Finance and Management on behalf of the Office of Construction Management to enter into a contract with Daimler Group, Inc. for the construction of the John R. Maloney Health and Wellness Center, to authorize the expenditure of \$7,583,182.00 from the Safety Voted Bond Fund and the Gov'l SuperB.A.B.'s (Build America Bonds) Fund; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$7,583,182.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-18 1734-2012

To authorize and direct the City Auditor to transfer \$83,000 of appropriation authority within the General Fund, from the Department of Development to the Department of Health; to authorize and direct the City Auditor to transfer these

funds from the General Fund to the Health Special Revenue Fund; to authorize the appropriation of these funds to Columbus Public Health for the Southside Health and Wellness Navigation Project; and to declare an emergency. (\$83,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

ADMINISTRATION: CRAIG, CHR. MILLER PALEY GINTHER

SR-19 1747-2012 To authorize Columbus City Council to contract with Columbus Association for the Performing Arts (CAPA) on behalf of the Columbus Symphony Orchestra (CSO) for the purpose of fostering and sustaining arts and cultural services that enrich the Columbus community, to authorize the cancellation of two existing prior year encumbrances, to authorize and direct the expenditure of \$150,000.00 from the General Fund, and to declare an emergency. (\$150,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

VETERAN'S AFFAIRS: CRAIG, CHR. MILLER TYSON GINTHER

SR-20 1727-2012 To authorize the Director of the Department of Development to enter into a contract with Community Development for All People, a not-for-profit organization, to undertake the Better Municipal Care for Veterans - Home Fund program; to authorize the expenditure of up to \$250,000.00 from the 2012 capital improvements budget; and to declare an emergency. (\$250,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

RECESS

RECESSED AT 6:26 PM

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

RECONVENE

RECONVENED AT 6:39 PM

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

RECESS

RECESSED AT 6:43 PM

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

RECONVENE

RECONVENED AT 9:13 PM

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

DEVELOPMENT: KLEIN, CHR. TYSON CRAIG GINTHER**SR-21 1505-2012**

To authorize the transfer of \$25,399.00 between object levels in the Miranova TIF Fund; to authorize the appropriation of \$167,000.00 from the Miranova TIF - City Riverfront Vision Account; to authorize the Director of Development to enter into a design/build contract with Argent Studios Ltd. for the design refinement, fabrication, installation and artist fees to complete a permanent public artwork at North Bank Park; to extend the term and amount of the contract with Shelly Willis to continue her consultancy through artwork installation; to waive the competitive bidding provisions of the Columbus City Codes; and to authorize the expenditure of \$ 206,872.00 from the Miranova TIF - City Riverfront Vision Account and \$33,861.00 from the Recreation and Parks Grant Fund. (\$240,733.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-22 1587-2012

To authorize the Director of the Department of Development to modify a contract

with the Lifecare Alliance to extend the termination date to May 31, 2013; and to declare an emergency.

A motion was made by Klein, seconded by Craig, that this Ordinance be Taken from the Table. The motion carried by the following vote:

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-23 1623-2012

To authorize the Director of Development to enter into a contract with S. G. Lowendick & Sons, Inc. to demolish ten (10) structures at the northeast corner of Lockbourne and Smith Roads; to authorize the expenditure of \$720,041.08 from the Housing Preservation Fund; and to declare an emergency. (\$720,041.08)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-24 1633-2012

To authorize the Director of the Department of Development to enter into contracts with three contractors to provide demolition and asbestos abatement services as part of the Vacant and Abandon Properties Initiative; to authorize the expenditure of \$900,000.00 from the Housing Preservation Fund; and to declare an emergency. (\$900,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-25 1662-2012

To authorize and direct the City Auditor to transfer \$1,822,426.10 within the General Fund; to authorize and direct the City Auditor to appropriate and transfer \$455,606.53 in cash from the Special Income Tax Fund to the General Fund; to authorize and direct the payment of \$1,628,269.76 to the Columbus City School District, \$47,952.84 to the Hilliard City School District, and \$146,203.50 to the Olentangy Local School District for income tax revenue sharing totaling \$1,822,426.10; to authorize the expenditure of \$1,822,426.10 from the General Fund; and to declare an emergency.(\$1,822,426.10)

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

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-26 1663-2012

To authorize and direct the City Auditor to transfer \$1,050,418.80 within the General Fund; to authorize and direct the City Auditor to appropriate and transfer \$262,604.70 in cash from the Special Income Tax Fund to the General Fund; to authorize and direct the City Auditor to make payments totaling \$1,050,418.80 in accordance with the Downtown Office Incentive Program agreements; to authorize the expenditure of \$1,050,418.80 from the General Fund; and to declare an emergency. (\$1,050,418.80)

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

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-27 1664-2012

To authorize and direct the City Auditor to transfer \$3,261,570.63 within the General Fund; to authorize and direct the City Auditor to appropriate and transfer \$815,392.66 in cash from the Special Income Tax Fund to the General Fund; to authorize and direct the City Auditor to make payments totaling \$3,261,570.63 in accordance with the Jobs Growth Incentive Program agreements; to authorize the expenditure of \$3,261,570.63 from the General Fund; and to declare an emergency. (\$3,261,570.63)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-28 1672-2012

To authorize and direct the Director of the Community Relations Commission to enter contract for services to administer, distribute, and monitor a competitive graffiti grant program; to authorize the expenditure of \$200,000 from the Neighborhood Initiative Fund and to declare an emergency.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-29 1735-2012

To amend Ordinance 1292-2012, passed June 18, 2012, amending Short North Community Reinvestment Area for the purpose of expanding the CRA to accommodate an additional project and to permit a full 15 year 100% abatement on new construction projects within the CRA; and to declare an emergency.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-30 1754-2012

To authorize the Director of the Department of Development to enter into a contract with Community Development for All People, a not-for-profit organization, for the South Side Renaissance Home Repair Program; to authorize the expenditure of up to \$250,000.00 from the 2012 capital improvements budget; and to declare an emergency. (\$250,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1495-2012

To authorize supplemental appropriation for the Building and Zoning Services Department in the amount of \$143,007.90 from the Development Services Fund. (\$143,007.90)

A motion was made by Klein, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1575-2012

To authorize the Director of the Department of Finance and Management to issue purchase orders with Ricart Properties, Inc. under the terms of an existing Universal Term Contract for the purchase of ten (10) 2013 Ford Focus S models for the Department of Building and Zoning Services; and to authorize the expenditure of \$143,007.90 from the Development Services Fund. (\$143,007.90)

A motion was made by Klein, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1636-2012

To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with Electronic Classroom of Tomorrow equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years in consideration of the company's investment of \$3 million, the creation of 90 new permanent full-time positions and the retention of 277 full-time permanent jobs.

A motion was made by Klein, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

RECREATION & PARKS: KLEIN, CHR. TYSON MILLS GINTHER

SR-31 1492-2012

To authorize the Director of Finance and Management to enter into various contracts for the purchase of equipment and vehicles for the Recreation and Parks Department; to authorize the expenditure of \$1,200,000 from the Recreation and Parks Voted Bond Fund; to establish an Auditor's Certificate in the amount of \$1,200,000.00 for the purchases listed within this legislation; to authorize the transfer of \$1,200,000.00 within the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$1,200,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-32 1494-2012

To authorize and direct the Director of Recreation and Parks to enter into contract with Franklin Park Conservatory for the implementation of the Franklin Park Master Plan; to authorize the expenditure of \$950,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$950,000.00),

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-33 1553-2012

To authorize and direct the Director of Recreation and Parks to enter into contract

with Smith Roofing & Sheet Metal, LLC. for the Roof Renovations Fall 2012 Project; to authorize the expenditure of \$1,000,000.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$1,000,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SMALL & MINORITY BUSINESS DEVELOPMENT: MILLER, CHR. CRAIG TYSON GINTHER

SR-34 1639-2012

To authorize the Director of the Department of Development to enter into an agreement with the Columbus Chamber for administrative costs associated with the Diversity Bridge Initiative; to authorize the expenditure of \$50,000 from the General Fund; and to declare an emergency. (\$50,000)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

TECHNOLOGY: MILLER, CHR. KLEIN MILLS GINTHER

SR-35 1456-2012

To authorize the Director of the Department of Technology to enter into a contract with Fahlgren Acquisition, Inc. (dba Fahlgren Mortine) to provide website rearchitecture services; to authorize the expenditure of \$128,000.00 from the Department of Technology, Information Services Division, Capital Improvement Bond Fund; and to declare an emergency. (\$128,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-36 1548-2012

To authorize the Directors of the Department of Technology (DoT), the Department of Public Utilities (DPU) and the Equal Business Opportunity Commission Office (EBOCO), to enter into a contract with Early Morning Software, Inc. for provisioning and hosting of a minority/female business enterprise (M/FBE) tracking system; to waive the competitive bidding provisions of the Columbus City Code; to authorize the expenditure of \$223,740.00 from the Department of Technology, Internal Service Fund; and to declare an emergency. (\$223,740.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

PUBLIC SAFETY & JUDICIARY: MILLS, CHR. KLEIN CRAIG GINTHER

SR-37 1500-2012 To authorize the Public Safety Director to modify a contract with SimplexGrinnell for the installation of additional neighborhood safety cameras in City of Columbus Neighborhoods; to authorize the expenditure of \$475,000.00 from the Department of Public Safety's Voted Bond Funds; and to declare an emergency. (\$475,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-38 1590-2012 To authorize and direct the Finance and Management Director to issue a purchase order on behalf of the Division of Police for telephone services from an existing Universal Term Contract with AT&T, to authorize the expenditure of \$97,000.00 from the General Fund; and to declare an emergency. (\$97,000.00)

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

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-39 1594-2012 To authorize and direct the Director of Public Safety to pay prisoner medical bills to Grant/Riverside Methodist Hospitals and to Mount Carmel Health for the Division of Police, to authorize the expenditure of \$71,959.60 from the General Fund, ~~and to declare an emergency.~~ (\$71,959.60)

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

Abstained: 2 - A. Troy Miller, and Michelle Mills

Affirmative: 5 - Hearcel Craig, Zachary Klein, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-40 1606-2012 To authorize the Finance and Management Director to enter into a contract with M + A Architects on behalf of the Office of Construction Management with M + A for professional architectural and engineering consulting services to design Fire Station

No. 2/ 3; to authorize the expenditure of \$745,900.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$745,900.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-41 1619-2012

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept a grant award from the State of Ohio, Department of Rehabilitation and Correction; to appropriate \$346,205 from the unappropriated balance of the general government grant fund to the Franklin County Municipal Court; and to declare an emergency. (\$346,205.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-42 1630-2012

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Fey Roofing & Sheet Metal, Inc., for the renovation of the roof and masonry for the Division of Police, Substation No. 12; to authorize the expenditure of \$318,400.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$318,400.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-43 1651-2012

To authorize and direct the Finance and Management Director to issue purchase orders for EMS medical supplies from existing Universal Term Contracts established for such purposes with BoundTree Medical LLC, and Midwest Medical Supply Co LLC, to authorize the expenditure of \$550,000.00 from the General Fund; and to declare an emergency. (\$550,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-44 1709-2012

To authorize and direct the City of Columbus Director of Finance and Management to enter into contracts with Violeta, Inc. for the purchase of DVR's and Exterior Cameras for the Columbus Division of Police and with Perlmutter Purchasing Power for the purchase of Interior Cameras for the Columbus Division of Police; to waive provisions of competitive bidding under Section 329 of Columbus City Code, 1959; to authorize the expenditure of \$289,532.50 from the General Government Grant Funds; and to declare an emergency (\$289,532.50)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-45 1728-2012

To authorize the Finance and Management Director to enter into contracts for the option to purchase Pharmaceuticals on an as needed basis with Bound Tree Medical LL, SBH Medical LTD and Remedy Repack, 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)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-46 1738-2012

To amend the 2012 Capital Improvement Budget; to authorize the City Auditor to transfer \$280,000.00 between projects within the Safety Voted Bond Fund; to authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Thomas and Marker Construction Company for the Columbus Police Property Room, 724 Woodrow Avenue; to authorize the expenditure of \$280,000.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$280,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-47 1740-2012

To authorize the Finance and Management Director to enter into a contract with Ribway Engineering Group, Inc. on behalf of the Office of Construction Management for professional civil engineering services for the Fire Pavement Restoration Program at sixteen (16) fire stations located within the City of Columbus; to authorize the expenditure of \$564,000.00 from the Safety G.O. Bond Fund; and to declare an emergency. (\$564,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-48 1741-2012

To authorize the Finance and Management Director to enter into a contract with The Righter Company, Inc. on behalf of the Office of Construction Management for the replacement of windows at three (3) fire stations located within the City of Columbus; to authorize the expenditure of \$327,400.00 from the Safety G.O. Bond Fund; and to declare an emergency. (\$327,400.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-49 1749-2012 To authorize and direct the Finance and Management Director to issue purchase orders for EMS pharmaceuticals from the existing Universal Term Contract established for such purpose with BoundTree Medical LLC, to authorize the expenditure of \$100,000.00 from the General Fund; and to declare an emergency. (\$100,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

PUBLIC SERVICE & TRANSPORTATION: PALEY, CHR. CRAIG MILLER GINTHER

SR-50 1486-2012 To authorize the Director of Public Service to enter into a contract with Shelly and Sands, Inc. in the amount of \$2,453,216.99 for construction and to provide for the payment of construction administration and inspection services in the amount of \$269,853.87 for the Roadway Improvements - Riverview Drive/Olentangy River Road-West Terminus project; to authorize the transfer of \$261,535.43 within the Storm Recovery Zone Super Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditure of \$1,361,535.43, from the Streets and Highways G.O. Bonds Fund for the Department of Public Service and \$1,361,535.43 from the Storm Recovery Zone Super Build America Bonds Fund for the Department of Public Utilities; and to declare an emergency. (\$2,723,070.86)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-51 1542-2012 To authorize the Director of Finance and Management to establish purchase orders for the purchase and assembly of eight single axle dump trucks and five tandem axle dump trucks, plows and accessories in accordance with Ohio Department of Transportation and State of Ohio contracts, and in accordance with the terms and conditions of the existing citywide universal term contract, for the Division of Planning and Operations; to authorize the expenditure of \$2,315,734.04 from the Streets and Highway G.O. Bonds Fund; and to declare an emergency. (\$2,315,734.04)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-52 1591-2012 To authorize the Director of Public Service to enter into contract with Complete General Construction Company for the Bridge Rehabilitation - Ohio Center Way

over Conrail project; to provide for the payment of construction administration and inspection services in connection with the project; to amend the 2012 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of up to \$1,264,683.75 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$1,264,683.75)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-53 1597-2012

To authorize the Director of Public Service to enter into contract with Decker Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the ADA Curb Ramp - Citywide Curb Ramps Package 1 project; to authorize the expenditure of up to \$750,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$750,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-54 1598-2012

To authorize the Director of Public Service to enter into contract with Decker Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the ADA Curb Ramp - Citywide Curb Ramps Package 2 project; to authorize the expenditure of \$250,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$250,000.00)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1399-2012

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 an existing citywide contract; to authorize the expenditure of \$243,600.00 or so much thereof as may be needed from the Refuse Collection G.O. Bonds Fund. (\$243,600.00)

A motion was made by Paley, seconded by Tyson, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1400-2012 To authorize the Director of Finance and Management to establish a purchase order for the purchase of eight (8) cubic yard refuse collection containers, replacement parts, and tools required for the Division of Refuse Collection per the terms and conditions of an existing universal term contract; and to authorize the expenditure of \$20,000.00 from the Refuse G.O. Bonds Fund for this purpose. (\$20,000.00)

A motion was made by Paley, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

PUBLIC UTILITIES: PALEY, CHR. CRAIG KLEIN GINTHER

SR-55 1557-2012

To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with PIZZUTI SHORT NORTH, LLC, pursuant to Section 186 of the Columbus City Charter for roadway improvements and associated utility work as part of the Pizzuti Short North Project for the Division of Sewerage and Drainage; to authorize the expenditure up to \$1,367,051.90 from the Streets and Highways Bond Fund 704; and to declare an emergency. (\$1,367,051.90)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-56 1563-2012

To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Company for the Parsons/Schottenstein Revitalization - Southern Gateway Power Relocation Project; to authorize the transfer of \$255,675.20 within the Northland and Other Acquisitions Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditure of \$255,675.20 for the Division of Power and Water (Power) and to declare an emergency. (\$255,675.20)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-57 1569-2012

To authorize the Director of Public Utilities to enter into a construction contract with the Complete General Construction Company for the Third Avenue - Olentangy River Road to Edgemoor Road (Part 1) Sanitary Improvements Project, and

the Third Avenue - Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan; and to authorize the transfer within and the expenditure of \$1,210,266.20 in funds from the Sanitary Sewer General Obligation Bond Fund; to authorize the transfer within and the expenditure of \$2,371,757.25 in funds from the Storm Recovery Zone Build America Bond Fund; to authorize an amendment to the 2012 Capital Improvements Budget for the Division of Sewerage and Drainage and to declare an emergency. (\$3,582,023.45)

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-58 1677-2012

To authorize the Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement in order to grant a perpetual, non-exclusive easement to the Ohio Power Company, an Ohio corporation, for the purposes of providing electrical services to that City owned property, commonly known as the HAP Cremean Water Treatment Plant and to declare an emergency

A motion was made by Paley, seconded by Craig, that this Ordinance be Taken from the Table. The motion carried by the following vote:

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Abstained: 1 - Michelle Mills

Affirmative: 6 - Hearcel Craig, Zachary Klein, A. Troy Miller, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1269-2012

To authorize the Director of Public Utilities to enter into a contract with Ohio Mulch, Inc. for services in connection with the Ohio Mulch Deep Row Hybrid Poplar program; and to authorize the expenditure of \$525,000.00 from the Sewer System Operating Fund. (\$525,000.00)

A motion was made by Paley, seconded by Tyson, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

RULES & REFERENCE: GINTHER, CHR. PALEY KLEIN MILLS**1769-2012**

To amend various sections of Chapter 361 of the Columbus City Codes in order to address the withholding and payment of taxable income derived from a person's winnings at a casino facility and from video lottery terminal prize awards, and the taxation of lottery winnings.

A motion was made by Ginther, seconded by Craig, to Waive the 2nd Reading. The motion carried by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-59 1826-2003

To amend the Columbus City Codes, 1959, by enacting proposed Chapter 3115 in order to create the Columbus Public Art Commission and to establish a public art program to provide for the inclusion of public art in public buildings, facilities, and spaces by recommending the acquisition, commission, and/or construction and installation of public art to enhance specific capital improvement projects and to repeal existing Chapter 3115; to amend the Columbus City Codes, 1959, by enacting proposed Chapter 3359.07 Plaza Areas and 3359.27 Downtown Commission in order to give the Columbus Public Art Commission exclusive jurisdictional authority over freestanding works of public art that is not integrated into the architecture of a building and is proposed to be placed on property owned or leased by the city of Columbus, including in, on or over the public right of way and to repeal existing Chapter 3359.07 and Chapter 3359.27.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-60 0983-2007

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Stanbery Development LLC as provided in Columbus City Council Resolution 0088X-2007, adopted June 4, 2007.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-61 0503-2008

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a vacant parcel of real property located at 494 West Rich Street held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-62 1922-2008

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

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-63 0336-2011

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (2131 Watkins Road) held in the Land Bank pursuant to the Land Reutilization Program.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-64 0459-2011

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Alum Creek Trail-Mock Road to I-670 Project, and to declare an emergency.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-65 1092-2011

To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with ExpressPoint equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years in consideration of the company's proposed investment of \$125,000.00 and the creation of 30 new full-time permanent positions within the City of Columbus.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-66 1588-2011

To authorize the Director of Development to enter into a Jobs Growth Incentive Agreement with SCR-Tech, LLC equal to 25% of the amount of new income tax withheld on employees for a term of five years in consideration of the company's proposed investment of \$9 million and the creation of 50 new permanent full-time jobs.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

A motion was made by Ginther, seconded by Craig, that this Ordinance be Defeated. The motion failed by the following vote:

Affirmative: 0

Negative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-67 1247-2012

To amend Columbus City Code Sections 701.07, 703.02, 703.17, 703.19, 703.20, 707.03 and 709.03 dealing with the definition of standards relative to sanitary maintenance of premises, solid waste, noxious weeds and rodents, insects, vermin and other pests in Title 7, "Health, Sanitation and Safety Code".

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-68 1584-2012

This legislation enacts new Section 229 of the Columbus City Code to establish a City of Columbus Domestic Partnership Registry, and amends Ordinance No. 1077-2010, passed November 22, 2010, by updating the directive and criteria of extending benefits to older children and domestic partners of City employees.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-69 1713-2012

To amend sections 329.04, 329.08 and 329.09 of Chapter 329 of Columbus City Codes, 1959, by revising the local bidder definition and the manner in which it is applied in the construction procurement code.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

SR-70 1726-2012

To amend Chapter 523 in the Columbus City Codes pertaining to commercial sales licenses.

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

ADJOURNMENT

ADJOURNED AT 10:50 PM

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

Affirmative: 7 - Hearcel Craig, Zachary Klein, A. Troy Miller, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther



City of Columbus

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

Minutes - Final Zoning Committee

*A. Troy Miller, Chair
All Members*

Monday, July 30, 2012

6:30 PM

City Council Chambers, Rm 231

REGULAR MEETING NO.44 OF CITY COUNCIL (ZONING), JULY 30, 2012 AT 6:30 P.M. IN COUNCIL CHAMBERS.

ROLL CALL

Present 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

READING AND DISPOSAL OF THE JOURNAL

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

ZONING: MILLER, CHR. CRAIG KLEIN MILLS PALEY TYSON GINTHER

0033-2012

To rezone **1675 GEORGESVILLE SQUARE DRIVE (43228)**, being 16.35± acres located at the northeast corner of Holt Road and Georgesville Square Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z10-007).

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1615-2012

To grant a Variance from the provisions of Section 3367.01, M-2, Manufacturing uses, of the Columbus City Codes; for the property located at **6950 AMERICANA PARKWAY (43068)**, to permit a 6,600 square foot child day care center in the M-2, Manufacturing District (Council Variance # CV12-026).

A motion was made by Miller, seconded by Klein, that this Ordinance be Amended to Emergency. The motion carried by the following vote:

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1642-2012

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District Use; 3312.21, Landscaping and screening; 3321.05(B) (2), Vision clearance; 3332.19, Fronting on a public street; 3332.21, Building lines; 3332.27, Rear yard; 3372.541, Landscaped area and treatment; 3372.542, Maximum lot coverage and 3372.544, Maximum floor area of the Columbus City Codes for property located at **2482 NEIL AVENUE (43201)**, to allow up to 17 dwelling units on one parcel in the R-2F, Residential District with reduced development standards. (Council Variance # CV10-032)

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1643-2012

To rezone **3936 SCIOTO DARBY CREEK ROAD (43026)**, being 7.98± acres located on the north side of Scioto Darby Creek Road, 980± feet west of Scioto Darby Executive Court, From: R-1, Residential and C-4, Commercial Districts, To: L-M, Limited Manufacturing District (Rezoning # Z12-010).

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1671-2012

To rezone **5049 EDWARDS FARM ROAD (43221)**, being 14.3± acres located on the west side of Edwards Farm Road, 500± feet south of Bourbon Street, **From:** R, Rural District, **To:** L-ARLD, Limited Apartment Residential District (Rezoning # Z12-020).

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1686-2012

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at **738 BRYDEN ROAD (43205)**, to permit a hostel with reduced development standards in the ARLD, Apartment Residential District. (Council Variance #CV12-019)

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1307-2012

To rezone **5822 NORTH HAMILTON ROAD (43054)**, being 116.26± acres located on the east side of Hamilton Road, 670± feet north of Preserve Boulevard, **From:** L-AR-12, Limited Apartment Residential, PUD-8, Planned Unit Development, and L-C-4, Limited Commercial Districts; **To:** CPD, Commercial Planned Development and L-AR-O, Limited Apartment Office Districts.

A motion was made by Miller, seconded by Craig, that this Ordinance be Taken from the Table. The motion carried by the following vote:

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

1490-2012

To grant Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3333.18, Building lines; 3318.03, Requirements; 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **5822 NORTH HAMILTON ROAD (43230)**, to permit commercial uses in the L-AR-O, Limited Apartment Residential District with reduced development standards. (Council Variance #CV10-021).

A motion was made by Miller, seconded by Craig, that this Ordinance be Taken from the Table. The motion carried by the following vote:

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

ADJOURNMENT

ADJOURNED AT 8:55 PM

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

Affirmative: 7 - A. Troy Miller, Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther

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 361.35 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

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 - August 7, 2012 2:00 pm

SA004524 - AUTOMATIC CAR WASH SERVICES RFI

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The City of Columbus is requesting information in order to obtain the services of qualified contractors to provide automatic car wash services for the City of Columbus Police Division. Due to the various locations of City of Columbus Police Precincts, it is the intention of the City of Columbus to negotiate with various contractors in order to ensure that the needs of the City of Columbus Police Division are met.

A map of City of Columbus Police Precincts is available at
<http://www.columbuspolice.org/Maps/Citywide%20Overview%20Maps%20-%20Revised%2011-2011.pdf>

Companies that provide such services are encouraged to respond to the e-mail address provided below in order to express their interest in negotiating with the City of Columbus for such a contract.

This solicitation is not a bid. This is a Request for Information only. **You will not be able to respond directly through Vendor Services. Please respond to the e-mail address provided below.** The City of Columbus will contact respondents in order to negotiate. Please respond to this Request for Information with materials that will help the City of Columbus frame its negotiations. Please respond to ssfouts@columbus.gov. In your response, please provide the following information.

1. Please list all locations in Franklin County and contiguous counties at which your company offers automatic car wash services.
 2. Please provide the various wash options provided at your locations with the prices. Please indicate if your company is willing to provide discounts to the City of Columbus Police Division.
 3. Please indicate the method of payment preferred by your company. The City of Columbus would prefer payment through purchase order established before services are rendered and payment of invoice after services are rendered. However, the City of Columbus would consider the purchase of coupon books.
- ORIGINAL PUBLISHING DATE: July 25, 2012

BID OPENING DATE - August 9, 2012 11:00 am

SA004512 - STEEL PRODUCTS UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus to obtain formal bids to establish an option contract(s) with a "Catalog" firm offer for sale of various steel products for all City facilities thru September 30, 2014. The bidder shall submit their standard published catalog(s) and price lists. The City may purchase any items(s) in the catalog and/or price list from the successful bidder after a purchase order for the listed items is issued.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option to purchase and/or delivery of steel and various related items as specified herein. All bidders will provide their standard catalog/price list, their applicable discount structure, and instructions for application of the discount either in the space provided on Pages 5A or on a separate attachment to the bid. Attachment should be clearly marked as an addendum to Page 5A.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 17, 2012

SA004509 - 60' INSULATED AERIAL BUCKET TRUCK

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus, Department of Public Utilities, Division of Power and Water, to obtain formal bids to establish a contract for the purchase of one (1) 60 foot insulated aerial bucket truck with a Cab and Chassis minimum G.V.W. rating of 33,000 pounds and equipped with utility body. Truck will be used by the Division of Electricity when working on various distribution poles.

1.2 Classification: The contract resulting from this bid proposal will provide for the purchase and delivery of a new and unused 60 foot insulated aerial bucket with a minimum G.V.W. rating of 33,000 pounds and equipped with utility body. The City will also consider an option for hybrid electric parallel drive system. All offerors must document an Aerial Bucket Truck /Cab and Chassis certified reseller partnership. Bidders are required to show experience in providing these types of equipment and warranty service as detailed in these specifications.

1.2.1 Bidder Experience: The Aerial Bucket Truck /Cab and Chassis equipment offeror must submit an outline of its experience and work history in these types of equipment and warranty service for the past five years.

1.2.2 Bidder References: Aerial Bucket Truck /Cab and Chassis equipment and warranty service offeror shall have documented proven successful contracts from at least four customers that the offeror supports that are similar in scope, complexity, and cost to the requirements of this specification.

1.2.3 Specification Questions: Questions regarding this bid must be sent in writing via email to vendorservices@columbus.gov no later than 11:00 a.m. (local time) on July 30, 2012. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 11:00 a.m. (local time) on August 2, 2012. See Section 3.2.4 for additional details.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 17, 2012

SA004501 - TRAFFIC PEDESTAL POLES UTC/PSPO

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION:

1.1 Scope: The City of Columbus is seeking bids for Traffic Pedestal Poles, specified herein for use as supports for traffic signals and associated equipment along roadways throughout the City of Columbus. It is the intent to issue "firm offer for sale" blanket type contract(s). The contract(s) shall be in effect from and after its execution by the City to and including January 30, 2015.

1.2 Classification: Bids are requested for the various mast arm signal support poles, transformer-base poles, anchor bolts and other accessories:

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 10, 2012

SA004528 - LAND REDVT/ABATEMENT & DEMOLITION SERV

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

DEMOLITION AND ASBESTOS REMEDIATION CONTRACTOR(S).

I. INTRODUCTION

A. The City of Columbus Department of Development seeks to establish a contract(s) for all labor, materials, and equipment necessary to complete demolition and asbestos abatement services for a structure owned by the City of Columbus, located at 20 E. Merritt Street, Parcel # 010-0002202.

B. Contract term shall begin upon contract execution and go through December 31, 2012.

II. PURPOSE

A. The City of Columbus Department of Development seeks bids from qualified professional service companies to abate asbestos and demolish the structure located at 20 E. Merritt St.; file all required notices and permits (including payment of all fees charged by regulatory agencies); and clear and leave site in a development ready condition.

This project will be subject to Prevailing Wage Rates, and 10% Surety/50% Performance Bond requirements.

Pre Bid Meeting/Site Walkthrough - 20 E. Merritt Street, Columbus OH
July 30th, 2012, 9:30 a.m. - 11:30 p.m. (local time),

Specification Questions: Questions regarding this bid must be sent in writing to Mike Farrenkopf via email - mlfarrenkopf@columbus.gov no later than 4:00 p.m. (local time) on August 1, 2012. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 4:00 p.m. (local time) on August 2nd, 2012.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov> <<http://vendorservices.columbus.gov/>>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 31, 2012

SA004504 - ORNAMENTAL SIGN POSTS UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE AND CLASSIFICATION:

1.1. The City of Columbus is seeking bids ornamental sign posts with accessories as specified for placement throughout the City of Columbus. It is the intent to issue a "firm offer for sale" blanket type contract. The contract shall be in effect from its execution by the City to and including March 29, 2013. It is estimated that two-hundred (200) of each item will be purchased.

1.2. Classification: Bids are requested for Ornamental Sign Posts with Finials, Base, and Sign Holder Ring. Installation will be done by City personnel.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 12, 2012

BID OPENING DATE - August 13, 2012 10:00 am

SA004514 - OCM-HVAC UPGRADE @ 1601 ARLINGATE LANE

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

HVAC SYSTEM UPGRADE PHASE 3 AT
1601 ARLINGATE LANE, COLUMBUS, OHIO 43228

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for: ?HVAC System Upgrade Phase 3 at 1601 Arlingate Lane, Columbus, Ohio 43228? for July 23, 2012 through August 13, 2012.

1.2 Classification: This is a prevailing wage project requiring bonding and insurance.

Brief description ? Replace the existing CRAC units with new CRAC units in UPS room and Printer Room. One (1) unit shall remain operational at all times for UPS Room and Printer Room. Repair ceiling and floor; paint the wall to match existing as required due to removal of CRAC unit. Relocate existing air separator on the discharge line of chilled water pump to the suction line of the chilled water pump.

Copies of said Bid Documents may be purchased at Arc Columbus beginning Monday, July 23, 2012 at a non-refundable fee of \$30.00 per set. Contact Arc Columbus via phone (614) 224-5149, fax (614) 224-2583 or via the internet at www.atlasblueprint.com. A plan holder?s list will be published via the internet site.

All questions and concerns pertaining to the specifications or drawings shall be directed in writing to the Engineer: Advanced Engineering Consultants, ATTN: Jack Lee via Fax (614-486-4082) or E-mail (jackl@aecmep.com) prior to Tuesday, August 7, 2012 by noon.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: July 20, 2012

BID OPENING DATE - August 14, 2012 3:00 pm

SA004522 - Antares Avenue Phase 2

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Electronic proposals will be received by the Department of Public Service, on behalf of NP Limited Partnership, through www.bidx.com, until August 14, 2012, at 3:00P.M. local time, for the Antares Avenue Phase 2 project.

Hard copy proposals will not be accepted by the City.

The work for which proposals are invited consists of: the project for which proposals are invited consists of: the completion of construction of Antares Avenue between Polaris Parkway and Gemini Parkway. The work consists of: constructing 1,167 feet of new roadway and sidewalks, water line, storm sewer, lighting, planting street trees, construction of a T-Turnaround at the terminus of Barley Loft Road, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth at www.bidx.com.

Bidders who wish to learn more about the Bid Express service or to sign up for an account can visit the Bid Express web site at www.bidx.com or call Bid Express customer support at 1-888-352-BIDX for information. Bidders must also have an account with one of Bid Express' surety verification companies, either Surety 2000 (www.surety2000.com/default.asp) or Insure Vision (www.web.insurevision.com/ebonding/). Contact them directly to set up an account.

Bidders must have an account with Bid Express and either Surety 2000 or Insure Vision in order to bid on this project.

ORIGINAL PUBLISHING DATE: July 25, 2012

SA004515 - Ped Safety Imp-Franklinton RR Sidewalk

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Electronic proposals will be received by the Department of Public Service through www.bidx.com, until August 14, 2012, at 3:00 P.M. local time, for Pedestrian Safety Improvements - Franklinton Railroad Sidewalk, C.I.P. No. 590105-100058.

Hard copy proposals will not be accepted by the City.

The work for which proposals are invited consists of: constructing and/or reconstructing sidewalks near the railroad bridges in the Franklinton Community Area at the following locations: Broad Street west of Glenwood Avenue, Town Street west of Glenwood Avenue, Broad Street west of Starling Street, State Street west of Starling Street, Central Avenue at the railroad bridge, Yale Avenue at the railroad bridge, and Sounder Avenue at the railroad bridge. The work includes: excavation, concrete removal, sidewalk construction, maintaining traffic, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth at www.bidx.com.

Bidders who wish to learn more about the Bid Express service or to sign up for an account can visit the Bid Express web site at www.bidx.com or call Bid Express customer support at 1-888-352-BIDX for information. Bidders must also have an account with one of Bid Express' surety verification companies, either Surety 2000 (www.surety2000.com/default.asp) or Insure Vision (www.web.insurevision.com/ebonding/). Contact them directly to set up an account.

Bidders must have an account with Bid Express and either Surety 2000 or Insure Vision in order to bid on this project.

ORIGINAL PUBLISHING DATE: July 21, 2012

SA004516 - Bridge Rehab Annual Citywide 2012

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Electronic proposals will be received by the Department of Public Service through www.bidx.com, until August 14, 2012, at 3:00 P.M. local time, for the Bridge Rehabilitation - Annual Citywide Project (2012), C.I.P. No. 530301-100063.

Hard copy proposals will not be accepted by the City.

The work for which proposals are invited consists of: routine maintenance to several bridges within the City of Columbus. The work includes: crack sealing, concrete patching on all elements of a bridge, railing repairs, epoxy injection, maintenance of traffic, concrete removal, asphalt overlays, sealing cracks in bridge decks and replacement of expansion joint seals, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth at www.bidx.com.

Bidders who wish to learn more about the Bid Express service or to sign up for an account can visit the Bid Express web site at www.bidx.com or call Bid Express customer support at 1-888-352-BIDX for information. Bidders must also have an account with one of Bid Express' surety verification companies, either Surety 2000 (www.surety2000.com/default.asp) or Insure Vision (www.web.insurevision.com/ebonding/). Contact them directly to set up an account.

Bidders must have an account with Bid Express and either Surety 2000 or Insure Vision in order to bid on this project.

ORIGINAL PUBLISHING DATE: July 21, 2012

BID OPENING DATE - August 15, 2012 2:00 pm

SA004530 - OCM-RENOV OF NEW TRAFFIC CONTROL CENTER

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

RENOVATION FOR A NEW TRAFFIC CONTROL CENTER
FOR THE DEPARTMENT OF PUBLIC SERVICE

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain formal bids to establish a contract for: ?Renovation for a New Traffic Control Center for the Department of Public Service? for July 26, 2012 through August 15, 2012.

1.2 Classification: This is a prevailing wage project requiring bonding and insurance.

Brief description ? Demolition of the existing structure as indicated on the bid documents. Relocating existing equipment to the 120 W. Gay St. building as indicated on the drawings. Installing telecommunication cables as indicated in 120 W. Gay St. building and City Hall. Construction of a new facility connected to the existing warehouse with a computer room, workshop, office space, kitchen/break room area, restrooms, and a TMC command center with wall mounted screens.

Copies of said Bid Documents may be purchased at Alphagraphics beginning Thursday, July 26, 2012 at a non-refundable fee of \$175.00 per set. Contact Alphagraphics via phone (614) 297-1200, fax (614) 297-1300 or via the internet at www.deplanroom.com. A plan holder?s list will be published via the internet site.

All questions and concerns pertaining to the specifications or drawings shall be directed in writing to the Architect: HNTB, ATTN: Katie Ott Zehnder via Fax (614-228-1071) or E-mail (kzehnder@hntb.com) prior to Thursday, August 9, 2012 by noon.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 26, 2012

SA004521 - Security Enhancements Hoover Dam Imp.

The City of Columbus, Ohio is soliciting Statements of Qualifications (SOQ) from experienced construction firms to provide construction services to the City for the Department of Public Utilities (DPU), Division of Power and Water. The construction services for which Statements of Qualifications are requested consists of furnishing all materials, equipment, and labor necessary for the installation of access control systems, an intrusion detection system, a digital security surveillance system, physical security improvements including bollards, fencing, minor architectural modifications and site work and such other work as may be necessary to complete the contract in accordance with the plans and specifications that will be made available to the shortlisted bidders that are selected in accordance with the selection process indicated below. The project is identified as Security Enhancements Hoover Dam Improvements, Contract Number 1066, Part 1, Project Number 690479.

ORIGINAL PUBLISHING DATE: July 24, 2012

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - August 16, 2012 11:00 am

SA004527 - AUTOMATED SYSTEM FOR OIL AND GREASE EXTR

1.1 SCOPE. It is the intent of the City of Columbus, Department of Public Utilities to obtain formal bids to establish a contract for the purchase and set-up of an automated extraction/evaporation Oil and Grease instrument by EPA Method 1664. For use in the Surveillance Laboratory of the Division of Sewerage and Drainage

1.2 CLASSIFICATION. This system must be of equal or greater quality to the Environmental Express SPE-Xpress or the Horizon Technologies SPE-DEX 3000XL system. It must include the operating software, set-up and training.

1.2.3 Specification Questions: Questions regarding this bid must be sent in writing via email to vendorservices@columbus.gov no later than 11:00 a.m. (local time) on August 6, 2012. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 11:00 a.m. (local time) on August 9. See section 3.4 for additional details.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 25, 2012

SA004507 - TRAFFIC PEDESTRIAN SIGNAL EQUIPMENT UTC/

1.0 SCOPE AND CLASSIFICATION:

1.1. Scope: The City of Columbus is seeking bids for Traffic Pedestrian Signal Equipment for use in traffic signal installations along roadways throughout the City of Columbus. It is the intent to issue a "firm offer for sale" blanket type contracts. The contracts shall be in effect from and after its execution by the City to and including October 31, 2014.

1.2. Classification: Bids are requested for LED Pedestrian Signal Modules with the Countdown feature, Pedestrian Signal Housings, Pedestrian Push Buttons, and Mounting Hardware.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 13, 2012

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004531 - ION CHROMATOGRAPHY PLATFORM FOR LACHAT

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage, Surveillance Laboratory to obtain formal bids for the purchase of an Ion Chromatography Platform to be and additional add on channel to the Lachat QC-8500.

1.2 Classification: The contract resulting from this bid proposal will provide for the purchase and delivery of an Ion chromatography Platform. The platform must be compatible to the City owned hardware and software as specified herein.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 27, 2012

SA004511 - SIGNAGE 120 GAY STREET

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.0 SCOPE & CLASSIFICATION

1.1 Scope: It is the intent of the City of Columbus to establish a contract for the purchase of all material, labor and engineering services necessary to program facility and to fabricate and install signage in a building under complete renovation located at 120 West Gay Street, Columbus, OH, 43215. Bidder shall establish timeframes for delivery and installation by estimated date of November 1, 2012.

1.2 Classification: All signs, including work station and room ID's, overheads and flag mounts, directional's and directories shall have a matching appearance and constructed utilizing the same manufacturing process to assure a consistent look throughout.

1.2.1 Signage is required in the general areas (Interior and Building Shell Exterior) and for private offices at 120 West Gay Street as listed: Lower Level (LL), Level 1, Level 2, Level 3, Level 4, and Level 5.

1.2.2 Services required shall include meetings, engineering/design/programming, procurement, scheduling, storage (if required), delivery and installation of signage.

1.2.3 Pricing shall be in accordance with prevailing wage requirements if applicable.

1.2.4 Specifications Questions: Questions regarding this bid must be sent in writing via email to vendorservices@columbus.gov no later than 11:00 am. (local time) on Wednesday, August 1, 2012. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 11:00 a.m. (local time) on Friday, August 3, 2012.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 21, 2012

SA004525 - ROADWAY IMP. - PARSONS AVE. CORRIDOR

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: The City of Columbus, Department of Public Service is receiving proposals until 1:00 P.M. August 16, 2012, for professional engineering consulting services for the Roadway Improvements - Parsons Avenue Corridor / Livingston Avenue to Hosack Street 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 preparation of final construction drawings for improvements to the Parsons Avenue Corridor between Livingston Avenue and Hosack Street, per the recommendations from the Parsons Avenue Corridor Study. The project will convert the corridor from an existing four-lane section to a three-lane section with full time parking on one side.

The selected Consultant shall attend a scope meeting anticipated to be held the week of August 27 - 31, 2012. If the Project Manager is not available, the Consultant may designate an alternate(s) to attend in his/her place.

1.2 Classification: Firms wishing to submit a proposal must meet the mandatory requirements stated in the RFP. A pre-proposal meeting will not be held. All questions concerning the RFP are to be sent to capitalprojects@columbus.gov. The last day to submit questions is August 7, 2012. Responses will be posted on the Vendor Services web site as an addendum. 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: July 25, 2012

BID OPENING DATE - August 23, 2012 11:00 am

SA004523 - PRETREATMENT INFORMATION MANAGEMENT SYST

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The City of Columbus Department of Technology, on behalf of the Department of Public Utilities (DPU), desires to acquire a new commercial-off-the-shelf (COTS) software solution, as a replacement for the current Pretreatment Information Manangement System (PIMS) and various other pretreatment-data reporting tools currently in use by the City's Industrial Wastewater Pretreatment Group (IWPG) within the Division of Sewerage and Drainage (DOSD).

The City is placing this Request for Proposals with the intention to enter into a contract with a Vendor who will provide software, licenses, support services, training and any labor required to bring the System fully operational, and to train City personnel in its best use, in order to keep the System fully functional throughout its expected life span of at least five years (The Solution). This document serves as a guide for use by potential vendors as to the format and requirements of a successful proposal.

The DPU's mission to enhance the quality of life for the residents of central Ohio is the principal driver behind this RFP for a new PIMS. The critical nature of monitoring and maintaining the quality of the industrial pretreatment program makes the PIMS replacement project a high priority for the DPU and the DOSD.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: July 31, 2012

SA004529 - LAND REDVT- DEMOLITION & ASBESTOS RMVL

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

DEMOLITION AND ASBESTOS REMEDIATION CONTRACTORS.

The City of Columbus, Department of Development, Land Redevelopment Office (Columbus Land Bank) requests the submission of proposals from qualified professionals to establish contract(s) with the City for all labor, materials, and equipment necessary to complete asbestos removal and demolition at a City-owned property located on Shannon Rd. The proposed contract shall be in effect for one year.

I. INTRODUCTION

The City of Columbus owns an approximately five (5) acre property at 5700 Shannon Rd., PID# 010-260103. The City desires to abate the asbestos within and demolish twelve structures located on the property. The City published a separate bid request for asbestos evaluation, testing, and reporting, hired a qualified contractor to evaluate and report on all asbestos requiring abatement and has possession of all such reports.

II. PURPOSE

The Columbus Land Bank seeks proposals from qualified professional service companies to abate the asbestos within and demolish twelve (12) structures; file all required notices and permits (including payment of all fees charged by regulatory agencies); and clear and leave site in a development ready condition. The site will be held in the Land Bank for an undetermined amount of time until redevelopment.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov> <<http://vendorservices.columbus.gov/>>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: August 01, 2012

SA004517 - RFSQ-Bill Presentment & Payment Applicat

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The City of Columbus, Ohio is soliciting Requests for Statements of Qualifications (RFSQ) pursuant to Columbus City Code 329.13 from firms to supply, integrate and support an Electronic/Traditional Bill Presentment and Payment Application. The application may already be developed in Commercial Off-The-Shelf (COTS) form or a fully customized application.

The Department of Public Utilities provides the following services:

- Treats and distributes quality drinking water to approximately 270,000 customers
- Collects and treats wastewater for approximately 270,000 customers
- Maintains the City's stormwater collection system
- Provides electricity to approximately 13,000 customers and 51,000 street lights

Selection of professional services shall be in accordance with Section 329.13 of Columbus City Codes, 1959. Any agreement or contract entered into will be in accordance with the provisions of Chapter 329, of Columbus City Codes, 1959, the standard agreements rules and regulations.

All offerors, and their proposed subcontractors, shall have valid City of Columbus Contract Compliance Numbers (CCCN). Applications for certification may be obtained from the City of Columbus website (www.columbus.gov), or from: City of Columbus, Equal Business Opportunity Commission Office, 109 North Front Street, 4th Floor, Columbus, Ohio 43215-9020 or by calling (614) 645-4764.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 21, 2012

SA004513 - TRANSFORMERS FOR POWER DISTRIBUTION

1.1. Scope: It is the intent of the City of Columbus, Division of Power and Water (Power Section) to obtain bids for a one time purchase of Transformers for the city's Electrical Distribution system.

1.2. Classification: The successful bidder(s) will supply Single Phase Pole Mount Transformers, Single and Three Phase Pad Mount Transformers, of various ratings and connections. The City of Columbus Distribution System is based on a DELTA configuration. The awarded supplier(s) will be required to submit preliminary drawings for approval prior to the manufacturer of the transformers. The supplier is also to perform contamination testing prior to delivery. Final drawings, operating manuals and certified test results must be provided. Transformers are to be shipped complete with oil.

1.3. Bidders are to submit Core and Copper Loss Wattage in their bid response that will be used for the price evaluation.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 20, 2012

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004533 - Electronic Key Management System RFP

1.1 Scope

The City of Columbus, Department of Technology, on behalf of the Department of Public Utilities seeks Request for Proposal (RFP) to identify a qualified vendor to provide the necessary hardware, software, and labor to implement and supply a Secured Electronic Key Management System to communicate and help, manage driver assignments in the Automated Vehicle Locator (AVL) System.

1.2 Classification

Qualified suppliers must submit (as described within the specifications) documentation of a minimum of three (3) successful similar installations. Selected qualified suppliers (pending review of proposals) will be required to provide a demonstration of their products ability to meet the specifications.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 28, 2012

BID OPENING DATE - August 24, 2012 10:00 am

SA004536 - POLICE - TOWING SERVICES

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope:

It is the intent of the City of Columbus, Department of Public Safety to obtain bids to establish a contract for towing of authorized motor vehicles and watercraft for the Division of Police for a period of one year starting October 1, 2012 through September 30, 2013.

1.2 Classification:

The City of Columbus, Department of Public Safety is seeking bids for towing services. The towing services are to be available twenty-four (24) hours a day, seven (7) days a week, fifty-two (52) weeks per year including holidays and other observances.

The successful bidder will be responsible for having the appropriate equipment at the location within the Metropolitan Columbus Area as designated by the Columbus Division of Police within thirty (30) minutes.

The successful bidder shall furnish and staff as determined and directed by the Director of Public Safety, a minimum of thirty (30) suitably equipped tow trucks and motorcycle trailers (for two and three wheel motorcycles) to provide for the movement or removal of motor vehicles and watercraft from the public streets, alleys, highways, private property, public property and waterways only upon specific written or verbal orders from an officer of the Columbus Division of Police.

A pre-bid conference will be held on Friday, August 10, 2012, @ 10:00 AM (EST) in the City of Columbus Division of Police Headquarters 7th Floor Conference Room.

The successful bidder will be required to provide a performance bond or certified check in the amount of five thousand dollars (\$5,000.00) with in ten (10) days of the award of this contract. No contract shall be considered as fully executed unless the performance bond/certified check is received by the city.

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: August 02, 2012

SA004532 - GEN'L ENGINEERING SRVCS WTR DIST 690528

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR PROPOSALS

REQUEST FOR PROPOSALS:

CIP 690528-100000: General Engineering Services for Water Distribution Design Engineering

OWNER:

City of Columbus, Ohio
Department of Public Utilities
Division of Power and Water
Water Distribution Engineering
910 Dublin Road, 2nd Floor
Columbus, OH 43215
(614) 645-7677

PROPOSAL SUBMISSION:

Sealed proposals containing six (6) original copies of the proposal and one electronic copy in PDF format on compact disc are to be submitted to Richard C. Westerfield, P.E., Ph.D., Administrator, Division of Power and Water, 910 Dublin Road, Third Floor, Columbus, Ohio no later than 3:00 p.m. (EST) on Friday, August 24, 2012.

DESCRIPTION OF WORK:

This contract will provide for General Engineering Consultant Services, whose tasks shall include, but not limited to, investigations, inspections and evaluations of existing conditions, surveying, preparation of engineering or architectural drawings, documents/drawings for permit approval, specifications and bid documents, engineering services during construction and preparation of record plan drawings. The Offeror must have experienced personnel and equipment for performing this work.

BASIS OF SELECTION:

Evaluation of the proposals will be based on the criteria specified within the Request for Proposals.

PROCUREMENT OF DOCUMENTS:

All offers are required to obtain the Request for Proposal documents. For an electronic copy of the Request for Proposal send your e-mail request to Robert Arnold, PE at rjarnold@columbus.gov. After obtaining a copy of this document, the consultant is required to send an email to Robert Arnold P.E., by August 15, 2012 with contact information and the consultant's intent to submit a proposal. This information will be used to distribute any addendums or clarifications. Failure to send this information may result in rejection of the consultant's submittal.

ORIGINAL PUBLISHING DATE: July 28, 2012

BID OPENING DATE - August 30, 2012 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA004534 - LUMINAIRES FOR PUBLIC UTILITIES/Power

1.0. SCOPE AND CLASSIFICATION

1.1. Scope. It is the intent of the City of Columbus, Division of Power and Water (Power Section) to obtain bids for a one time purchase of Luminaires (light fixtures) and related components that will be used for new installations and to maintain existing street lights within the City

1.2. Classification. The successful bidder(s) will supply Luminaires (light fixtures) and related components. The City intends to purchase Cobra Style Luminaires, Cut-Off Style Luminaires, Rectangular Luminaires, Spherical Luminaires, Post Top Luminaires and Floodlights of various voltages along with Electrical Ballasts and Acorn Bases to construct and maintain the City's street lighting system. All Luminaires to be delivered without lamps.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.

ORIGINAL PUBLISHING DATE: July 31, 2012

BID OPENING DATE - September 13, 2012 11:00 am

SA004526 - Organic Based Performance Enhancer Beet

1.0 SCOPE AND CLASSIFICATION

1.1 Scope: It is the intent of this bid proposal to provide, the City of Columbus, a "firm offer for sale" blanket type contract for the purchase and delivery of Organic Based Performance Enhancer (OBPE) (beet juice anti-icing solution). This material will be used by the Street Maintenance Division during the winter season only (November through April) for snow and ice removal and control operations throughout the City. The proposed contract will be in effect through and including April 30, 2013. The City estimates it will use 30,000 gallons annually during the contract term.

1.2 Classification: The awarded bidder will make available for the purchase and delivery of Organic Based Performance Enhancer to city locations.

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: August 02, 2012

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: 0033-2012

Drafting Date: 1/4/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Rezoning Application Z10-007

APPLICANT: Lowes Home Centers Inc, c/o Brian S. Massengill; 1605 Curtis Bridge Road; Wilkesboro, NC 28697.

PROPOSED USE: Revise CPD text and plan regarding outdoor display.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on October 13, 2011.

WESTLAND AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant proposes to expand the front display area of a large retail home improvement center. They have incorporated screening on three sides of the front display area, with the side facing the parking area being open. The applicant is committing to install the screening material on the fence and the garden center and back storage area. This plan provides a balance between the applicant's operational needs and the neighbors' desire not to have to view unsightly piles of building materials for sale.

To rezone **1675 GEORGESVILLE SQUARE DRIVE (43228)**, being 16.35± acres located at the northeast corner of Holt Road and Georgesville Square Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District. (Rezoning # Z10-007).

WHEREAS, application #Z10-007 is on file with the Building and Zoning Services Department requesting rezoning of 16.35± acres from CPD, Commercial Planned Development District, to CPD, Commercial Planned Development District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the applicant plans to screen three sides of the front display area, with the side facing the parking area being open. The applicant is committing to install the screening material on the fence and the garden center and back storage area. This plan provides a balance between the applicant's operational needs and the neighbors' desire not to have to view unsightly piles of building materials for sale; and

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:

1675 GEORGESVILLE SQUARE DRIVE (43228), being 16.35± acres located at the northeast corner of Holt Road and Georgesville Square Drive, and being more particularly described as follows:

legal description of 16.35 acre tract

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of Lot 2 of Georgesville Square and Dedication of Holt Road as shown and delineated in Plat Book 87, Page 11-15, Franklin County Recorder's Office, and being more particularly described as follows:

Beginning at a point in the northerly line of Holt Road as shown on said plat of Georgesville Square and Dedication of Holt Road marking a corner common to said Lot 2 and Lot 1;

thence along the northerly line of Holt Road and southerly line of Lot 2 and along the arc of a curve to the left (Delta= 15° 09' 53", Radius= 1014.03 feet), with a chord bearing and distance of North 35° 00' 32" West 267.61 feet, to a point;

thence North 42° 35' 49" West 467.43 feet, continuing along the northerly line of Holt Road and southerly line of Lot 2, to a point;

thence along the arc of a curve to the left (Delta= 19° 34' 52", Radius= 49.00 feet), with a chord bearing and distance of North 57° 17' 26" East 16.66 feet, to a point;

thence North 47° 30' 00" East 154.94 feet, to a point;

thence along the arc of a curve to the left (Delta= 8° 05' 55", Radius= 99.00 feet), with a chord bearing and distance of North 43° 27' 03" East 13.98 feet, to a point;

thence South 42° 30' 00" East 36.99 feet, to a point;

thence North 47° 30' 00" East 266.05 feet, to a point;

thence North 46° 34' 42" East 93.01 feet, to a point;

thence North 47° 30' 00" East 342.00 feet, to a point;

thence North 47° 30' 00" East 104.68 feet, to a point;

thence along the arc of a curve to the right (Delta= 10° 34' 14", Radius= 137.00 feet), with a chord bearing and distance of South 47° 47' 07" East 25.24 feet, to a point;

thence South 42° 30' 00" East 358.87 feet, to a point;;

thence along the arc of a curve to the right (Delta= 89° 59' 60", Radius= 354.00 feet), with a chord bearing and distance of South 02° 30' 00" West 500.63 feet, to a point;

thence South 47° 30' 00" West 463.11 feet, to a point;

thence along the arc of a curve to the right (Delta= 13° 52' 35", Radius= 237.00 feet), with a chord bearing and distance of South 54° 26' 18" West 57.26 feet, to a point;

thence South 61° 22' 35" West 143.10 feet, to a point;

thence along the arc of a curve to the left (Delta= 17° 10' 57", Radius= 49.00 feet), with a chord bearing and distance of South 52° 47' 06" West 14.64 feet, marking the place of beginning, containing an area of 16.35 acres, more or less.

Basis of bearings from Plat Book 87, Page 11, based on the Northerly line of Holt Road being North 42° 35' 49" West.

To Rezone From: CPD, Commercial Planned Development 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 Building and Zoning Services be, and is hereby authorized and directed to make the said change on the said original zoning map and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Department of Building and Zoning Services as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "SITE PLAN," signed by Sherry P. Lucky, Agent for the Applicant, dated November 30, 2011, and text titled, "COMMERCIAL PLANNED DEVELOPMENT TEXT," signed by Brian S. Massengill, Applicant, dated June 12, 2012, and reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

**PROPOSED DISTRICT: CPD, COMMERCIAL PLANNED DEVELOPMENT
PROPERTY ADDRESSES: 1675 GEORGESVILLE SQUARE DRIVE (43228)**

**OWNER: KIR Georgesville 019, LLC, c/o Dave Seibel, Kimco Realty Corporation, 5737 Bigger Road, Dayton, Ohio 45440 dseibel@kimcorealty.com
<<mailto:dseibel@kimcorealty.com>><<mailto:dseibel@kimcorealty.com>>
<<mailto:dseibel@kimcorealty.com>>>**

**APPLICANT: LOWE'S HOME CENTERS, INC., c/o Brian S. Massengill, Lowe's Home Centers, Inc., 1605 Curtis Bridge Road, Wilkesboro, NC 28697 Brian.S.Massengill@Lowe.com
<<mailto:Brian.S.Massengill@Lowe.com>><<mailto:Brian.S.Massengill@Lowe.com>>
<<mailto:Brian.S.Massengill@Lowe.com>>>**

DATE OF TEXT: June 12, 2012 APPLICATION NO.: Z10-007

1. INTRODUCTION: The subject property ("Site") consists of 16.35+/- acres of land located on the north side of Holt Road, southeast of Georgesville Road, and is more particularly identified in the legal description

submitted as part of this Rezoning Application. This Site is developed with a parking lot and Lowe's Home Center, which represents an anchor store within Georgesville Square Shopping Center. This rezoning amendment is to modify the site data and/or development standards of application Z02-034. All other provisions of application Z02-034 are included herein and are unchanged and maintained by this CPD Text. Even though this Site is already developed, the provisions of Application Z02-034 are included herein for posterity.

2. PERMITTED USES: The permitted uses shall be limited to those uses defined by Chapter 3356.03, C-4 Commercial District, excluding the following uses:

Arcade; Automotive sales, leasing and rental; Bars, cabarets and nightclubs; Bowling alley; Bus or truck terminal; Business college; Funeral homes and services; Hotel; Dry cleaning and laundry services; Motel; Motion picture theater; Off-premises graphics; Pawn brokers; Poolroom; Private club; Public parking garage for pay; Tattoo Parlor; Testing or experimental laboratory; Trade school.

3. DEVELOPMENT STANDARDS: Except as otherwise noted, the applicable development standards of Chapter 3356, C-4 Commercial District, shall apply. In addition, the following general and specific development standards shall apply:

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

1. Density: The maximum development for the Site shall be based on 10,000 square feet of building per acre for the entire Site.

2. Height: Height district shall be sixty (60) feet as measured per the Columbus City Code. The maximum building height for any building shall be fifty (50) feet.

3. Setback:

(a) Setback from the south property line shall be fifty (50) feet for parking, loading, and maneuvering areas, and seventy-five (75) feet for buildings.

(b) Setback from property located along the east property line (southeast corner of the Site): fifty (50) feet for parking, loading and maneuvering areas, and seventy-five (75) feet for buildings. These setbacks shall not apply if said township property is zoned for other than residential usage.

(c) Setback from I-270 shall be twenty-five (25) feet for parking, loading and maneuvering, and fifty (50) feet for buildings.

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

1. Parking: Size, ratio and type of parking and loading facilities shall be regulated by the City of Columbus Department of Public Service, Division of Planning and Operations.

2. Site Data: This Site, as reconfigured with proposed outdoor retail display area is a total of 183,926 square feet, broken down as follows:

Lowe's Home Center

(a) Existing Building: 129,733 sq ft

(b) Existing Garden Center: 21,567 sq ft

- (c) Proposed Outdoor Retail Display: 8,555 sq ft
- (d) Existing Fenced Storage Area: 22,800 sq. ft.

Rental Area

- (e) Existing Rental Area: 1,271 sq ft.

TOTAL (after proposed improvements) 183,926 sq ft

2. Traffic:

(a) Curb cuts along Holt Road Extension shall have a minimum 250-foot spacing from centerline to centerline, with opposing curb cuts offset at least 100 feet or aligned to avoid conflict. Movements and signalization shall be approved by the City of Columbus Department of Public Service, Division of Planning and Operations.

(b) Road improvements for this project:

(i) Establish a center alignment for a new public roadway through the Site for purposes of extending Holt Road from its intersection with Alkire Road, to Georgesville Road at its intersection with Auto Mall Drive.

(ii) Establish a 120-foot right-of-way for the new roadway from a distance of 400 feet south of Georgesville Road.

(iii) Provide a 100-foot right-of-way for the remainder of the new roadway to the southern property line of the Site.

(iv) Provide preliminary engineering design plans for the new roadway basically in accordance with the City's standards for a Type "4-2" Arterial through the Site.

(v) All designs and construction standards shall conform to the City of Columbus Standards and Policies.

The above are the responsibility of the developer.

Stage 1:

(a) Design and construct three lanes of the new roadway along the proposed frontage being developed, to support developments on the Site.

(b) Provide an additional (separate) northbound right turn lane on the new roadway at its intersection with Georgesville Road.

(c) The Stage 1 roadway improvements are the responsibility of the developer and shall be constructed concurrently with the development of 360,000 square feet of gross building area on the Site. Gross building area is defined as area which is enclosed by a building.

Stage 2:

(a) Provide an additional westbound-to-southbound left turn lane on Georgesville Road at its intersection with the new roadway; provide two southbound receiving lanes on the new roadway to properly accommodate the dual left turn condition.

(b) Provide an additional (separate) eastbound-to-southbound right turn lane on Georgesville Road at its intersection with the new roadway.

(c) Design and construct the new road to the south property line. The point where the three lane section goes to two lanes shall be reviewed and determined by the Department of Public Service, Division of Planning and Operations.

(d) The Stage 2 roadway improvements are the responsibility of the developer and shall be completed upon the development of 670,000 square feet of gross building area on the Site. Gross building area is defined as area which is enclosed by a building. These Stage 2 roadway improvements shall be constructed concurrently with the additional development of 310,000 square feet of gross building area, which is additional square footage beyond the 360,000 square feet of gross building area outlined in Stage 1, subject to the review and approval of the Department of Public Service, Division of Planning and Operations.

Stage 3:

(a) Extend the new roadway from that constructed within the Site, southward to the intersection of Holt Road with Alkire Road.

(b) Widen the new roadway by adding one through lane in each direction, as needed, to accommodate projected traffic volumes.

(c) Provide an additional northbound right turn lane on the new roadway at its intersection with Georgesville Road.

(d) Provide I-270 interchange improvements.

The Stage 3 roadway improvements are the responsibility of other parties.

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

1. Landscaping:

(a) 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.

(b) A tree row shall be established along Holt Road Extension containing one tree for every 30 feet of roadway frontage. Trees shall be equally space or grouped together.

(c) A tree row shall be established along Georgesville Road containing one tree for every 30 feet of roadway frontage. Trees shall be equally space or grouped together.

(d) Special treatment shall occur along Georgesville Road and Holt Road Extension. Such treatment shall include landscaping which will be required in a minimum of 65% of the frontage within each parcel. This landscaping shall be placed in the parking setback along said roads. The landscaping shall consist of deciduous shade trees, (minimum 2-inch caliper upon installation), ornamental trees (minimum 1-inch caliper upon installation) and evergreen trees (height of 4 feet to 6 feet upon installation). Evergreen and/or deciduous shrubs and mounding may be used to ensure the utilization of a variety of plant material, 3 evergreen trees, 3 ornamental trees, 2 shade trees and at least 5 shrubs shall be used for every 100 feet of frontage.

(e) Within the northern half of the fifty (50) foot setback area from the south property line, the applicant shall install an earthen mound with a minimum height of four (4) feet, along with evergreen trees which are a minimum four to six feet in height at installation, planted fifteen (15) feet on center. Said mounding and

landscaping shall terminate 325 feet west of the Holt Road Extension.

(f) Landscaping along township property located along the east property line (southeast corner of the Site): evergreen trees 4 to 6 feet in height at installation, planted fifteen (15) feet on center. This landscaping shall not be required if said property is zoned for other than single-family usage.

(g) Within the setback area along I-270, the applicant shall install a earthen mound with a minimum height of four feet along with evergreen trees which are a minimum four to six feet in height at installation, planted 15 feet on center.

(h) There is an existing tree stand at the southeast corner of the Site. The applicant shall try to maintain as much of the tree stand as is compatible with the proposed development. As long as the tree stand remains within the parking setback areas, then the applicant shall not have to install the mounding and landscaping, as required by the text, along those property lines. If the tree stand is removed from the parking setback areas, then the applicant shall install the required landscaping and mounding in the resulting cleared portions of the parking setback areas.

(i) Minimum size of all trees shall be 2-inch caliper for deciduous, 4 to 6 feet high for evergreens, and 1-inch caliper for ornamentals.

2. Screening:

(a) No materials, supplies, or products shall be stored unless screened by a building, structure, fencing, wall or landscaping to a height of six feet, except as applicable to Outdoor Retail Display Areas. The garden center and back storage area fences shall be screened with a fabric screening material as shown on the site plan. No materials, supplies, or products shall be stored to a height in excess of the screening designated for those materials.

(b) All loading docks which are adjacent to the southwest property line shall be screened by a 4-foot high chain link fence. Said fence shall be covered with screening slats to match those utilized on the outdoor storage fencing. This fence shall extend the length of a tractor trailer.

(c) All loading docks which are adjacent to I-270 shall be screened by a masonry wall with a minimum height of eight feet. This masonry wall shall extend the length of a tractor trailer.

3. Rooftop Mechanicals Screening:

(a) On those buildings which are adjacent to the south property line, the rooftop mechanical equipment and other utility equipment shall be screened from the south property line to the height of the equipment or to site-line from the south property line.

(b) On those buildings which are adjacent to I-270, the rooftop mechanical equipment and other utility equipment shall be screened from I-270 to the height of the equipment or to sight-line from the I-270 property line.

(c) On those buildings which are adjacent to Holt Road Extension, the rooftop mechanical equipment and other utility equipment shall be screened from Holt Road Extension to the height of the equipment or to sight-line from the Holt Road Extension right-of-way line.

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

1. Any building façade which is adjacent to I-270 or Georgesville Road shall be finished with the following materials, individually or in any combination thereof: (a) brick; (b) stucco (dryvit or equal); (c) thru wall masonry units (Terra wall); (d) split face, fluted and/or polished concrete masonry units; (e) poured in place concrete, wood, architectural shingles, or glazing. In addition, vertical pier elements shall be used to break up linear elevations and incorporate the downspouts where located.

2. The façade of any building which faces Holt Road extension shall be finished with the following materials, individually or in any combination thereof: (a) brick; (b) stucco (dryvit or equal); (c) thru wall masonry units (terra wall); (d) split face, fluted and/or polished concrete masonry units; (e) wood, (f) glass; (g) aluminum and glass store front framing; and/or (h) pre-colored metal or shingles for canopy and mansard roofing. Neither smooth face nor scored concrete panels shall be used unless used solely as an accent material, which shall not exceed twenty percent (20%) of the area on a façade of a building.

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

1. Lighting:

- a. Accent lighting shall be permitted, provided such light source is concealed.
- b. Any wall-mounted lighting shall be shielded to prevent offsite spillage.
- c. Buildings and landscaping shall be illuminated with up-lighting by a concealed source directed away from the public right-of-way and any abutting residential district.
- d. All types of parking, pedestrian and other exterior lighting shall be on poles and shall be from the same manufacturer type and style.
- e. All light poles and standards shall be constructed of black, brown or bronze metal, except poles and standards 8 feet in height or less which may be constructed of dark wood where used in an entry feature or special setting where the use of wood compliments the design ethic.
- f. Parking lot lighting shall be no higher than 40 feet, except for the parking lot lighting which is within 300 feet of the south property line, then the maximum height shall be 33 feet.

2. Outdoor Retail Display Areas: No materials, supplies, or products shall be stored unless screened by a building, structure, fencing, wall or landscaping, except as provided below as applicable to Outdoor Retail Display Areas.

- a. Location: (i) Outdoor retail display areas shall be located along the sidewalk in front of the building as shown on the site plan.
- b. Materials: The outdoor retail display areas shall contain only those items normally and customarily sold by a Lowe's store, including seasonal items and products including, but not limited to, firewood, mulch, flowers, lawn and garden equipment, and snow removal equipment.

c. **Fencing:** Fencing is only required for the outdoor retail display area which extends beyond the front of the building as shown on the site plan

3. Delivery, Unloading Area and Temporary Storage of Material: Delivery of material to the store can be off loaded and placed outside of a screened area for up to but not exceeding 12 hours.

a. **Location:** Unloading of material shall be located along the garden center or in the back of the building.

b. **Fencing:** Fencing is not required for the unloading and temporary storage areas.

F. Graphics and/or Signage commitments.

1. All signage and graphics shall conform to Article 15, Title 33, of the Columbus Graphics Code as it applies to a C-4 Commercial District. Any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

2. Outparcel ground-supported signage shall be limited to a maximum height of 12 feet and a maximum area of 100 square feet, or what is permitted under Code, whichever is less, and may be placed with the setback area at a minimum of fifteen (15) feet from street right-of-way. For signage purposes, an out-parcel is a parcel which is less than two acres and is located within 200 feet of Holt Road Extension.

3. Any free-standing sign, other than the outparcel signage referred to in item **B 2** above, located within 300 feet of the south property line shall have a maximum height of 20 feet.

G. Miscellaneous Commitments.

1. The subject Site shall be developed in accordance with the site plan. The site plan may be slightly adjusted to reflect engineering, topographical or other site data. Any slight adjustment to the plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his designee, upon submission of the appropriate data regarding the proposed adjustment.

4. CPD REQUIREMENTS:

A. Natural Environment: The subject property is a flat parcel of land consisting of 16.35+/- acres, which contains a Lowe's Home Center store, with an attached Nation's Rent facility and attached garden center.

B. Existing Land Use: The existing land use is a commercial use that contains a Lowe's Home Center.

C. Transportation and Circulation: The subject property is located north of Holt Road, south of Jack Nicklaus Freeway (I-270). A traffic light controls traffic at the intersection of Georgesville Road and Holt Road. There are two curb cuts off Holt Road which permit traffic to access the subject property.

D. Visual Form of the Environment. This Site is located in the Georgesville Square Shopping Center and is one of two anchor stores, the other being a Kroger's grocery store. This Site is surrounded by commercial development to the north and south, single-family homes and multi-family homes located behind the Lowe's building across from Holt Road on the southwest side, and multi-family homes to the southeast.

E. View and Visibility: The rear of the subject property is visible from Holt Road and the front of the subject property is visible from Georgesville Square Drive.

F. Proposed Development: The Site is currently developed as detailed in this Development Text, Applicant is filing this amended application to provide for Outdoor Retail Display Areas, and to correct certain site data erroneously provided for under the original Z02-034 rezoning.

G. Behavior Patterns: Much of the areas surrounding Georgesville Square Shopping Center are zoned for residential uses. The existing and proposed development will serve these residents with nearby home improvement equipment and supplies for indoor and outdoor improvements.

H. Emissions: No adverse effect from emissions shall result from the proposed development.

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

Legislation Number: 0146X-2012

Drafting Date: 7/17/2012

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

To honor and recognize Pelotonia 12 for promoting cancer research and uniting thousands of people towards the common goal of ending cancer.

WHEREAS, Pelotonia is a grassroots bike tour with one goal: to end cancer; and

WHEREAS, founded in 2009, Pelotonia has been a staple cancer research fundraising event in Ohio ever since. Pelotonia consists of bicyclists obtaining pledges for cycling a predetermined distance of up to 180 miles in two days; and

WHEREAS, on August 11, 2012, nearly 6,000 riders and thousands of community volunteers will participate in and support the launch of Pelotonia 12, with the event's opening night celebration and the ride starting from the City of Columbus, all on a single journey with one goal; and

WHEREAS, over the past three years, Pelotonia has attracted more than 8,300 riders from 38 states, 2,800 volunteers, and hundreds of thousands of donors that have raised \$25.4 million for cancer research. The organization now has a goal of raising \$50 million in its first five years; and

WHEREAS, 100% of money raised by Pelotonia is directly donated to The Ohio State University Comprehensive Cancer Center- James Cancer Hospital and Solove Research Institute; and

WHEREAS, the James Cancer Hospital and Solove Research Institute use the money that is donated to research innovative cancer detection, prevention, and treatment methods that will increase the survivability for individuals diagnosed with cancer; and

WHEREAS, Pelotonia has been successful at raising \$25.4 million because of the generous support of the citizens and the business community in Columbus, central Ohio, and beyond; and

WHEREAS, Pelotonia is an organization that has been and will continue to be an integral part of our community. Pelotonia has set out on the mission to help end cancer. With the work of organizations like Pelotonia, there may soon come a day of world without cancer; now, therefore

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

That this Council does hereby recognize and commend Pelotonia 12 for its support and commitment to the ongoing fight to end cancer.

Legislation Number: 0148X-2012

Drafting Date: 7/18/2012

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

To declare August “Breastfeeding Awareness Month 2012,” and to remind Columbus residents that “the road to lifelong health begins with breastfeeding.”

WHEREAS, optimal nutrition is of vital significance in the early months and years of life and has a lifelong impact on health; and

WHEREAS, exclusive breastfeeding for the first six months of life and continued breastfeeding, along with appropriate complementary feeding at six months and beyond, ensures that both mothers and infants receive maximum health benefits; and

WHEREAS, breast milk is physiologically tailored to meet infants’ maturing digestive systems, ensuring proper growth and development; and

WHEREAS, breast milk helps prevent a variety of infections and many chronic diseases, including diarrhea, asthma, diabetes, obesity, and certain childhood cancers; and

WHEREAS, the theme of this year’s Breastfeeding Awareness Month is “The Road to Lifelong Health Begins with Breastfeeding,” and the promotion of this message supports the city’s efforts to improve public health in our community; now, therefore

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

That this Council does hereby declare August “Breastfeeding Awareness Month 2012” in Columbus, because “the road to lifelong health begins with breastfeeding.”

Legislation Number: 0150X-2012

Drafting Date: 7/23/2012

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

To recognize the 29th Annual National Night Out and commend its Columbus area sponsors and participants for their dedicated efforts in crime and drug prevention.

WHEREAS, the 29th Annual National Night Out is sponsored by the National Association of Town Watch and locally co-sponsored by the Columbus Division of Police; and

WHEREAS, the National Association of Town Watch established National Night Out, 'America's Night Out Against Crime,' in 1984; and

WHEREAS, National Night Out seeks to heighten crime, drug, and violence awareness; generate support for, and participation in, local anticrime efforts; build neighborhood unity; strengthen police-community partnerships; and send a message to criminals that neighborhoods are organized and fighting back; and

WHEREAS, National Night Out brings together citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials in pursuit of this commendable mission; and

WHEREAS, celebrating National Night Out once a year helps communities unite against crime and drugs year-round; and

WHEREAS, in 2011, more than 100 blockwatches, civic associations, and community groups celebrated National Night Out in Columbus; and

WHEREAS, Columbus, in solidarity with thousands of cities and communities from across the nation, will celebrate the 29th Annual National Night Out on August 7, 2012; now, therefore

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

That this Council does hereby recognize the 29th Annual National Night Out and thank its Columbus area sponsors and participants for their continued service and dedication to the Columbus community.

Legislation Number: 0152X-2012

Drafting Date: 7/25/2012

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

To recognize and congratulate the owner and staff of Patrick J's on the occasion of their 25th anniversary of operation, and to express thanks and appreciation for their service to the community and contributions to improve the quality of life in Columbus

WHEREAS, on June 21, 1987, John Raphael and Pat Norris went into business together and opened a bar and restaurant in a former Kentucky Fried Chicken in Columbus, Ohio; and

WHEREAS, this new business was named "Patrick J's" after Patrick John Norris, the son of Pat Norris and godson of Raphael; and

WHEREAS, Patrick J's would quickly become a comfortable neighborhood gathering place where family and friends could come to relax, eat and imbibe; and

WHEREAS, after a quarter of a century, this friendly neighborhood tavern has not only contributed to the local economy but to the character of the community it serves; and

WHEREAS, Patrick J's commitment to service extends beyond providing refreshment to its patrons, and is evident through their support for the community as a whole through fundraisers, special events, in-kind donations, sponsorships and financial contributions; and

WHEREAS, despite challenges, including the extensive damage suffered in July 2002 when a Fire Engine crashed into the building, Patrick J's has remained a stalwart member of the business community and a true champion of Clintonville and all that Columbus has to offer; and

WHEREAS, as a successful business in operation for 25 years, Patrick J's has become a valued civic partner, philanthropic supporter and Columbus landmark thanks in large part to its owner John Raphael, his sister Kathleen Smith and their valued staff; now, therefore

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

That this council does hereby recognize and congratulate the owner and staff of Patrick J's on the occasion of their 25th anniversary of operation, and extends our sincere thanks and appreciation for their service to the community and contributions to improve the quality of life in Columbus.

Legislation Number: 0153X-2012

Drafting Date: 7/25/2012

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

To honor and recognize the work of Physicians CareConnection and the many doctors, medical professionals, and other volunteers who improve the health and well-being of our community's most vulnerable residents

WHEREAS, Physicians CareConnection was established in 1993 by the Columbus Medical Association to provide quality health care for the most vulnerable residents of our community; and

WHEREAS, Physicians CareConnection is the largest coordinator of voluntary health care services in Franklin County, with over one thousand primary and specialty care doctors and twelve hospitals participating; and

WHEREAS, Physicians CareConnection connects low-income, uninsured residents with medical homes and improves access to specialty care; and

WHEREAS, doctors see patients in their offices and in the largest free clinic in Central Ohio, operated by Physicians CareConnection on Monday nights at Columbus Public Health, located at 240 Parsons Avenue; and

WHEREAS, registration for the free clinic begins at 4:30pm and primary care is offered on a walk-in basis, while appointments are required for specialty care by doctor referral; and

WHEREAS, with the recent launch of a tooth extraction clinic, Physicians CareConnection continues its work on improving the health of the most vulnerable Central Ohio residents; now, therefore

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

That we hereby honor and recognize the work of Physicians CareConnection and express our appreciation for the many doctors, medical professionals, and other volunteers who improve the health and well-being of our community's most vulnerable residents.

Legislation Number: 1081-2012

Drafting Date: 5/14/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: This ordinance authorizes the Director of the Department of Finance and Management on behalf of the Franklin County Municipal Court, Clerk of Court ("Municipal Court Clerk") to establish a purchase order with TAB Products Company LLC for the purchase of case file folders and unit buckets.

The Municipal Court Clerk utilizes case file folders and unit buckets to store civil, criminal, traffic, and environmental court documents for Municipal Court Clerk's Office.

The case file folders and buckets will be purchased through a State of Ohio, State Term Schedule (STS), schedule number 800023; expiration date: 8/31/2013. Ordinance 0582-87 authorizes the City of Columbus to purchase from this contract. Due to the need to have an exact match to the file folders (color coding) used in the past years, it was deemed to be in the best interest of the Clerk's Office to purchase from the State of Ohio, State Term Schedule with TAB Products Company LLC.

Contract Compliance: 52-2390162

Expiration Date: 04/17/2014

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.

Contracts:

Ordinance: 1081-2012 - \$84,928.60

Ordinance: 1517-2011 - \$76,215.65; FL005010

Ordinance: 0933-2010 - \$101,414.83; FL004665

Ordinance: 1310-2009 - \$94,303.63; FL004454

Fiscal Impact: Due to an unexpected increase in Criminal/Traffic cases, it is necessary to transfer funds within Municipal Court Clerk General Fund budget to provide sufficient funding for the purchase of additional file folders for Municipal Court Clerk's Office. Funds totaling \$10,000.00 are available to transfer within the Municipal Court Clerk's General Fund budget. Funds totaling \$74,928.60 are available within the Franklin County Municipal Court General Fund budget.

Emergency: To maintain uninterrupted storage of civil, criminal, traffic, and environmental court documents for the Municipal Court Clerk's Office.

To authorize the City Auditor to transfer \$10,000.00 within the Municipal Court Clerk General Fund; to authorize the Director of the Department of Finance and Management on behalf of the Municipal Court Clerk to establish a purchase order with TAB Products Company LLC for the purchase of case file folders and unit buckets for the Municipal Court Clerk's Office; to authorize the expenditure of \$84,928.60 from the Municipal Court Clerk General Fund; and to declare an emergency. (\$84,928.60)

WHEREAS, due to an unexpected increase in Criminal/Traffic cases, it is necessary to transfer funds within Municipal Court Clerk General Fund budget to provide sufficient funding for the purchase of file folders for Municipal Court Clerk's Office; and

WHEREAS, the Municipal Court Clerk has a need to purchase case file folders and unit buckets to store civil, criminal, traffic, and environmental court documents; and

WHEREAS, an emergency exists in the daily operation of the Municipal Court Clerk's Office in that it is immediately necessary for the Director of the Department of Finance and Management on behalf of the Municipal Court Clerk to establish a purchase order with TAB Products Company LLC, in order to maintain uninterrupted supply of case file folders and storage services, thereby preserving the public health, peace, property, safety and welfare; now, therefore,

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

Section 1. That the City Auditor be and is hereby authorized and directed to transfer \$10,000.00 within the Municipal Court Clerk General Fund budget as follows:

Transfer From:

Fund 010 | Department 26-01 | OCA 260158 | Object Level 1 - 03 | Object Level 3 - 3352

Transfer To:

Fund 010 | Department 26-01 | OCA 260158 | Object Level 1 - 02 | Object Level 3 - 2211

Section 2. That the Director of the Department of Finance and Management be and hereby is authorized to establish a purchase order with TAB Products Company LLC on behalf of the Municipal Court Clerk in the amount of \$84,928.60 for the purchase of case file folders and unit buckets.

Section 3. That the expenditure sum of \$70,278.00 or so much as may be needed, be and hereby is authorized within the Municipal Court Clerk, department number 2601, general fund, fund number 010, oca 260158, object level 1 - 02, object level 3 - 2211.

Section 4. That the expenditure sum of \$14,650.60 or so much as may be needed, be and hereby is authorized within the Municipal Court Clerk, department number 2601, general fund, fund number 010, oca 260141, object level 1 - 02, object level 3 - 2211.

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

Drafting Date: 5/31/2012

Current Status: Passed

Version: 2

Matter Type: Ordinance

BACKGROUND: This proposed code change updates Title 7 of the Columbus City Code by creating definitions of alley, right of way, sidewalk and modifying the definition of street and person, broadening the definition of who is in charge or control of a property and modifying and adding sub-sections covering Sanitary maintenance of premises, Standards relative to solid waste, Standards relative to noxious weeds, Standards relative to rodents, insects, vermin and other pests and code violations dealing with solid waste and noxious weeds within a right of way abutting the premise(s) and/or property of an owner or person having charge.

These code changes were reviewed by the Columbus Property Maintenance Appeals Board at their May 14, 2012 meeting and recommended these code changes for adoption by Columbus City Council.

FISCAL IMPACT: No funding is required for this legislation.

To amend Columbus City Code Sections 701.07, 703.02, 703.17, 703.19, 703.20, 707.03 and 709.03 dealing with the definition of standards relative to sanitary maintenance of premises, solid waste, noxious weeds and rodents, insects, vermin and other pests in Title 7, "Health, Sanitation and Safety Code".

WHEREAS, this code change creates or updates definitions of alley, right of way, sidewalk and modifying the definition of street and person, broadening the definition of who is in charge or control of a property and modifying and adding sub-sections covering Standards relative to solid waste, Standards relative to noxious weeds and code violations dealing with solid waste and noxious weeds within a right of way abutting the premise(s) and/or property of an owner, or person having charge; and

WHEREAS, these code changes were reviewed by the Columbus Property Maintenance Appeals Board at their May 14, 2012, meeting and recommended these code changes for adoption by Columbus City Council;
Now Therefore

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

Section 1. That the existing section 701.07 of the Columbus City Codes, 1959, is hereby amended to read as follows:

701.07 - Department of development.

(A) Functions, Powers and Duties. In order to protect the health, safety and welfare of any person, the department of development shall have the following authority, functions and duties:

- (1) To enforce the provisions of the Health, Sanitation and Safety Code by conducting inspections and re-inspections, and by issuing notices of violation whenever a premises or structure is used or maintained contrary to the provisions of this code;
- (2) To maintain records of inspections performed and notices/orders issued;
- (3) To abate public nuisances.

(B) Authority.

(1) The director or the director's duly authorized representative shall have supervision, control and direction over matters relating to the sanitary maintenance of premises, the control and abatement of solid waste and litter, the control and abatement of weeds, noxious weeds and rank growth, the sanitary maintenance of animals, the control and abatement of rodents, insects, vermin or other pests, and the control and abatement of public nuisances. The director shall have the authority to cause the summary abatement of any public nuisance found on any premises. The director shall have the power and duty to administer and enforce the provisions of this Health, Sanitation and Safety Code by means of forfeitures, injunctive actions, criminal complaints, and other remedies available by law.

(2) The director is authorized to determine on what premises in the city weeds, noxious weeds, or rank growth of a height of twelve (12) or more inches is growing or about to spread mature seeds. After a determination has been made that such weeds, noxious weeds or rank growth constitute a public nuisance or endangers the health, safety or welfare of any person, it shall be the duty of the director to see that said weeds, noxious weeds or rank growth are removed or said public nuisance is abated.

(3) The director is authorized to determine on what premises in the city solid waste is located. After a determination has been made that such solid waste constitutes a public nuisance or endangers the health, safety or welfare of any person, it shall be the duty of the director to see that said solid waste is removed or said public nuisance is abated. This section does not apply to premises being used under a city permit or license to operate a dump, junkyard or similar business.

(4) The director is authorized to determine on what premises in the city that there exists a public nuisance. A public nuisance may include, but is not limited to, conditions resulting from the unsanitary maintenance of premises, conditions resulting from the unsanitary maintenance of animals, conditions resulting from the infestation of rodents, insects, vermin or other pests. After a determination has been made that the existence of the aforementioned conditions constitute a public nuisance or endangers the health, safety or welfare of any person, it shall be the duty of the director to see that said public nuisance is abated.

(5) The director is authorized to promulgate reasonable rules to implement the provisions of this Health, Sanitation and Safety Code, including rules governing the issuance of notices of violation under 703.17, 703.19, 703.20, 707.03 and 709.03 for conditions that exist in a street, alley, sidewalk or right-of-way.

Section 2. That the existing section 703.02 of the Columbus City Codes, 1959, is hereby amended to read as follows:

703.02 Letter A.

“Acceptable waste” means that portion of the residential waste stream that is normally disposed of by occupants of residential dwelling units including common household waste, yard waste, recyclables, white goods and bulk refuse.

“Acceptable waste container” is used to describe those containers that may be used for acceptable waste disposal. Plastic bags are not acceptable waste containers.

“Accessory structure” means a building or structure the use of which is incidental to that of the main

building or structure and which is located on the same lot.

“Alley” means street or highway intended to provide access to the rear or side of lots or buildings in the city and not intended for the purpose of through vehicle traffic and includes any street or highway that has been declared an “alley” by Council.

“Approved” means approval by the director under the regulations of this code as applied to a material, device or method of construction or approval by other authorities designated by law, ordinance, or this code to give approval to the matter in question.

Section 3. That the existing section 703.17 of the Columbus City Codes, 1959, is hereby amended to read as follows:

703.17 - Letter P.

"Person" means any individual, firm, corporation, association, partnership, agent, operator, business trust, estate, syndicate, cooperative, or any entity recognized by law, or anyone in charge or in control of a premise or property.

"Premise" or "premises" means land(s) and everything of a permanent nature attached thereto as part of the realty, a platted lot or part thereof or unplatted lot or parcel of land either occupied or unoccupied by any dwelling or nondwelling structure, and includes any such building, accessory structure or other structure thereon.

"Premise" or "premises" shall, for purposes of this code shall include all land(s) to the centerline of the street, alley, or right-of-way which this code designates certain responsibilities to a person.

"Property" means real and personal property. "Personal property" includes all property except real property.

"Property maintenance appeals board" includes the term "housing appeals board."

"Property maintenance inspector" and "property maintenance inspector trainee" means a "code enforcement officer", and is a duly authorized representative of the director.

"Proprietor" or "keeper" includes all persons, whether acting by himself or herself or as a servant, agent or employee of a premise or property.

"Public nuisance" means any structure or vehicle, which is permitted to be or remain in any of the following conditions:

- (A) In a dilapidated, decayed, unsafe or unsanitary condition detrimental to the public health, safety, and welfare, or well-being of the surrounding area; or
- (B) A fire hazard; or(C) Any vacant building that is not secured and maintained in compliance with Chapter 4513; or
- (D) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used in violation of any division of Section 2925.13, Ohio Revised Code.

"Public nuisance" also means any structure, vehicle or real property which is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance of the Columbus City Codes or Columbus City Health Code, or any real property upon which its real property taxes have remained unpaid in excess of one (1) year from date of assessment.

"Public place" includes any street, sidewalk, park, cemetery, schoolyard, body of water or watercourse, public conveyance, or any other place for the sale of merchandise, public accommodation or amusement.

Section 4. That the existing section 703.19 of the Columbus City Codes, 1959, is hereby amended to read as follows:

703.19 Letter R

"Real property" includes lands, tenements and hereditaments.

"Refuse" means all putrescible and nonputrescible solids, except body wastes, including but not limited to garbage, rubbish, ashes and dead animals. Refuse also means anything discarded or rejected as useless, worthless or trash.

"Refuse container" means a watertight, insect-proofed container that is constructed of metal or other durable material impervious to rodents, and that is capable of being serviced without creating insanitary conditions, or such other acceptable refuse containers that may be used for acceptable waste disposal as determined by the director of public service or his or her duly authorized representative. Openings into the container, such as covers and doors, shall be tight fitting.

"Repair" means to restore to sound condition. The term "repair" here includes renewal, replacement, or reinforcement, of an existing part of a structure but excludes additions made to, or remodeling of a structure.

"Right-of-way" means the surface of and the space above and below the paved or unpaved portions of any public street, public road, public highway, public freeway, public lane, public shared-use path, public way, public alley, public court, public sidewalk, public boulevard, public parkway, public drive and any other land, developed or undeveloped, dedicated or otherwise designated for the same now or hereafter held by the city.

"Rodent harborage" means any space where rodents live, nest or seek shelter, any condition that provides shelter or protection for rodents in, under, or outside of a structure of any kind or an accumulation of any type of material, which might provide such rodent shelter, or protection.

"Rodent-proofing" means a form of construction that will prevent the ingress or egress of rodents to or from a given space or building, or gaining access to food, water or harborage. The method of construction may include but is not limited to the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, sidewalk gratings, sidewalk openings and other places that may be reached and entered by rodents by climbing, burrowing or other methods, by the use of materials impervious to rodent gnawing and other methods approved by the appropriate authority.

"Rubbish" means combustible and noncombustible waste materials including such items as paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin can, metals, mineral matter, glass, crockery, dust, and the residue from the burning of wood, coal, coke and other combustible material.

Section 5. That the existing section 703.20 of the Columbus City Codes, 1959, is hereby amended to read as follows:

703.20 Letter S

"Safe load" means the minimum live load indicated in the Building Code.

"Safety" means the condition of being free from danger and hazards, which may cause accidents or disease.

"Semi-solid" shall mean that material while cohesive and viscous, flows slowly or loses its shape when unconfined, but does not readily release liquids under normal climatic condition.

"Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, or easement lines intended for the use of pedestrians.

"Solid waste" shall mean residual solid or semi-solid material as results from industrial, commercial, agricultural or residential operations, including but not limited to garbage, rubbish, furniture, appliances, yard waste, liquid waste, animal waste, chemical waste, hazardous waste, construction debris, demolition debris, scrap lumber, tires, scrap metal, vegetable waste, boxes, cartons, paper, ashes, tin cans, bottles, broken glass, metals, rubber, plastics and all other nauseous or offensive materials resulting from human habitation or business or manufacturing enterprises.

"State" or "this state" means the state of Ohio."Street" ~~includes avenues, boulevards, lanes, roads, highways, viaducts and all other thoroughfares within the city~~ means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.

"Structure" means anything constructed to serve any purpose.

“Supplied” means paid for, furnished, or provided by or under the control of, the owner or operator.

Section 6. That the existing section 705.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

705.03 - Sanitary maintenance of premises.(A) No owner or person having charge shall occupy or let to another a dwelling, dwelling unit, multiple dwelling, business building or premises unless it and the premises are clean, sanitary, fit for human occupancy and comply with all applicable laws and regulations of the state of Ohio and the city of Columbus.(B) Every owner or person having charge of a business building or a dwelling containing two (2) or more dwelling units shall maintain in a clean and sanitary condition the shared, common or public areas of the business building, dwelling, and premise thereof.

(C) Every occupant of a dwelling, dwelling unit, multiple dwelling, business building or premises shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit, multiple dwelling, business building or premises thereof that he or she occupies or controls.

(D) The owner or person having charge of any dwelling, dwelling unit, multiple dwelling, business building or premises shall not allow any sewer, water closet or drain to leak, to be out of repair, to be inoperable, or to remain clogged or stopped; nor allow sewage or waste or stagnant water or other fluid to remain in any building or upon any land. Every plumbing fixture and all water and waste pipes shall be installed and maintained in good sanitary and safe working condition.(E) All owners or persons having charge of a dwelling, dwelling unit, multiple dwelling, business building or premises shall be responsible for assuring that the dwelling, dwelling unit, multiple dwelling, business building or premises is graded, drained, free of standing water, in puddles, ponds, depressions, ditches, tires or containers and maintained in a clean, sanitary, and safe condition.

(F) No owner or person having charge of any public or private premises or land, developed or undeveloped, shall permit the existence of an open abandoned well, pit, septic tank, or similar health and safety hazard; this includes a pit privy not in use, unless such a hazard is either filled or securely sealed in a manner approved by the director or his or her duly authorized representative.(G) The owner or person having charge of a dwelling containing three (3) or more dwelling units shall be responsible for maintaining in a clean, safe and sanitary condition the shared or common areas of the dwelling and the premises thereof including the pavements, gutters, and dedicated portion of the street or alley abutting such premises, including any easements.(H) Every occupant of a dwelling, dwelling unit, multiple dwelling, business building or premises thereof that he or she occupies and controls shall keep the same in a clean and sanitary condition including the pavements, gutters and dedicated portion of the street or alley abutting such premises, including any easements.

(I) Every occupant of a dwelling, dwelling unit, multiple dwelling, business building or premises shall dispose of all his or her rubbish, garbage, and other solid waste in approved receptacles provided. Discarded or abandoned articles of such bulk as to preclude disposal in such receptacles shall be conveyed by the occupant to an appropriate city disposal area or approved private disposal area.(J) No owner or person having charge shall allow any slaughter house, rendering establishment, factory, fertilizer plant, a business of any kind, or any premises thereof to create an unsanitary condition.

Section 7. That the existing section 707.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

707.03 - Standards relative to solid waste.

(A) Every owner or person having charge of a dwelling, dwelling unit, multiple dwelling, business building or premises shall store and dispose of all garbage, rubbish, debris or solid waste from those parts of the premises that he or she controls in a clean, sanitary, and safe manner. No owner or person having charge of a dwelling, dwelling unit, multiple dwelling, business building or premises shall store or dispose of garbage, rubbish, debris or solid waste by placing said solid waste in or on any land or premises in the city.

(B) Every owner or person having charge of a dwelling, dwelling unit, multiple dwelling, business building or

premises shall store and dispose of all garbage, rubbish, debris and solid waste which might provide food for vermin and/or rodents in a clean, sanitary, safe manner. All garbage cans and refuse containers shall be rodent-proof, insect-proof, water-tight, structurally strong to withstand handling stress, easily filled, emptied and cleaned; shall be provided with tight fitting covers or similar closures; and shall be maintained at all times in a clean, safe and sanitary condition. Plastic bags may be used as garbage and refuse container liners but shall not be used without the container for on-site storage of garbage or refuse.(C) bulk containers, garbage and refuse cans which are used for storage of garbage, refuse and/or other solid wastes shall be placed in an acceptable location approved by the director of public service or his or her duly authorized representative, so as to not create a safety hazard or public nuisance.

(D) The total capacity of all provided garbage and/or refuse containers and bulk storage containers shall be adequate to meet the needs of the occupants of the dwelling, dwelling unit, multiple dwelling, business building or premise.

(E) Every owner or operator of a business building or every owner or person having control of a dwelling containing two (2) or more dwelling units shall provide and maintain adequate garbage disposal and rubbish storage receptacles for the sanitary and safe storage and/or disposal of rubbish and garbage. In the case of one (1) dwelling unit, it shall be the responsibility of each occupant to maintain adequate garbage disposal and rubbish storage receptacles in containers approved by the director of public service or his or her duly authorized representative.

(F) It shall be the responsibility of the owner or person having charge of any garbage, refuse, or bulk containers to clean and maintain the container in a nuisance-free condition. Accumulation of material on the sides or bottom of the container will constitute a violation of this code. If a bulk container is leased, it shall be the responsibility of the lessee to clean and maintain the container in a nuisance-free condition.

(G) No person shall deposit or allow to accumulate in any building, premise, yard, court, lot, street, alley, sidewalk, easement, right-of-way, or any other place, except in authorized receptacles, any solid waste, or any other substance, solid, semi-solid or liquid, or animal, vegetable or mineral origin, that by its decay, decomposition, chemical action or by becoming a harbor for animal or insect pests, would become an unsanitary condition.

(H) No owner or person having charge shall deposit or allow to accumulate upon the pavements or the dedicated portion of the street, alley, sidewalk, easement, or right-of-way abutting his or her premise(s) and/or property, except in authorized receptacles, any solid waste, or any other substance, semi-solid or liquid, or animal, vegetable or mineral origin that by its decay, decomposition, chemical action or by becoming a harbor for animal or insect pests, would become an unsanitary condition.

Section 8. That the existing section 709.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

709.03 - Standards relative to noxious weeds.

(A) No owner or person having charge shall suffer to ~~grown~~ grow upon the pavements or in the gutters or upon the dedicated portion of the street, alley, ~~or~~ easement, sidewalk, or right of way abutting his or her premise(s) and/or property any brush, vines, shrubs, thistles, burdock, jimson weed, ragweed, milkweed, mullein, poison ivy, poison oak, poison sumac, pokeberry, grass or other noxious weeds.(B) No owner or person having charge shall permit to grow on any property or premises in the city, any brush, vines, shrubs, thistles, burdock, jimson weed, ragweed, milkweed, mullein, poison ivy, poison oak, poison sumac, pokeberry, grass or other noxious weeds, exceeding twelve (12) inches in height.(C) No owner or person having charge of a dwelling, dwelling unit, multiple dwelling, business building or premises shall allow grass, weeds, noxious weeds, brush or similar vegetation to remain on the premises at such a height and density as to constitute harborage, actual or potential, for rodents or vermin.(D) For the purpose of this code, a height of twelve (12) inches constitutes a potential hazard. The foregoing shall not apply to a premise or part thereof on which such growth may be reasonably demonstrated to be for agricultural or horticultural use.

Section 9. That the existing section 713.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

713.03 - Standards relative to rodents, insects, vermin and other pests.

(A) The owner or person having charge is responsible for elimination of any rodents, insects, vermin, or other pests in a dwelling containing two (2) or more dwelling units and on the premises thereof. The owner or person having charge is also responsible whenever improper rodent proofing of the premises causes the infestation.

(B) No owner or person having charge of a dwelling, dwelling unit, multiple dwelling, business building or premises shall accumulate garbage, rubbish, solid waste, boxes, lumber, scrap metal, motor vehicle bodies or inoperable motor vehicles, or any other materials in such a manner that may provide a rodent harborage, insect harborage, vermin harborage or other pest harborage in or about any dwelling, dwelling unit, multiple dwelling, business building or premises.

(C) No owner or person having charge of a business building or dwelling containing two (2) or more dwelling units shall accumulate or permit the accumulation of garbage, rubbish, solid waste, boxes, lumber, scrap metal, motor vehicle bodies or inoperable motor vehicles, or any other materials in such a manner that may provide a rodent harborage, insect harborage, vermin harborage or other pest harborage in or about the shared or public areas of that business building, dwelling, multiple dwelling or its premises.

(D) No owner or person having charge of a dwelling, dwelling unit, multiple dwelling, business building or premises shall store, place or allow to accumulate any materials which may serve as food for rodents in a site accessible to rodents.

(E) Every dwelling, dwelling unit, multiple dwelling, business building or premises on which it is located shall be maintained in a rodent-free, insect-free, and rodent-proof condition.(F) All openings in the exterior walls, foundations, basements, ground or first floors and roofs which have a half-inch (½) diameter or more opening shall be rodent-proofed in an approved manner if they are within forty-eight (48) inches of the existing exterior ground level immediately below such openings or if they may be reached by rodents from the ground by climbing unguarded pipes, wires, cornices, stairs, roofs and other such items, such as trees or vines or by burrowing.(G) All windows located at or near ground level used or intended to be used for ventilation, all other openings located at or near ground level, and all other exterior doorways which might provide an entry for rodents or other vermin shall be supplied with adequate screens or such other devices as will effectively prevent the entrance of rodents, insects, vermin and other pests into the structure.

(H) All sewers, pipes, drains or conduits and openings around such pipes and conduits shall be constructed to prevent the ingress and egress of rodents, insects and other pests to and from a building.(I) Interior floors of basements, cellars, and other areas in contact with the soil shall be rodent-proofed or insect-proofed in a manner approved by and with materials acceptable to the director or his or her duly authorized representative.

(J) all fences shall be constructed of approved fencing material, shall be maintained in good condition, and shall not create a harborage for rodents.

(K) Accessory structures on the premises of a dwelling, dwelling unit, multiple dwelling or business building shall be rodent-proofed and free of insects and rodents, or such structures shall be removed from the premises.

(L) No person shall permit to accumulate on any premise, alley, street or sidewalk in the city, including the easements of those same premises, alleys, streets, and sidewalks, any of the following materials, but not limited to solid waste, lumber, bricks, stones, boxes, barrels, scrap metal, scrap lumber, bottles, cans, motor vehicle bodies or parts, containers or similar materials so that these materials will not create an actual or potential harborage for rodents or insects.(M) No person shall place, leave, dump, or permit to accumulate any garbage, rubbish or solid waste in any dwelling, dwelling unit, multiple dwelling, business building, premises, alley, street or sidewalk in the city, including the easements of those same premises, alleys, streets and sidewalks, so that same shall or may afford food or harborage for rodents or insects.

(N) The owner or person having charge of any vacant dwelling, vacant dwelling unit, vacant multiple dwelling, vacant business building or vacant premises shall maintain the structures, buildings, yards and premises thereof

free from rodents, insects, vermin and other pests.

(O) The owner or person having charge of any dwelling, dwelling unit, multiple dwelling, business building or premises shall store firewood in a pest- and rodent-proof manner.

Section 10. That prior existing sections 701.07, 703.02, 703.17, 703.19, 703.20, 707.03 and 709.03 of the Columbus City Codes, 1959, are hereby repealed.

Section 11. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Legislation Number: 1269-2012

Drafting Date: 6/5/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This legislation authorizes the Director of Public Utilities to enter into a contract with Ohio Mulch, Inc. for the purposes of providing a biosolids beneficial reuse program called Deep Row Hybrid Poplar (DRHP) program for the Division of Sewerage and Drainage.

This contract is for the implementation of the DRHP program on the 1,012 acre New Lexington Tree Farm, LLC, located in Perry Township, Perry County, Ohio, and owned by Ohio Mulch. This contract will authorize Ohio Mulch to remove a minimum of 27,000 and up to a maximum of 30,000 wet tons of biosolids annually from the DOSD's Wastewater Treatment Facilities (WWTFs) and reuse the biosolids in their DRHP program. All biosolids removed from the WWTFs will be Class B biosolids, with the majority of biosolids originating from the Southerly Wastewater Treatment Plant and with a smaller fraction of the biosolids originating from the Jackson Pike Wastewater Treatment Plant. The biosolids will be utilized as a nitrogen source to grow hybrid poplar trees which will later be harvested for mulch. In addition, the biosolids will add valuable organic material to the old abandoned mine site that is now repurposed as the New Lexington Tree Farm. Approximately 30 acres will be utilized per year at the New Lexington Tree Farm site with trees being harvested every 6 to 8 years.

The Director of Public Utilities received the Ohio Mulch, Inc proposal on April 15, 2011 in response to the DOSD Request for Proposals for Innovative Reuse of Biosolids and it was the only proposal received with the DRHP concept. Other proposals received include three mechanized dryer processes that would dry and pelletize biosolids for commercial wholesale and two biosolids-cake land application proposals. Of all proposals submitted under the Innovative Reuse of Biosolids RFP, the selection committee deemed the DRHP as the best fit for the DOSD Biosolids Program.

The terms for the award contract and modification 1 are as follows:

1. Award contract is for approximately 6 months at \$35 per wet ton and authorizes Ohio Mulch, Inc to remove up to 15,000 wet tons of Class B biosolids.
2. Modification 1 will extend the contract an additional 12 months at \$35 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.
3. Modification 2 will extend the contract an additional 12 months at \$35 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.

At the end of contract modification 2, 30 months will have elapsed from the contract and the DOSD and Ohio

Mulch must chose to continue this contract by modification(s) according to Plan-A or Plan-B as follows:

Plan-A: accounting for the award contract and all modifications, Plan-A total contract duration is 5 years:

4. Modification 3 will extend the contract 18 months at \$35 per wet ton and authorizes Ohio Mulch, Inc to remove up to 45,000 wet tons of Class B biosolids.
5. Modification 4 will be the final modification for Plan-A and it will extend the contract 12 months at \$35 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids

Plan-B: accounting for the award contract and all modifications, Plan-B total contract duration is 10 years:

3. Modification 3 will extend the contract 18 months at \$28 per wet ton and authorizes Ohio Mulch, Inc to remove up to 45,000 wet tons of Class B biosolids.
4. Modification 4 will extend the contract 12 months at \$28 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.
5. Modification 5 will extend the contract 12 months at \$28 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.
6. Modification 6 will extend the contract 12 months at \$28 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.
7. Modification 7 will extend the contract 12 months at \$28 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.
8. Modification 8 will extend the contract 12 months at \$28 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.
9. Final Modification 9 will extend the contract 12 months at \$28 per wet ton and authorizes Ohio Mulch, Inc to remove up to 30,000 wet tons of Class B biosolids.

SUPPLIER: Ohio Mulch, Inc. (31-1120540) Expires 8-02-13

FISCAL IMPACT: \$525,000.00 is needed for this award contract.

Award Contract for 6 months = \$525,000.00
Modification 1 for 12 months = \$1,050,000.00
Modification 2 for 12 months = \$1,050,000.00

Plan-A Modification 3 for 18 months = \$1,575,000.00
Plan-A Modification 4 for 12 months = \$1,050,000.00 end of Plan-A

Plan-B Modification 3 for 18 months = \$1,260,000.00
Plan-B Modification 4 for 12 months = \$840,000.00
Plan-B Modification 5 for 12 months = \$840,000.00
Plan-B Modification 6 for 12 months = \$840,000.00
Plan-B Modification 7 for 12 months = \$840,000.00
Plan-B Modification 8 for 12 months = \$840,000.00
Plan-B Modification 9 for 12 months = \$840,000.00

To authorize the Director of Public Utilities to enter into a contract with Ohio Mulch, Inc. for services in connection with the Ohio Mulch Deep Row Hybrid Poplar program; and to authorize the expenditure of \$525,000.00 from the Sewer System Operating Fund. (\$525,000.00)

WHEREAS, the procurement was conducted in accordance with the Request For Proposals (RFP) process set forth in Section 329.14, Columbus City Codes, 1959, and the Division's Evaluation Committee recommended the Ohio Mulch, Inc., for further consideration, and

WHEREAS, the Department of Public Utilities, hereby requests this City Council to authorize the Director of Public Utilities to award an agreement for professional services with Ohio Mulch, Inc. for the implementation of the Ohio Mulch Deep Row Hybrid Poplar program, at the earliest practical date; now, therefore

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

SECTION 1. That the Director of Public Utilities be, and hereby is, authorized to award an agreement with Ohio Mulch, Inc., for the implementation of the Ohio Mulch Deep Row Hybrid Poplar program, in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the expenditure of \$525,000.00, or as much thereof as may be needed, be and the same is hereby authorized from the Sewerage System Operating Fund, Fund 650, Department 60-05, to pay the cost thereof as follows:

OCA: 605378
Object Level 1: 03
Object Level 3: 3419

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

Legislation Number: 1307-2012

Drafting Date: 6/8/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Rezoning Application Z10-013

APPLICANT: Town and Country City, Inc., et al.; c/o Charles Fraas, CASTO, 191 W. Nationwide Blvd., Ste. 200, Columbus, OH 43215.

PROPOSED USE: Multi-unit dwellings, office and commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval 5-1 on May 10, 2012.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant requests the L-AR-O, Limited

Apartment Residential and CPD Commercial Planned Development Districts to construct a mixed use development in the L-AR-O portion of the application consisting of multi-unit dwellings at a maximum density of 15.5 units per acre, offices and commercial Development. The commercial development in the L-AR-O portion is proposed via the concurrent Council Variance CV10-021, which is not part of this application but will be considered by City Council in CV10-021. The CPD portions of application are to allow commercial and office development in Subarea 5 and office development in sub-area 5Z. Because sub-area 5Z, which abuts the residences to the east, will be developed with office uses and because the applicants are proposing a 25 foot tree preservation zone along the southern property line and easement as well as height limitations and setback commitments, due to these considerations, Staff recommends approval of the proposed rezoning which should protect the existing single-unit dwellings to the south and east. The requested L-AR-O, Limited Apartment Residential and CPD Commercial Planned Development Districts would permit a mix of multi-unit residential, office and commercial uses consistent with the zoning and land use patterns of the area.

To rezone **5822 NORTH HAMILTON ROAD (43054)**, being 116.26± acres located on the east side of Hamilton Road, 670± feet north of Preserve Boulevard, **From:** L-AR-12, Limited Apartment Residential, PUD-8, Planned Unit Development, and L-C-4, Limited Commercial Districts; **To:** CPD, Commercial Planned Development and L-AR-O, Limited Apartment Office Districts.

For the body text, please see attached ORD1307attachments_A

Legislation Number: 1399-2012

Drafting Date: 6/15/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. 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 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 #FL004557 expiring March 31, 2013.

Quantity and item purchased / extended cost:

Approximately 4,000 96-gallon containers and miscellaneous parts (lids, wheel sets, fasteners, etc.) / Total estimated expenditure of \$243,600.00

The total expenditure authorized within this ordinance is \$243,600.00.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Toter, Inc.

2. CONTRACT COMPLIANCE

Toter, Incorporated's contract compliance number is 56-1362422 and expires August 10, 2013.

3. FISCAL IMPACT

This purchase is budgeted within The Division of Refuse Collection 2012 Capital Improvement Budget. This ordinance authorizes an expenditure of \$243,600.00 for approximately 4,000 96-gallon containers and miscellaneous parts. Funding is contingent upon the 2012 Bond Sale.

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 an existing citywide contract; to authorize the expenditure of \$243,600.00 or so much thereof as may be needed from the Refuse Collection G.O. Bonds Fund. (\$243,600.00)

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, a citywide UTC contract 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 2012 Capital Improvement Budget, contingent upon the 2012 Bond Sale; 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 \$243,600.00 with Toter, Incorporated, 841 Meacham Road, Statesville, NC, 28677, for the purchase of approximately 4,000 96-gallon containers and miscellaneous parts in accordance with the terms and conditions of universal term contract (UTC) FL004557 established for this purpose.

Section 2. That to pay the cost of the aforementioned purchase orders, the expenditure of \$243,600.00 contingent upon the 2012 Bond Sale, or so much thereof as may be needed be and hereby authorized for the Department of Public Service, Division of Refuse Collection, 59-02, from the Refuse G.O. Bonds Fund, as follows;

Fund / Project / O.L. 01-03 Codes / OCA code / Amount

703 / 520001-100001 / 96 Gallon Containers / 06-6651 / 730101 / \$243,600.00

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

Legislation Number: 1400-2012

Drafting Date: 6/15/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. BACKGROUND

The Division of Refuse Collection requires eight (8) cubic yard containers with which to collect refuse from multi-family dwellings and other applications where the utilization of such a container is more efficient and less costly than utilizing 90-gallon or 300-gallon containers and/or is dictated by spatial considerations.

In instances where 8 cubic yard containers will replace existing 90 and 300-gallon containers, the change-out will provide for more refuse capacity and serve to improve the cleanliness of neighborhood alleys.

The Purchasing Office established a multi-year universal term contract with Farmer's Refuse & Trucking Inc, for their purchase (FL004912), which expires 9/30/2013. This ordinance authorizes the purchase of eight cubic yard containers, replacement parts, and tools required for a total cost of \$20,000.00

The division intends to purchase a like number (more or less) of these containers next two years.

Farmer's Refuse & Trucking Inc. 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.

2. CONTRACT COMPLIANCE

Farmer's Refuse & Trucking Inc. contract compliance number is 311293640 and expires 11/16/12

3. FISCAL IMPACT

This purchase is budgeted within The Division of Refuse Collection 2012 Capital Improvement Budget. This ordinance authorizes an expenditure of \$20,000.00 for approximately 20 eight (8) cubic yard dumpsters and miscellaneous parts. Funding is contingent upon the 2012 Bond Sale.

To authorize the Director of Finance and Management to establish a purchase order for the purchase of eight (8) cubic yard refuse collection containers, replacement parts, and tools required for the Division of Refuse Collection per the terms and conditions of an existing universal term contract; and to authorize the expenditure of \$20,000.00 from the Refuse G.O. Bonds Fund for this purpose. (\$20,000.00)

WHEREAS, the Division of Refuse Collection is in need of eight (8) cubic yard containers, container parts and tools; and

WHEREAS, the Purchasing Office opened formal competitive bids for eight cubic yard containers on March 24, 2011; and

WHEREAS, a multi-year universal term contract has been established for the purchase of these dumpsters; 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 2012 Capital Improvement Budget, contingent upon the 2012 Bond Sale; now therefore,

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

SECTION 1. That the Director of the Department of Finance and Management be and hereby is authorized to establish a purchase order for \$20,000.00 for the purchase of eight (8) cubic yard refuse containers, replacement parts, and tools required for replacement parts for the Division of Refuse Collection from Capital Refuse Consultants per the terms and conditions of an existing universal term contract established by the

Purchasing Office for this purpose as described below:

Fund / Project

703 / 520001-100010 Mechanized Collection Equipment - Dumpsters

1. FL004912 (SA003758)

Farmer's Refuse & Trucking Inc.

1952 Linton Road

Logan, OH 43138

Purchase of Eight Cubic Yard Containers, Parts, and Tools - \$20,000.00

SECTION 2. That the expenditure of \$20,000.00, contingent upon the 2012 Bond Sale, be and hereby is authorized from Fund 703, the Refuse G.O. Bonds Fund, Department No. 59-02, Division of Refuse Collection, Object Level One Code 06, Object Level Three Code 6651, OCA Code 735210, Project 520001-100010 to pay the cost of said containers.

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

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

Legislation Number: 1417-2012

Drafting Date: 6/19/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

The Division of Planning and Operations utilizes spread spectrum radios for the purpose of connecting and operating traffic signals throughout the City of Columbus. To achieve this objective the Division of Planning and Operations requires the purchase of this equipment.

Informal bids were solicited by the purchasing office for a blanket purchase order for spread spectrum radios and were received by the Purchasing Office on May 18, 2012 for SO040586.

The blanket purchase order amount is to be \$20,000.00. The lowest bid received was from Path Master, Inc., and their bid met specifications as the lowest responsive, responsible bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Path Master Inc.

2. CONTRACT COMPLIANCE

Path Master, Inc. has a contract compliance number 341233777 and it expires 6/11/2014.

3. FISCAL IMPACT:

Funding for these commodities is available within the Streets and Highways G.O. Bonds Fund. Funding for this ordinance is contingent on the 2012 Bond Sale.

4. EMERGENCY DESIGNATION

Emergency action is requested to assure the timely availability of the spread spectrum radios for installation and replacement purposes and to promote and enhance pedestrian and motorist safety.

To authorize the Finance and Management Director to establish a blanket purchase order for the purchase of spread spectrum radios for the Division of Planning and Operations; to authorize the expenditure of \$20,000.00 from the Streets and Highways G.O. Bonds Fund for this purpose; and to declare an emergency. (\$20,000.00)

WHEREAS, the Division of Planning and Operations utilizes spread spectrum radios to connect and operate with city traffic signals; and

WHEREAS, the Division of Planning and Operations is in need of equipment for this project, and

WHEREAS, funds are available in the Streets and Highways G.O. Bonds Fund for this expense; 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 purchase spread spectrum radios to assure their timely availability for original installation and replacement purposes and to promote and enhance pedestrian and motorist safety, 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 hereby is authorized to establish a blanket purchase order totaling \$20,000.00 as follows:

Fund / Project # / Project Name

704 / 540007-100003 / Traffic Signal Installation - Commodities

BE017764/SO040586

Spread Spectrum Radios - \$20,000.00

Path Master, Inc.

1960 Midway Drive

Twinsburg, OH 44087

SECTION 2. That the expenditure of \$20,000.00 be and hereby is authorized from the Streets and Highways G.O. Bond Fund, Fund 704, Dept.-Div. 59-11, Division of Planning and Operations

Fund / Project # / Project / O.L. 01-03 Codes / OCA Code / Amount

704 / 540007-100003 / Traffic Signal Installation - Commodities / 06-6600 / 540703 / \$20,000.00

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

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

Drafting Date: 6/21/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance will authorize the City Auditor to enter into an agreement for professional auditing services for the calendar year 2012, of the City of Columbus and the Office of the Franklin County Municipal Court Clerk, and to authorize the expenditure of up to \$500,000.00.

The Auditor of State is in the process of completing an extensive request for proposals and evaluation process. Selection of the IPA will not take place until August 2012.

The audit agreement covers 5 years (2012-2016) with each year being subject to the authorizing appropriation of Council. This 2012 ordinance represents the first year of this five-year cycle.

It should be noted that 15% of this contract will be subcontracted to a minority firm of certified public accountants. This has been a subcontracting requirement in the City's audit contract since 1985.

FISCAL IMPACT

Funds are currently budgeted in the City Auditor's department for this expenditure.

To authorize the City Auditor to enter into an agreement along with the Auditor of the State of Ohio and an independent public accounting firm (IPA), as determined by the Auditor of the State of Ohio, for professional auditing services for calendar year 2012 and to authorize the expenditure of up to five hundred thousand dollars from the General Fund; and to declare an emergency. (\$500,000.00)

WHEREAS, all political subdivisions of Ohio are required to be audited by the Auditor of the State of Ohio or his designee; and

WHEREAS, the United States Office of Management and Budget through the Single Audit Act of 1996, as amended, has made it possible for all federal grants to be audited via one comprehensive audit; and

WHEREAS, the Auditor of the State of Ohio and the Columbus City Auditor have concurred that the most appropriate way to meet all such requirements is to engage an independent public accountant to conduct an independent audit of the City's 2012 accounting records and those of the Office of the Franklin County Municipal Court Clerk including federal and state grants; and

WHEREAS, it is important that the City not be delayed in issuing its Comprehensive Annual Financial Report for the year ended December 31, 2012; and

WHEREAS, maximum efficiencies can be achieved by including the Office of the Franklin County Municipal Court Clerk; and

WHEREAS, an emergency exists in the usual daily operation in that this should be authorized to provide uninterrupted Audit, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the City Auditor is hereby authorized to enter into an agreement along with the Auditor of the State of Ohio and an independent public accounting firm (IPA), as determined by the Auditor of the State of Ohio, to conduct an audit of the City's 2012 accounting records and financial statements and to render an opinion thereon

Section 2. That this agreement include the audit of the Office of the Franklin County Municipal Court Clerk.

Section 3. That the sum of five hundred thousand dollars (\$500,000.00) or so much thereof as may be necessary, is hereby authorized to be expended from the General Fund 010, Department 22-01, Object Level-1 03, Object Level-3 3325, OCA 220145 for the aforesaid purpose.

Section 4. The City Auditor is hereby authorized to prorate the costs of this audit to the various funds of the City.

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 or vetoes the same.

Legislation Number: 1450-2012

Drafting Date: 6/22/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Facilities Management Division with ProCon Professional Construction Services, Inc. for concrete restoration at City Hall, 90 West Broad Street.

The project entails the removal of deteriorating concrete and the installation of new concrete at the Front Street entrance to City Hall as well as the area in front of the Christopher Columbus Statue at the south side of City Hall.

Formal bids were solicited and three companies submitted bids on May 9, 2012, as follows (0 FBE, 0 MBE):

Pro Con Professional Construction Services	\$28,260.00
Lithko Restoration Technologies, LLC.	\$32,600.00
Central Ohio Building, Inc.	\$63,860.00

The Facilities Management Division recommends the bid award be made to the most responsive and responsible bidder, ProCon Professional Construction Services, Inc.

Emergency action is requested so that this concrete work can begin and end during favorable weather and to remedy this concrete deterioration so that visitors and employees can safely access City Hall and the surrounding grounds.

ProCon Professional Construction Services Contract Compliance Number 31-1701026, expiration date May

31, 2014.

Fiscal Impact: The cost of this contract is \$28,260.00, including \$1,740.00 for contingency, bringing the total cost of the contract to \$30,000.00. Funding is available in the Construction Management Capital Improvement Fund.

To authorize the Finance and Management Director to enter into a contract on behalf of the Facilities Management Division with ProCon Professional Construction Services, Inc. for concrete restoration at City Hall, 90 West Broad Street; to authorize the expenditure of \$30,000.00 from the Construction Management Capital Improvement Fund; and to declare an emergency. (\$30,000.00)

WHEREAS, it is necessary for concrete improvements to occur at City Hall; and

WHEREAS, formal bids were solicited and three companies responded; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Facilities Management Division, in that it is immediately necessary to authorize the Finance and Management Director to enter into a contract with ProCon Professional Construction Services, Inc. for concrete improvements at City Hall, 90 West Broad Street, so that necessary concrete work can occur as soon as possible, to ensure safety to visitors and employees of City Hall and its surrounding grounds, 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 authorized to enter into a contract on behalf of the Facilities Management Division with ProCon Professional Construction Services, Inc. for concrete restoration at City Hall, 90 West Broad Street.

SECTION 2. That the expenditure of \$30,000.00, 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: 45-27
Fund: 733
Project: 570030-100120
OCA Code: 733120
Object Level: 06
Object Level 3: 6620
Amount: \$30,000.00

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

Drafting Date: 6/22/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

This ordinance authorizes the Director of the Department of Technology to enter into a contract with RPI Consulting to develop training materials and provide training in support of the Columbus Human Resources Information System (CHRIS) project. The term of this agreement will be for one (1) year from the date of a purchase order certified by the City Auditor's Office. RPI will deliver the needed services at a cost not to exceed \$78,300.00.

To procure these services, a Request for Proposals (SA004076) was published and responses were due by March 15, 2012. The solicitation received three (3) proposals from the following vendors:

<u>Vendor/Offoror</u>	<u>Status</u>	<u>Compliance No:</u>	<u>Score</u>	<u>Proposal Total</u>
(1) Red Bridge Consulting	MAJ.	C.C#: 42-1626558	66.2	\$62,958.00
(2) RPI Consultants	MAJ.	C.C.#: 37-1480199	85.0	\$78,300.00
(3) Hybridge Solutions	Unknown	C.C.#: 20-5797118	74.2	\$73,500.00

The three (3) proposals were scored by an evaluation committee of five (5) members of the CHRIS project team, all City employees. Each committee member scored the proposals, using the following criteria: competence of the offeror (up to 25 points), quality and feasibility of proposed services (25 points), ability of the offeror (10 points), past performance of the offeror (25 points), and the total cost of proposed services (15 points). Individual committee member scores were averaged to obtain the following first round scores for the three (3) proposals received:

The committee recommended the highest scoring offeror - RPI Consultants - to the Director of the Department of Technology. The Director concurred with the committee's recommendation.

EMERGENCY:

Emergency action is requested to expedite authorization of this contract in order to initiate services from the supplier at the prices proposed.

CONTRACT COMPLIANCE:

Vendor Name: RPI Consultants C.C.#: 37 - 1480199 Expiration Date: 5/18/2014

FISCAL IMPACT:

The cost associated with this contract is \$78,300.00 with RPI Consultants for a one year term. This amount is budgeted and available within the Department of Technology, Information Services Division, Capital Improvement Bond Fund, Human Resources (CHRIS) project number:470049-100000.

To authorize the Director of the Department of Technology to enter into a contract with RPI Consultants to develop training materials and provide training in support of the Columbus Human Resources Information System (CHRIS) project; to authorize the expenditure of \$78,300.00 from the Department of Technology, Information Services Division, Capital Improvement Bond Fund and to declare an emergency. (\$78,300.00)

WHEREAS, a Request for Proposals (SA004076) was published and responses were due by March 15, 2012. The solicitation received three (3) proposals, which were scored by an evaluation committee of five (5)

members of the CHRIS project team, all City employees. The committee recommended the highest scoring offeror - RPI Consultants - to the Director of the Department of Technology, the Director concurred with the committee's recommendation, and

WHEREAS, this ordinance authorizes the Director of the Department of Technology to enter into a contract with RPI Consulting to develop training materials and provide training in support of the Columbus Human Resources Information System (CHRIS) project, and

WHEREAS, the term of this agreement will be for one (1) year from the date of a purchase order certified by the City Auditor's Office. RPI will deliver the needed services at a cost not to exceed \$78,300.00, and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary for the Director of the Department of Technology to enter into a contract with RPI Consultants to develop training materials and provide training in support of the Columbus Human Resources Information System (CHRIS) project and to avoid interruption in the performance of services necessary; for the preservation of public health, safety, and welfare; now therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF COLUMBUS:

SECTION 1: That the Director of the Department of Technology, is hereby authorized to enter into a contract with RPI Consultants to develop training materials and provide training in support of the Columbus Human Resources Information System (CHRIS) project at a cost not to exceed \$78,300.00. The term of this agreement will be for one (1) year from the date of a purchase order certified by the City Auditor's Office.

SECTION 2: That the expenditure of \$78,300.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Dept./Div.: 47-02 | **Fund:** 514 | **Sub-fund:** 002 | **Project Name:** Human Resources Information | **Project Number:** 470049-100000 | **OCA Code:** 514049 | **Obj. Level 1:** 06 | **Obj. Level 3:** 6655 | **Amount:** \$78,300.00 (Carryover Funds)

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: 1455-2012

Drafting Date: 6/22/2012

Current Status: Passed

BACKGROUND:

This legislation is to authorize the Director of the Department of Technology and the Director of the Equal Business Opportunity Commission Office, to renew an agreement with Resource Associates of Nevada, Inc., for software support and upgrade services associated with the BizTrack system. The original agreement (EL001611) was established in 2001 with Business Innovations Plus, Inc., who later changed their name to BIP Software, Inc. The agreement with BIP Software, Inc. was most recently renewed by authority of ordinance 0559-2011, passed June 6, 2011, through purchase order EL011877. BIP Software, Inc. (FID: 74-3216756) has been acquired by Resource Associates of Nevada, Inc. (FID: 88-0465132). This ordinance will authorize reassignment of the agreement with BIP Software, Inc. to Resource Associates of Nevada, Inc. This renewal will provide for software maintenance and support for the period July 1, 2012 through June 30, 2013 at a cost of \$5,000.

The BizTrack application is an automated tracking system, utilized by the Equal Business Opportunity Commission Office (EBOCO), pursuant to City Code (C.C.) 3922.02, and is responsible for tracking and monitoring minority and female participation in the city procurement process. Without full functionality of the BizTrack system, the EBOCO will not be able to generate reports that support an outreach directory, track contract volume, track vendor dollar ranges, vendor utilization, minority and female participation, and other ethnicity participation.

Since the Biztrack system is copyright owned by Resource Associates of Nevada, Inc., this contract is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

CONTRACT COMPLIANCE:

Vendor Name: Resource Associates of Nevada, Inc. CC#: 88-0465132 Expiration
Date: 6/13/2014

FISCAL IMPACT:

During fiscal year 2010 and 2011 the amount of \$3,780.00 and \$5,000.00 was expended for software support and upgrade services with BIP Software, Inc. This year's request in the amount of \$5,000.00 will provide funding for the services necessary to support the BizTrak system. This amount is budgeted and available with the Department of Technology Internal Services fund. Including this renewal, the aggregate contract total is \$278,449.00.

EMERGENCY:

Emergency designation is being requested to allow for uninterrupted support for services associated with the BizTrak system.

To authorize the Director of the Department of Technology and the Director of the Equal Business Opportunity Commission Office, to renew an agreement with Resource Associates of Nevada, Inc., for software support and upgrade services associated with the BizTrack system; in accordance with the sole source provisions of the Columbus City Code; and to authorize the expenditure of \$5,000.00 from the Department of Technology, Internal Services Fund; and to declare an emergency. (\$5,000.00)

WHEREAS, this legislation is to authorize the Director of the Department of Technology and the Director of the Equal Business Opportunity Commission Office (EBOCO), to renew an agreement with Resource

Associates of Nevada, Inc., for software support and upgrade services associated with the BizTrack system, and

WHEREAS, the BizTrak application is an automated tracking system, utilized by the EBOCO, pursuant to C.C. 3922.02, and is responsible for tracking and monitoring minority and female participation in the city procurement process, and

WHEREAS, without full functionality of the BizTrak system, the EBOCO will not be able to generate reports that support an outreach directory, track contract volume, track vendor dollar ranges, vendor utilization, minority and female participation, and other ethnicity participation, and

WHEREAS, the original agreement (EL001611) was established in 2001 with Business Innovations Plus, Inc., who later changed their name to BIP Software, Inc. The agreement with BIP Software, Inc. was most recently renewed by authority of ordinance 0559-2011, passed June 6, 2011, through purchase order EL011877. BIP Software, Inc. (FID: 74-3216756) has been acquired by Resource Associates of Nevada, Inc. (FID: 88-0465132). This ordinance will authorize reassignment of the agreement with BIP Software, Inc. to Resource Associates of Nevada, Inc., and

WHEREAS, the amount of \$5,000.00 will provide funding for the services necessary to support the BizTrak system for term period July 1, 2012 through June 30, 2013, and

WHEREAS, this agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07, and

WHEREAS, an emergency exist in the usual and daily operation of the Department of Technology and the EBOCO, in that it is necessary to renew a contract with BIP Software for software support services associated with the BizTrak system, to avoid service 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 the Department of Technology and the Director of the Equal Business Opportunity Commission Office (EBOCO), be and is hereby authorized to renew an agreement with Resource Associates of Nevada, Inc., for software support and upgrade services associated with the BizTrack system. The original agreement (EL001611) was established in 2001 with Business Innovations Plus, Inc., who later changed their name to BIP Software, Inc. BIP Software, Inc. (FID: 74-3216756) has been acquired by Resource Associates of Nevada, Inc. (FID: 88-0465132). This ordinance will authorize reassignment of the agreement with BIP Software, Inc. to Resource Associates of Nevada, Inc. This renewal will provide for software maintenance and support for the period July 1, 2012 through June 30, 2013 at a cost of \$5,000.

SECTION 2: That the expenditure of \$5,000.00 or so much thereof as may be necessary is hereby authorized to be expended from:

Div.: 47-01|**Fund:** 514| **Sub-fund:** 010|**OCA Code:** 400347|**Obj. Level 1:** 03|**Obj. Level 3:**3369|**Amount:**\$5,000.00

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 this contract is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07.

SECTION 5: That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance 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: 1456-2012

Drafting Date: 6/22/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND:

This ordinance authorizes the Director of the Department of Technology to enter into a contract with Fahlgren Acquisition, Inc. (dba Fahlgren Mortine) to provide website rearchitecture services. The term of this agreement will be for one (1) year from the date of a purchase order certified by the City Auditor's Office, with an option to renew for another year, subject to mutual agreement and approval of proper City authorities. Fahlgren will deliver the needed services at a cost not to exceed \$128,000.00.

In support of improving the City's public internet sites, Fahlgren will initiate services by providing an assessment of the current website design, incorporating stakeholder input and best practices from other municipal websites. Based on that assessment, Fahlgren will develop and deliver a new website design to improve ease of use, ensure compliance with applicable laws, optimize search, and conform with the City's new brand. Fahlgren will also provide documentation and training on the design, and assist City staff in implementing the new design.

To procure these services, a Request for Proposals (SA004404) was published and responses were due by May 31, 2012. The solicitation received four (4) proposals, which were scored by an evaluation committee of five (5) employees of the Department of Technology. Each committee member scored the proposals, using the following criteria: competence of the offeror (up to 25 points), quality and feasibility of proposed services (25 points), ability of the offeror (10 points), past performance of the offeror (25 points), and the total cost of proposed services (15 points). Individual committee member scores were averaged to obtain the following first round scores for the four (4) proposals received, the total scores were as follows: CivicPlus (43.4), Fahlgren Acquisition, Inc. (83.6), CivicLive (56.8) and RippleEffect (57.6).

The committee recommended the highest scoring offeror - Fahlgren Mortine - to the Director of the Department of Technology. The Director concurred with the committee's recommendation.

FISCAL IMPACT:

Approval of this ordinance will allow for funding in the amount of \$128,000.00. These funds have been identified and are available within the Department of Technology, Information Services Division, Capital Improvement Bond Fund.

CONTRACT COMPLIANCE:

Vendor Name: Fahlgren Acquisition, Inc.
Date: 4/24/2014

C.C.#: 550736802

Expiration

EMERGENCY:

Emergency designation is requested to immediately facilitate prompt execution of this contract for the provision of website rearchitecture services.

To authorize the Director of the Department of Technology to enter into a contract with Fahlgren Acquisition, Inc. (dba Fahlgren Mortine) to provide website rearchitecture services; to authorize the expenditure of \$128,000.00 from the Department of Technology, Information Services Division, Capital Improvement Bond Fund; and to declare an emergency. (\$128,000.00)

WHEREAS, a Request for Proposals (SA004404) was published and responses were due by May 31, 2012. The solicitation received four (4) proposals, which were scored by an evaluation committee of five (5) employees of the Department of Technology. The committee recommended the highest scoring offeror - Fahlgren Mortine - to the Director of the Department of Technology. The Director concurred with the committee's recommendation; and

WHEREAS, this ordinance authorizes the Director of the Department of Technology to enter into an agreement with Fahlgren Acquisition, Inc. (dba Fahlgren Mortine) to provide website rearchitecture services. The term of this agreement will be for one (1) year from the date of a purchase order certified by the City Auditor's Office, with an option to renew for another year, subject to mutual agreement and approval of proper City authorities. Fahlgren will deliver the needed services at a cost not to exceed \$128,000.00; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary for the Director of the Department of Technology to enter into contract with Fahlgren Acquisition, Inc. to provide website rearchitecture services; and to ensure that this project is not delayed, 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 authorized to enter into an agreement with Fahlgren Acquisition, Inc. (dba Fahlgren Mortine) to provide website rearchitecture services. The term of this agreement will be for one (1) year from the date of a purchase order certified by the City Auditor's Office, with an option to renew for another year, subject to mutual agreement and approval of proper City authorities. Fahlgren will deliver the needed services at a cost not to exceed \$128,000.00.

SECTION 2: That the expenditure of \$128,000.00 or as much thereof as may be necessary is hereby authorized to be expended as follows:

Dept./Div.: 47-02| **Fund:** 514| **Subfund:** 002| **Project Name:** e-Gov| **Project Number:** 470050-100000|
OCA Code: 470050| **Obj. Level 1:** 06 | **Obj. Level 3:** 6655| **Amount:** \$50,000.00 (Carryover Funds)

Dept./Div.: 47-02| **Fund:** 514| **Subfund:** 002| **Project Name:** e-Gov| **Project Number:** 470050-100000|
OCA Code: 470050| **Obj. Level 1:** 06 | **Obj. Level 3:** 6655| **Amount:** \$78,000.00 (2012 Bond Funds)

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 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 approved nor vetoes the same.

Legislation Number: 1457-2012

Drafting Date: 6/25/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Operation Safewalks - Marion Road Project (590955-100006/2601 DR. E) and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 Project (530103-100018/2746 DR. E).

The project limits for Marion Road are from Parsons Avenue to Lockbourne Road.

This project includes curbing, sidewalk on both sides of Marion Road, ADA curb ramps, and storm sewer improvements.

The construction plans have been finalized and the Department of Public Service is prepared to authorize right-of-way acquisition pending passage of this funding legislation. Acquisition related expenses are currently estimated to be \$75,000.00.

The project limits for Lockbourne Road-Frebis Road-SR104 are Lockbourne Road from Frebis Avenue to SR 104.

This project will perform storm sewer improvements, sidewalk on both sides of Lockbourne Road, and ADA curb ramps.

The construction plans have been finalized and the Department of Public Service is prepared to authorize right-of-way acquisition pending passage of this funding legislation. Acquisition related expenses are currently estimated to be \$360,000.00. (added \$85,000.00 for DPU contribution to R/W)

The roadway, pedestrian and stormwater improvements contemplated by these projects are essential to the safety of those individuals living and traveling within the areas. The Division of Sewerage and Drainage (DOSD) decided to upgrade the system within these areas. The Department of Public Service (DPS) decided to partner with the Department of Public Utilities (DPU) by joining forces between DPU and DPS, these projects will be economically feasible.

2. FISCAL IMPACT

Monies to pay for these costs are available within the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction. A transfer of \$35,000.00 is needed to provide sufficient cash for this project

within the Storm Build America Bonds Fund for the Division of Sewerage and Drainage. An amendment to the 2012 Capital Improvements Budget will also be necessary. This ordinance is contingent on the 2012 Bond Sale.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow right-of-way acquisition to begin as soon as possible.

Failure to complete right-of-way acquisition in a timely manner will delay the construction of these Operation Safewalks and Arterial Street Rehabilitation projects.

To authorize the City Attorney's Real Estate Division to contract for professional services relative to the acquisition of fee simple title and lesser interests in and to property needed for the Operation Safewalks - Marion Road and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects; to authorize the City Attorney's Office, Real Estate Division, to negotiate with property owners and to acquire the additional rights-of-way necessary to complete these projects; to amend the 2012 C.I.B; to authorize the transfer of funds and expenditure of \$435,000.00 or so much thereof as may be necessary for these projects from the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction and the Storm Recovery Zone Super Build America Bonds Fund for the Division of Sewerage and Drainage; and to declare an emergency. (\$435,000.00)

WHEREAS, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the operation Safewalks - Marion Road and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects; and

WHEREAS, the project limits are Marion Road from Parsons Avenue to Lockbourne Road and Lockbourne Road from Frebis Avenue to SR 104; and

WHEREAS, the purpose of these projects is curb, sidewalks and storm sewer improvements; and

WHEREAS, the roadway, pedestrian and stormwater improvements contemplated by these projects are essential to the safety of those individuals living and traveling within this area; and

WHEREAS, construction plans have been finalized and the Department of Public Service is prepared to authorize right-of-way acquisition pending passage of this funding legislation; and

WHEREAS, acquisition related expenses are currently estimated to be \$435,000.00; and

WHEREAS, the following legislation authorizes the City Attorney's Real Estate Division to expend \$435,000.00 or so much thereof as may be necessary to acquire those rights-of-way needed for these projects; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in that failure to complete right-of-way acquisition in a timely manner will delay the construction of this Operation Safewalks and Arterial Street Rehabilitation projects therefore it is immediately necessary to authorize City Attorney's office to acquire those rights-of-way needed for this project and to authorize the expenditure of the funds required to complete right-of-way acquisition thereby immediately 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 Attorneys' Office, Real Estate Division, be and is hereby authorized to acquire fee

simple title and lesser interests in and to property needed for the Operation Safewalks - Marion Road and Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 projects.

SECTION 2. That the 2012 C.I.B authorized by Ordinance 0368-2012 be amended as follows to provide sufficient authority for these activities as follows:

Division of Sewerage and Drainage: 60-15

676 / 610771-100000 / Marion Road Storm Sewer / \$80,000.00 / (\$35,000.00) / \$45,000.00

676 / 610772-100000 / Lockbourne Road Storm Sewer / \$50,000.00 / \$35,000.00 / \$85,000.00

SECTION 3. That the transfer of cash and appropriation be authorized as follows:

Division of Sewerage and Drainage: 60-15

Transfer from

Project / Project Name / O.L. 01-03 Codes / OCA / Amount

676 / 610771-100000 / Marion Road Storm Sewer / 06-6600 / 685771 / \$35,000.00

Transfer to

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

676 / 610772-100000 / Lockbourne Road Storm Sewer / 06-6600 / 685772 / \$35,000.00

SECTION 4. That the City Attorney's Office, Real Estate Division, be and is hereby authorized to expend \$435,000.00, or so much thereof as may be necessary from the Streets and Highways G.O. Bonds Fund, Fund No. 704, and the Storm Build America Bonds Fund, Fund No. 676, for the Division of Sewerage and Drainage to pay those costs relative to the acquisition of rights-of-way needed for the Operation Safewalks - Marion Road and the Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 Projects as follows:

Division of Design and Construction: 59-12

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 590955-100006/ Operation Safewalks - Marion Road / 06-6601 / 745506 / \$100,000.00

704 / 530103-100018/ Arterial Street Rehabilitation - Lockbourne Road-Frebis Road-SR104 / 06-6601 / 740318 / \$250,000.00

Division of Sewerage and Drainage: 60-15

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

676 / 610772-100000 / Lockbourne Road Storm Sewer / 06-6601 / 685772 / \$85,000.00

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 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: 1486-2012

Drafting Date: 6/26/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Roadway Improvements - Riverview Drive/Olentangy River Road-West Terminus project. The Department of Public Utilities will also contribute funding for work within this project.

This project will reconstruct Riverview Drive between Olentangy River Road and Harley Drive. The project will construct a new storm sewer system, new curb and gutter, and full depth pavement replacement. This project also includes the installation of street lighting, minor sanitary and water line work, and altering the existing traffic signal at Olentangy River Road.

5,280 feet of 6.5 foot wide sidewalk will be added to both sides of Riverview Drive. Fifteen ADA ramps will also be added in this project. There is one bus stop and three transit routes within the limits of this project.

This project complies with the recommendation of the Pedestrian Thoroughfare Plan because it constructs sidewalks and curb ramps throughout the project. Pedestrian generators and destinations impacting the proposed project include over 25 multifamily buildings, 2 hotels, a mosque, and a bus stop. Pedestrian Quality of Service analysis shows a marked improvement in the score by the features of this project.

The estimated Notice to Proceed date is August 15, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. 7 bids were received on June 21, 2012 (all majority) and tabulated on June 22, 2012 as follows:

Bidder	Bid Amount	City/State*	Majority/MBE/FBE
Shelly and Sands, Inc.	\$2,453,216.99	Zanesville, OH	Majority
Decker Construction Co.	\$2,461,157.98	Columbus, OH	Majority
Complete General Construction Co.	\$2,517,101.97	Columbus, OH	Majority
Columbus Asphalt Paving	\$2,544,134.41	Columbus, OH	Majority
Nickolas M. Savko & Sons, Inc.	\$2,655,090.97	Columbus, OH	Majority
Double Z Construction	\$2,794,627.18	Columbus, OH	Majority
Trucco Construction Co.	\$2,956,697.33	Delaware, OH	Majority

*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below.

Award is to be made to Shelly and Sands, Inc. as the lowest, responsive, responsible and best bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no finding against Shelly and Sands, Inc.

2. CONTRACT COMPLIANCE

The contract compliance number for Shelly and Sands, Inc. is 314351261 and expires 1/23/14.

3. FISCAL IMPACT

Funding for the Department of Public Service portion of this project is budgeted and available within the Streets and Highways G.O. Bonds Fund. This is contingent on the June 2012 Bond Sale. A transfer of

\$261,535.43 within the Storm Recovery Zone Super Build America Bonds Fund is needed to provide sufficient cash for this project for the Department of Public Utilities' portion. An amendment to the 2012 Capital Improvements Budget will also be necessary.

4. EMERGENCY DESIGNATION

Emergency action is requested to allow this project to begin at the earliest possible time this construction season to allow the sidewalks and improved access to be available to the public for the highest provision of pedestrian safety.

To authorize the Director of Public Service to enter into a contract with Shelly and Sands, Inc. in the amount of \$2,453,216.99 for construction and to provide for the payment of construction administration and inspection services in the amount of \$269,853.87 for the Roadway Improvements - Riverview Drive/Olentangy River Road-West Terminus project; to authorize the transfer of \$261,535.43 within the Storm Recovery Zone Super Build America Bonds Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditure of \$1,361,535.43, from the Streets and Highways G.O. Bonds Fund for the Department of Public Service and \$1,361,535.43 from the Storm Recovery Zone Super Build America Bonds Fund for the Department of Public Utilities; and to declare an emergency. (\$2,723,070.86)

WHEREAS, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Roadway Improvements - Riverview Drive/Olentangy River Road-West Terminus project; and

WHEREAS, this project consists of the reconstruction of Riverview Drive through construction of a new storm sewer system, full depth pavement replacement, curb and gutter, 6.5 foot wide sidewalk added to both sides of the road, ADA compliant curb ramp construction, street lighting, modification of the existing traffic signal at Riverview Drive, and minor sanitary and water line work; and

WHEREAS, the Department of Public Utilities will contribute fifty percent of the funding for this project; and

WHEREAS, it is necessary to authorize a transfer of \$261,535.43 within the Storm Recovery Zone Super Build America Bonds Fund for the purpose of providing sufficient funding for the aforementioned project expenditure; and

WHEREAS, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for the purpose of providing sufficient authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in order to maintain the project schedule and provide the sidewalks and improved access planned in this project to provide the highest level of pedestrian safety possible 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 contract with Shelly and Sands, Inc, 1515 Harmon Avenue, Columbus, OH, 43223(mailing address) for the construction of the Roadway Improvements - Riverview Drive/Olentangy River Road-West Terminus project in the amount of up to \$2,453,216.99 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$269,853.87.

SECTION 2. That the City Auditor is hereby authorized to transfer \$261,535.43 within the Division of Sewerage and Drainage, Dept/Div. No. 60-15, Storm Recovery Zone Super Build America Bonds Fund, Fund No. 677, Object Level One 06, Object Level Three 6621, as follows:

Project No. | Project Name | OCA Code | change

610990-100004 | Leonard Avenue SSI | 679904 | -\$261,535.43
610764-100000 | Riverview Drive Street Reconstruction | 677764 | +\$261,535.43

SECTION 3. That the 2012 Capital Improvements Budget is hereby amended as follows:

Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

610990-100004 | Leonard Avenue SSI | \$600,000 | \$338,464 | -\$261,536
610764-100000 | Riverview Drive Street Reconstruction | \$1,100,000 | \$1,361,536 | +\$261,536

SECTION 4. That for the purpose of paying the cost of the contract and inspection, the sum of \$2,723,070.86 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highway G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept.-Div. 59-12, and the Storm Recovery Zone Super Build America Bonds Fund for the Division of Sewerage and Drainage as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530161-100079 / Roadway Improvements - Riverview Drive / 06-6631 / 746179 / \$1,226,608.50 (Des & Con contract)
704 / 530161-100079 / Roadway Improvements - Riverview Drive / 06-6687 / 746179 / \$134,926.93 (Des & Con Inspection)
677 / 610764-100000 / Riverview Drive / 06-6621 / 677764 / \$1,226,608.49 (DOSD contract)
677 / 610764-100000 / Riverview Drive / 06-6687 / 677764 / \$134,926.94 (DOSD Inspection)

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 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: 1490-2012

Drafting Date: 6/26/2012

Current Status: Passed

Council Variance Application: CV10-021

APPLICANT: Town and Country City, Inc., et al.; c/o Charles Fraas, CASTO, 191 W. Nationwide Blvd., Ste. 200, Columbus, OH 43215.

PROPOSED USE: Concurrent Council Variance with Z10-013, to allow commercial uses and to reduce development standards in the L-AR-O, Limited Apartment Residential District.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is requesting a concurrent Council variance with rezoning application Z10-013 to allow commercial uses in the L-AR-O, Limited Apartment Office District which permits office and multi-unit dwellings. The applicant also requests variances to perimeter yard requirements and building lines to bring buildings closer to Hamilton Road and to eliminate interior perimeter yards. The site lies within the Preserve District in the *Northland Plan Volume 2* (2002). The City Departments recommend approval for this concurrent Council variance because the requested Council variance would allow neighborhood scale commercial uses in this proposed L-AR-O, Limited Apartment Office District along with office uses and multi-unit dwellings, both of which are already permitted. This would allow a mixed use, pedestrian oriented area designed primarily to serve the residents of this L-AR-O, Limited Apartment Office District, similar to Traditional Neighborhood Development. Additionally, the applicant requests variances to bring the proposed buildings closer to Hamilton Road than would be allowed and to eliminate perimeter yards interior to the development both of which are needed to help create this type of neighborhood. The applicants have agreed to certain conditions to ensure these uses do not negatively impact the existing adjacent single-unit dwellings. Additionally the applicants request relief from the Parkland Dedication Ordinance citing they provided parkland as part of zoning Z05-054 which this site was originally part of. The Recreation and Parks Department approves of this. By providing these services in a pedestrian oriented environment, such a development would take pressure off the public streets in the area

To grant Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3333.18, Building lines; 3318.03, Requirements; 3333.255, Perimeter yard, of the Columbus City Codes; for the property located at **5822 NORTH HAMILTON ROAD (43230)**, to permit commercial uses in the L-AR-O, Limited Apartment Residential District with reduced development standards. (Council Variance #CV10-021).

WHEREAS, by application #CV10-021, the owner of property at **5822 NORTH HAMILTON ROAD (43230)**, is requesting a Variance concurrent with rezoning Z10-013 to permit limited commercial uses L-AR-O, Limited Apartment Office District; and

WHEREAS, Section 3333.04, Permitted uses in AR-O apartment district, does not permit commercial uses allowed in the C-1, Commercial District, multiple dwelling development, townhouse development, independent living retirement facilities, assisted living retirement communities, nursing homes, eating and drinking establishments(with or without patios), fitness facilities and commercial or non-commercial recreational uses (e.g., volleyball courts, bocce ball, basketball courts, etc., retail stores; and

WHEREAS, Section 3318.03, Requirements, enables the City to request land be donated or fees be paid to the Department of Recreation and Parks, while the applicant wishes to waive park land donation and/or payment in lieu; in the L-AR-O, Limited Apartment Office District; and

WHEREAS, Section 3333.18 (E), Building lines, requires buildings to have a minimum setback of sixty (60) feet, while the applicant proposes to maintain a setback of fifteen (15) feet along future and relocated Hamilton

Road; and

WHEREAS, Section 3333.255, Perimeter yard, requires a perimeter yard of twenty-five (25) feet, while the applicant proposes a perimeter yard of zero (0) feet between parcels interior to the site; and

WHEREAS, City Departments recommend approval for this concurrent Council variance because the requested Council variance would allow neighborhood scale commercial uses in this proposed L-AR-O, Limited Apartment Office District along with office uses and multi-unit dwellings, both of which are already permitted. This would allow a mixed use, pedestrian oriented area designed primarily to serve the residents of this L-AR-O, Limited Apartment Office District, similar to Traditional Neighborhood Development. Additionally, the applicant requests variances to bring the proposed buildings closer to Hamilton Road than would be allowed and to eliminate perimeter yards interior to the development both of which are needed to help create this type of neighborhood. The applicants have agreed to certain conditions to ensure these uses do not negatively impact the existing adjacent single-unit dwellings. By providing these services in a pedestrian oriented environment, such a development would take pressure off the public streets in the area; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Zoning Clearance 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 **5822 NORTH HAMILTON ROAD (43230)**, in using said property as desired and

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

SECTION 1. That variances from the provisions of Sections 3333.04, ARO; Section 3333.18, Building lines; Section 3333.255, Perimeter yard and Section 3318.03, Requirements of the Columbus City Codes, is hereby granted for the property located at **5822 NORTH HAMILTON ROAD (43230)**, insofar as said sections prohibit the following uses: multiple dwelling development, townhouse development, independent living retirement facilities, assisted living retirement communities, nursing homes, restaurants and pubs (with or without patios), those uses permitted under Section 3351.03 (C-1) Neighborhood Commercial District, fitness facilities and commercial or non-commercial recreational uses (e.g., volleyball courts, bocce ball, basketball courts, etc., and retail stores; with reduced building line setbacks along Hamilton Road (existing and future) from sixty (60) feet to fifteen (15) feet); and waiving park land donation and/or payment in lieu; and to waive parkland dedication in a commercial, industrial, office and non-residential institutional development the L-AR-O, Limited Apartment Office District and with reduced perimeter yard setbacks interior to the development from twenty-five (25) feet to zero (0) feet; said property being more particularly described as follows:

5822 NORTH HAMILTON ROAD (43054), being 73.3± acres located on the east side of Hamilton Road 670± feet north of Preserve Boulevard, and being more particularly described as follows:

COUNCIL VARIANCE
SUBAREA 1
73.32 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2, Range 16, United States Military Lands, being out of that 100 acre tract conveyed to Stephen L. Harper, Trustee by deed of record in Instrument Number 200404290096691, that 27.308 acre tract conveyed to Town and Country City, Inc. by deed of record in Instrument Number 200602280037517, and that tract conveyed to Town and Country City Inc. by deed of record in Deed Book 3513, Page 546 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the Franklin County Geodetic Survey Number 8814, being on the centerline of Hamilton Road;

thence South 87° 01' 32" East, across the right-of-way of said Hamilton Road, a distance of 40.00 feet to a point on the easterly right-of-way line thereof, being the TRUE POINT OF BEGINNING;

thence North 03° 12' 44" East, with said easterly right-of-way line, a distance of 314.06 feet to a point on the arc of a curve;

thence across said Grantor's tracts, the following courses and distances:

with the arc of said curve to the right, having a central angle of 66° 28' 01", a radius of 1050.00 feet, an arc length of 1218.07 feet, a chord bearing and distance of North 59° 39' 44" East, 1150.91 feet to a point of tangency;

South 87° 06' 16" East, a distance of 862.22 feet to a point of curvature;

with the arc of said curve to the left, having a central angle of 34° 47' 42", a radius of 950.00 feet, an arc length of 576.92 feet, a chord bearing and distance of North 75° 30' 48" East, 568.10 feet to a point;

South 58° 06' 55" East, a distance of 253.65 feet to a point on the arc of a curve;

with the arc of said curve to the left, having a central angle of 36° 31' 23", a radius of 1093.35 feet, an arc length of 696.96 feet, a chord bearing and distance of South 72° 39' 38" East, 685.22 feet to a point on the arc of a curve;

with the arc of said curve to the right, having a central angle of 23° 20' 56", a radius of 899.59 feet, an arc length of 366.60 feet, a chord bearing and distance of South 71° 49' 58" East, 364.06 feet to a point on the westerly line of "Albany Park Section 3 Part 2", a subdivision of record in Plat Book 98, Pages 87 and 88;

thence with said westerly line, the following courses and distances:

South 16° 03' 25" West, a distance of 153.59 feet to a point;

South 36° 36' 47" East, a distance of 142.96 feet to a point;

South 08° 30' 21" East, a distance of 425.09 feet to a point in the northerly line of "The Preserve East Section 1", a subdivision of record in Plat Book 101, Pages 6 thru 9;

North 87° 34' 55" West, with the north line of said "The Preserve East Section 1", a distance of 902.76 feet to a point;

South 03° 33' 54" West, with the west line of said "The Preserve East Section 1", a distance of 44.63 feet to a point at the northeast corner of "The Preserve Section 1", a subdivision of record in Plat Book 90, Pages 29 thru 32;

North 87° 01' 32" West, with the north line of said "The Preserve Section 1", "The Preserve Section 4", a subdivision of record in Plat Book 93, Pages 26 and 27, and the remainder of the original 5.063 acre tract conveyed to Hamilton II Retail LLC by deed of record in Instrument Number 200512010253314, a distance of 2842.18 feet to the TRUE POINT OF BEGINNING and containing 73.32 acres of land, 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 multiple dwelling development, townhouse development, independent living retirement facilities, assisted living retirement communities, nursing homes, eating and drinking establishments(with or without patios), fitness facilities and commercial or non-commercial recreational uses (e.g., volleyball courts, bocce ball, basketball courts, etc., retail stores and those uses permitted in the L-AR-O, Limited Apartment Office District established with Z10-013.

SECTION 3. That this ordinance is conditioned that no stand-alone retail or restaurant users shall be permitted, except on lots that have their primary frontage on Relocated Hamilton Road. In all other areas of the zoning district, retail and restaurant users shall be restricted to buildings that also contain residential and/or office units.

SECTION 4. That this ordinance is further conditioned that eating and drinking establishments shall be located no closer than 200 feet to single-unit residential property that is found adjacent to Subarea 1 immediately to the south or east. Outdoor patios shall be located to the front of the buildings but also may be located to the side of a building provided that they are adjacent to a sidewalk in front of the building.

SECTION 5. That this ordinance is further conditioned that within Subarea 1, the combined area of C-1 uses, eating and drinking establishments and retail stores shall not exceed twenty-five thousand (25,000) square feet of building floor area, of which restaurants and pubs shall not exceed ten thousand (10,000) square feet of floor area. Eating and drinking establishments greater than 2,000 square feet are permitted notwithstanding the limitation language in Section 3351.03 (C-1 Neighborhood Commercial District.).

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

Legislation Number: 1492-2012

Drafting Date: 6/27/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

This ordinance will establish an Auditor's Certificate and authorize the expenditures for the purchase of needed equipment through the City of Columbus Purchasing office. All bids will be obtained and contracts awarded using City Code 329, however this legislation will set up all the required funding to enter into contracts with the vendors on an as-needed basis.

All equipment will be bid through the City of Columbus Purchasing System and all contracts will be approved by the Director of Finance and Management. The equipment list below provides estimates only.

In order to have all the equipment available for the 2012 Fall/2013 Spring seasons, it is necessary to authorize this expenditure to have the funding and approval complete when the bidding has been finalized. Emergency legislation is required to proceed with the funding for equipment immediately while the bidding is in process. Competitive bids will be solicited and opened by the Purchasing Office or obtained through any current universal term contract for the following pieces of equipment:

Item:	Estimated cost:
CERP Chipper Truck (new)	\$ 60,000
Stump grinder with tracks (replace BT's 20426, 16722)	\$ 70,000
Skid Steer with trailer/attachments (new)	\$ 70,000
Box Truck with lift gate (replaces two vans, BT's 18398, 21989)	\$ 65,000
Aerial lift truck (replaces current electrician lift truck, BT 18991)	\$200,000
JD 5425 Tractors with 15' batwing mowers (two each)	\$ 80,000
(This replaces BT 20464, 20453, 14974, and 23319)Polar Tracks (three)	\$121,000
(These zero turn mowers also plow or brush snow with a heated cabin, these replace BT 20001, 20539, 22148, 16610, 14969, 16957, 20450, 13645 and 16987)	
Jacobson 9016 or equivalent (three)	\$210,000
(These replace BT 20306, 20373, 16967, 20413, , 16985, 20414)	
1420 Mowers (six)	\$120,000
(These replace BT 16723, 16656, 16654, 16653, 20359, 20451)	
Skid Steer with trailer w/attachments	\$ 70,000
Gator/JD XUV 550	\$ 7,000
Trailer for Gator	\$ 2,800
Heated Power Washer for Trailer and Gator	\$ 9,000
Water Tank with Trailer	\$ 7,000
Floor Scrubber	\$ 15,000
Portable Lights for night work	\$ 7,700
F-150 Pickup Truck/Towing Package	\$21,000
F-450	\$26,500
Dump Body for F-450	\$ 15,000
4 Wheel ATV for inspections	\$ 10,000
Compact Utility Loader w/attachments	\$ 13,000

Fiscal Impact:

Funds are contingent on the July 10, 2012 bond sale.

\$1,200,000.00 is required and budgeted in the Voted Recreation and parks Bond Fund 702 to meet the financial obligations of these various expenditures.

To authorize the Director of Finance and Management to enter into various contracts for the purchase of equipment and vehicles for the Recreation and Parks Department; to authorize the expenditure of \$1,200,000 from the Recreation and Parks Voted Bond Fund; to establish an Auditor's Certificate in the amount of \$1,200,000.00 for the purchases listed within this legislation; to authorize the transfer of \$1,200,000.00 within the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$1,200,000.00)

WHEREAS, the Purchasing Office will solicit competitive bids to acquire various equipment and vehicles for the Recreation and Parks Department; and

WHEREAS, funding is available for these purchases from unallocated balances within the voted Parks and Recreation Bond Fund 702; 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 contracts for equipment and vehicles in order to take delivery prior to Fall 2012/Spring 2013 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 Finance and Management be and he hereby is authorized to enter into contracts as listed within this legislation on behalf of the Recreation and Parks Department.

SECTION 2. That the expenditure of \$1,200,000.00, or so much thereof as may be necessary, be and is hereby authorized from the voted Recreation and Parks Bond Fund No. 702, Dept. 51-01, Project No. 510040-100001 (maintenance equipment), Recreation and Parks Equipment, Object Level 3 #6652, OCA Code 724001.

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

SECTION 5. That this Council hereby recognizes that this ordinance does not identify specific contractors or vendors for the expenditure purposes authorized herein and hereby delegates sole and final contracting decisions relative to the determination of lowest, best, most responsive and most responsible vendor(s) to the Director of Recreation and Parks and or the Director of Finance and Management.

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1494-2012

Drafting Date: 6/27/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

This ordinance will authorize the Director of Recreation and Parks to enter into contract with Franklin Park Conservatory for the administration of the implementation of the Franklin Park Master plan in the amount of \$950,000.00.

It has been determined that it will be beneficial to have the Franklin Park Conservatory perform the administration of this project to help allow the least disruption to the daily operation of the Conservatory business. The funds will be used to reimburse the Conservatory for expenditures to support the implementation of the Phase One of the Master Plan for the Conservatory and Franklin Park and capital improvement projects for the Conservatory

Phase One of the Master Plan includes three major projects:

The first project, Palm House Additions, includes two 5,000 square foot additions to the historic John F. Wolfe Palm House, roof top gardens, a bride's garden, and a permanent lighting installation in the Palm House by world-renowned artist James Turrell. The expansion of the Conservatory's gardens and facilities will provide an opportunity to increase earned-revenue from event sales and catering while enhancing the value proposition for the visitors and clients. The project was completed and dedicated on Aug. 8, 2008.

The second project, Community Garden Campus, includes restoration of the historic Caretaker's House, construction of an Education Pavilion, Apiary Building, Summer Kitchen, Community Gardening Shed, a live Fire Cooking Theatre, commercial and residential rain gardens, and numerous horticultural display gardens. The Scotts Miracle-Gro Company Community Garden Campus will serve as a living classroom for the Conservatory's educational programs and will be a catalyst for an expansion of the community gardening program titled "Growing to Green". The project was completed on schedule and on budget and was dedicated on Sept. 9, 2009.

The third project, a 9,300 square foot Production Greenhouse, was completed in July, 2011.

A dedication ceremony commemorating successful completion of Phase One of the Master Plan was held on Aug. 8, 2011.

2012 Project Breakdown (Scheduled for completion prior to 12/12)

\$25,000	East parking lot repair and resurfacing (City of Columbus/Conservatory property)
\$60,000	1992 building water leak assessment, structural enhancement, roof replacement
\$10,000	Showhouse glass re-glazing and vent automation system installation
\$45,000	Annual capital maintenance projects (e.g. equipment pumps, valves, etc.)
<u>\$10,000</u>	West Terrace paver and stonework repair
\$150,000	Total

Principal Parties:

Franklin Park Conservatory
#31-1364884

Emergency Justification:

Emergency action is necessary to allow Franklin Park Conservatory to begin work as soon as possible as plans for the park are moving forward.

Fiscal Impact:

The expenditure of \$950,000.00 is budgeted in the Recreation and Parks Voted Recreation and Parks Bond Fund.

To authorize and direct the Director of Recreation and Parks to enter into contract with Franklin Park Conservatory for the implementation of the Franklin Park Master Plan; to authorize the expenditure of \$950,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$950,000.00),

WHEREAS, it is necessary to enter into a contract with the Franklin Park Conservatory for the administration of the Franklin Park Project; 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 \$950,000.00 or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Voted Bond Fund No. 702, Department 51-01, as follows:

Project Title	OCA Project No.	Object Code	Level 3	Amount
Franklin Park Conservatory	510017-100017	517017	6621	\$950,000,000

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

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1495-2012

Drafting Date: 6/27/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: The Building and Zoning Services Department has a need to appropriate additional funds from the Development Services Fund in the amount of \$143,007.90. These additional funds will provide for the purchase of 10 (ten) cars in accordance with our vehicle replacement schedule. The purpose of this legislation is to authorize and appropriate these funds for the period ending December 31, 2012.

The primary purpose of the Building and Zoning Services Department is to promote the safety and quality of life for the residents and visitors of the city of Columbus through the enforcement of the Columbus Building and Zoning Codes.

FISCAL IMPACT: The Building and Zoning Services Department is funded by the Development

Services Fund. The supplemental appropriation and purchase of these vehicles will not adversely affect the Development Services Fund.

To authorize supplemental appropriation for the Building and Zoning Services Department in the amount of \$143,007.90 from the Development Services Fund. (\$143,007.90)

WHEREAS, \$143,007.90 in additional funds is available through the Development Services Fund for the period ending December 31, 2012; and,

WHEREAS, it is necessary to authorize and appropriate these funds from the Development Services Fund for the continued support of the Building and Zoning Services Department; now, therefore:

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

SECTION 1. That the Building and Zoning Services Department is hereby authorized and directed to accept additional funds totaling \$143,007.90 from the Development Services Fund for the purchase of 10 vehicles for the period ending December 31, 2012.

SECTION 2. That from the unappropriated monies in the fund known as the Development Services Fund, Fund No. 240, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the twelve months ending December 31, 2012, the sum of \$143,007.90 is hereby appropriated to the Building and Zoning Services Department, Department No. 43-01, as follows:

OCA: 430382	Obj. Level 01:06	Amount \$42,902.37
OCA: 430383	Obj. Level 01:06	Amount \$42,902.37
OCA: 430384	Obj. Level 01:06	Amount \$28,601.58
OCA: 430385	Obj. Level 01:06	Amount \$28,601.58

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

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

Legislation Number: 1496-2012

Drafting Date: 6/27/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

The City of Columbus owns Genoa Park immediately east of COSI along with the building that COSI operates

which is located at 333 W. Broad St., Columbus, Ohio, 43215. The City has determined that it is in their best interest to enter into an agreement with the Franklin County Historical Society (dba COSI) for the purposes of renovating and improving the building and surrounding grounds. In order to facilitate the renovation of the building, it is necessary for the City and COSI to enter into this agreement for the purposes of setting forth the terms and conditions therein.

The Guaranteed Maximum Cost to be reimbursed by the City for the design and construction of improvements shall not exceed \$750,000.00.

This ordinance allows the Director of Recreation and Parks to authorize payment of Recreation and Parks Voted Bond Funds for the renovation of COSI facility.

Principal Parties:

Franklin County Historical Society
Contract Compliance is #314383802.
This is a non-profit organization.

Fiscal impact:

Contingent on July 10, 2012 Bond Sale.
The expenditure of \$750,000.00 is budgeted in the Recreation and Parks Voted Recreation and Parks Bond Fund.

To authorize and direct the Director of Recreation and Parks to enter into a Guaranteed Maximum Reimbursement Agreement with Franklin County Historical Society, dba COSI, for the renovation of the COSI facility and surrounding grounds; to authorize the expenditure of \$750,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. (\$750,000.00),

WHEREAS, it is necessary for the Department of Recreation and Parks to enter into a Guaranteed Maximum Cost Agreement with Franklin County Historical Society for the purpose of design and construction services for the renovation of the COSI facility and surrounding grounds; 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 is hereby authorized and directed to enter into a Guaranteed Maximum Reimbursement Agreement pursuant to Section 186 of the Columbus City Charter with Franklin County Historical Society for the purpose of design and construction services for the renovation of the COSI facility and surrounding grounds.

SECTION 2. That to pay the cost of said contract, the expenditure of \$750,000.00 or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Voted Bond Fund No. 702, Department 51-01, as follows:

Fund	Project Title	OCA		Level 3	Amount
		Project No.	Code		
702	COSI	510622-100000	726220	6620	\$750,000

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

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1500-2012

Drafting Date: 6/27/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the Public Safety Director to modify a contract with SimplexGrinnell to expand the neighborhood safety camera systems as part of a comprehensive approach to preventing and fighting crime in the City. The original contract with SimplexGrinnell was authorized by ordinance number 0787-2011, passed on 5/23/2011 and authorized the installation of safety cameras in five columbus neighborhoods: Hilltop, Livingston Avenue, Mt Vernon, Weinland Park and Linden area. Modification number one provided for safety camera systems at four locations in the Livingston Avenue area. This second modification will increase the number of cameras in the five existing neighborhoods where cameras are already present.

SimplexGrinnell was one of seven vendors that responded to an RFSQ (SA003813) on January 27, 2011 and whose proposal was selected by an evaluation committee in accordance with section 329.13 of City Code to install cameras in the five original neighborhoods. Prices already established in the original contract were used to determine the cost of this modification. It makes sense to modify the current contract with SimplexGrinnell to provide cameras in the existing neighborhoods due to their technical knowledge of the current system and the opportunity to install cameras in a timely manner.

Emergency action is requested due to the lead-time in design work and the need to have the cameras in place as soon as practical.

SimplexGrinnell Contract Compliance No. 58-2608861, expiration date March 23, 2014

Fiscal Impact: This legislation authorizes a contract modification and expenditure of \$475,000.00 with SimplexGrinnell to continue the installation of neighborhood cameras in City of Columbus neighborhoods. The original contract with SimplexGrinnell was for \$2,047,006. Modification number one was for \$171,519.83. Total contract including this modification of \$475,000.00 is \$2,693,579.83. Funds for this contract are budgeted in Public Safety's Capital Improvement Budget and are contingent on the July 10, 2012 bond sale.

To authorize the Public Safety Director to modify a contract with SimplexGrinnell for the installation of additional neighborhood safety cameras in City of Columbus Neighborhoods; to authorize the expenditure of \$475,000.00 from the Department of Public Safety's Voted Bond Funds; and to declare an emergency. (\$475,000.00)

WHEREAS, the City desires to expand the neighborhood safety camera program by installing cameras in additional locations within the City of Columbus; and

WHEREAS, the Safety Director wishes to modify a contract with SimplexGrinnell, the company that has designed and installed all the neighborhood cameras since the inception of the project in 2011; and

WHEREAS, funding for these expanded services are contingent on the July 10, 2012 bond sale.

WHEREAS, an emergency exists in the usual daily operations of the Public Safety Department in that it is immediately necessary to authorize the Public Safety Director to modify a contract with SimplexGrinnell for the design and installation of safety cameras in various City of Columbus as part of a comprehensive approach to fight crime in Columbus neighborhoods, 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 Public Safety Director is hereby authorized and directed to modify a contract with SimplexGrinnell to design and install neighborhood safety cameras in various columbus neighborhoods.

SECTION 2. That the expenditure of \$475,000.00, 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: 30-01|Fund: 701|Project: 310003-100000|Safety Cameras|OCA Code: 701003|Object Level: 06|Object Level 3: 6644|Amount \$475,000.00

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 days after passage if the Mayor neither approves nor vetoes the same

Drafting Date: 6/27/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: This ordinance is a companion to Ordinances No. 2202-98, No. 0295-99, No. 1500-01, No. 0542-05, No. 0581-05, and No. 1066-11. These earlier ordinances authorized the reimbursement agreements and expenditures to date related to the Capital Improvement Project Development and Reimbursement Agreement for Nationwide Arena District. The maximum reimbursement under this agreement is \$18,753,000.00 plus City inspection fees.

The agreement called for limitations on expenditures in three categories plus City inspection fees. The current status of these expenditures is:

- \$16,610,000.00 authorized and expended for infrastructure (streets) completed in 2005.
- \$143,000.00 authorized for a traffic study of which \$127,051.68 has been expended and completed in 1999.
- An amount not to exceed \$2,000,000.00 for land remediation within the District of which \$873,859.16 has been expended. This ordinance will authorize an additional \$503,421.00 (as part of the \$2,000,000.00) to be expended, leaving an agreed upon amount of \$622,719.84.
- The City also expended \$934,641.20 for inspection fees.
- This ordinance does NOT change the amount of the original agreement.

Fiscal Impact: \$503,421.00 will be authorized and expended for capital projects previously approved by Council. Monies for this expenditure will come from currently existing capital eligible funds.

..Title

To authorize the expenditure of \$503,421.00 pursuant to the Capital Improvement Project Development and Reimbursement Agreement for the Nationwide Arena District previously authorized by Ordinance No. 2202-98; and to declare an emergency. (\$503,421.00)

To authorize the expenditure of \$503,421.00 pursuant to the Capital Improvement Project Development and Reimbursement Agreement for the Nationwide Arena District previously authorized by Ordinance No. 2202-98; and to declare an emergency. (\$503,421.00)

WHEREAS, Council previously authorized the City's Director of Trade and Development to enter into the Capital Improvement Project Development and Reimbursement Agreement for Nationwide Arena District (the Agreement) via Ordinance No. 2202-98, and

WHEREAS, the Agreement calls for the City to expend/reimburse the maximum amounts, collectively not to exceed \$16,610,000 for infrastructure; \$2,000,000 for land remediation; and \$143,000 for a traffic study; for a total of \$18,753,000 plus City inspection fees, and

WHEREAS, authorizing Ordinances Nos. 2202-98, 0295-99, 1500-01, 0542-05, 0581-05, and 1066-11 have preceded this ordinance, and

WHEREAS, an emergency exists in the usual daily operation of the Development Department in that it is

immediately necessary for \$503,421.00 to be authorized and expended for capital projects previously approved by Council. Monies for this expenditure will come from currently existing capital eligible funds, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. The City Auditor shall make the following transfers of existing capital eligible funds.

Amount / From / To

\$503,421.00 / Fd. 430-Dept 44 OCA 430444 OL3 5501 / Fd. 725-560001-100000 Dept 44 OCA 444208 OL3 6602

Section 2. The Director of the Department of Development is authorized to expend an additional amount not to exceed \$503,421.00 from Fund 725, Object Level One 06, Object Level Three 6602, OCA 444208, for the purpose contained in the Capital Improvement Project and Reimbursement Agreement for Nationwide Arena district (the Agreement).

Section 3. Contract No. EA000539 is hereby increased to the amount of \$503,421.00.

Section 4. All expenditures authorized by this ordinance are to be in strict compliance with the Agreement.

Section 5. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

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

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

Section 8. That the City hereby is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon certification that the project has been completed and the monies are no longer required.

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

Legislation Number: 1505-2012

Drafting Date: 6/27/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: On July 25, 2011 Columbus City Council passed legislation (Ordinance 1153-2011) authorizing the encumbrance of funds and authorizing the Development Director to enter into contracts as needed to complete an artist selection process for a permanent public art installation at North Bank Park. Inspired by the City's Bicentennial, the Development Department, Columbus Art Commission (CAC) and

Columbus Recreation and Parks Department (CRPD), have partnered on this project.

Following passage of Ordinance 1153-2011, the Development Department retained public art consultant Shelly Willis to facilitate the artist selection process. Willis led a curated limited invitational artist selection process, as determined by the CAC, to select an artist. A seven member artist review and design selection panel was seated by the CAC and the Commission approved the North Bank Park Public Art Plan, which guided the artist selection. Sixty-four artists submitted qualifications, out of which 22 were selected by the curatorial team for presentation to the Selection Panel. In February 2012, the Panel unanimously selected artist finalists and one alternate.

On June 1, 2012, the artists presented their design proposals and the panel unanimously selected artist Lawrence Argent to create two steel and granite sculptures. On June 13, 2012, the CAC approved the panel's selection of Argent by voting unanimously to conceptually approve the design and placement of his sculpture proposal.

This ordinance initiates the second phase of the North Bank Public Art Project by using a \$206,872 allocation from the Miranova TIF, Riverfront Vision Account and \$33,861 allocation from the Ohio Arts Council Percent for Art Program. This allocation will be used for two primary purposes: 1) artwork design, fabrication and installation; and 2) extend the term and amount of public art consultant, Shelly Willis' contract to continue her consultancy through artwork installation. The Director of Development will undertake these steps by entering into contracts with contractor/artist Argent Studios Ltd. (cc# 050530360, expires 2/28/14) for \$230,733 and public art consultant Shelly Willis (cc# 556178452, expires 7/6/13) for \$10,000.

FISCAL IMPACT: This legislation authorizes the transfer of \$25,399 and the appropriation of \$167,000 from the Miranova TIF - City Riverfront Vision Account (Ordinance 1578-98), adopted by Columbus City Council on June 29, 1998. In addition, \$33,861 will be authorized from the Recreation and Parks Grant Fund.

To authorize the transfer of \$25,399.00 between object levels in the Miranova TIF Fund; to authorize the appropriation of \$167,000.00 from the Miranova TIF - City Riverfront Vision Account; to authorize the Director of Development to enter into a design/build contract with Argent Studios Ltd. for the design refinement, fabrication, installation and artist fees to complete a permanent public artwork at North Bank Park; to extend the term and amount of the contract with Shelly Willis to continue her consultancy through artwork installation; to waive the competitive bidding provisions of the Columbus City Codes; and to authorize the expenditure of \$ 206,872.00 from the Miranova TIF - City Riverfront Vision Account and \$33,861.00 from the Recreation and Parks Grant Fund. (\$240,733.00)

WHEREAS, the Columbus Art Commission (CAC), seated in 2007, was asked to identify public art projects; and

WHEREAS, the CAC identified an opportunity to commission a legacy public art installation for North Bank Park that would celebrate the City's Bicentennial using funds from the Miranova TIF - Riverfront Vision Account and the Ohio Arts Commission's Percent for Art Program; and

WHEREAS, the CAC initiated a curated invitational artist selection process including a curatorial team and artist selection and design review advisory panel, and adopting an Art Plan to guide and inform the selection process; and

WHEREAS, the curatorial team invited 114 artists (21 from Ohio) to submit qualification for the public art commission, 64 responded (14 from Ohio), and the curatorial team selected 22 artists (6 from Ohio) to present to the Panel; and

WHEREAS, the Panel unanimously selected artists Lawrence Argent, Jonathan Borofsky and Jun Kaneko as the finalists to develop proposals for North Bank Park and Terry Allen was selected as an alternate; and

WHEREAS, after traveling to Columbus in April 2012, Jonathan Borofsky withdrew from the competition and alternate Terry Allen agreed to enter and submit a design for the project; and

WHEREAS, on June 1, 2012 the Panel reviewed the design proposals and interviewed artists Argent, Kaneko and Allen and unanimously selected Lawrence Argent's proposal to create two stainless steel and granite sculptures; and

WHEREAS, on June 13, 2012, the Columbus Art Commission accepted the Panel's recommendation by voting unanimously to conceptually approve the design and proposed placement of Argent's public art proposal; and

WHEREAS, the Department desires to enter into contract with Argent Studios Ltd. and to continue the professional services of public art consultant, Shelly Willis by extending the term and amount of her contract thru the completion of artwork installation; **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 \$25,399 within the Miranova TIF Fund, Fund No.406, Project 440071-100000, as follows:

FROM:

Division / OJL 1 / OJL 3 / OCA / Amount

44-01 / 01 / 1112 / 440071 / \$25,399

TO:

Division / OJL 1 / OJL 3 / OCA / Amount

44-01 / 03 / 3336 / 440071 / \$25,399

Section 2. That from the unappropriated balance in the Miranova TIF Fund - City Riverfront Vision Account, Fund 406, and from any and all sources unallocated for any other purpose during the fiscal year ending in December 31, 2012, the sum of \$167,000 is hereby appropriated to the Development Department, Department 44-01, Project 440071-100000, OCA 440071, Object Level One 03, Object Level Three 3336.

Section 3. That the Director of Development is hereby authorized to amend the Professional Services Contract with Shelly Willis (cc# 556178452, expires 7/6/13) by extending the term and amount to continue in an advisory capacity through the fabrication and installation of the public art selected for the North Bank Park Project for an amount not to exceed \$10,000.

Section 4. That the provisions of Chapter 329 of the Columbus City Code relating to competitive bidding be and hereby are waived (Willis contract).

Section 5. That the Director of Development be and is authorized to enter into a design/build contract with Argent Studios Ltd. (cc# 050530360, expires 2/28/14) for a public art installation at North Bank Park for an

amount not to exceed \$230,733.

Section 6. That the expenditure of \$206,872 or so much as may be necessary, be and is hereby authorized from the Development Department, Department 44-01, Miranova TIF - Riverfront Vision Account, Fund 406, Project 440071-100000, OCA 440071, Object Level One 03, Object Level Three 3336.

Section 7. That the expenditure of \$33,861 or so much as may be necessary, be and is hereby authorized from the Recreation and Parks Department, Department No. 51-01, Recreation and Parks Grant Fund, Fund 286, Grant No. 510206, OCA 510206, Object Level One 06, Object Level Three 6621.

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

Legislation Number: 1510-2012

Drafting Date: 6/28/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

This ordinance authorizes The Director of Public Service to enter into an agreement with the Ohio Department of Transportation (ODOT) for a roadway improvement project to repair and resurface State Route 3, designated as Long Street from 4th Street to Cleveland Avenue, designated as Cleveland Avenue from Long Street to Genessee Avenue and designated as Westerville Road from Bennington Avenue to State Route 161. (FRA-3-15.42, PID 82073)

This project will require coordination with the City for maintenance of traffic analysis and for future pedestrian and bicycle accommodations.

2. EMERGENCY DESIGNATION

Emergency action is requested for this ordinance in order to meet the schedule to provide consent to the Ohio Department of Transportation by early August.

3. FISCAL IMPACT

The estimated construction cost of this project is \$3,523,800.00. The current estimate for the City's share is \$1,624,270.00 and the estimated State funding amount is \$1,899,530.00.

To authorize the Director of Public Service to enter into agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for this roadway improvement project to repair and resurface State Route 3. (\$0.00)

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.

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

This project proposes to rehabilitate and resurface State Route 3, designated as Long Street from 4th Street to Cleveland Avenue, designated as Cleveland Avenue from Long Street to Genessee Avenue and designated as Westerville Road from Bennington Avenue to State Route 161; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in that in order to meet the Ohio Department of Transportation schedule for this project it is necessary to provide consent by early August, thereby immediately preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. Consent Statement

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

SECTION 2. Cooperation Statement

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

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

The City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering.

The City agrees to assume and bear one hundred percent (100%) of the cost of Right-of-Way and Construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

SECTION 3 - Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described project. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4 - Maintenance

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

SECTION 5 - Authority to Sign

The Director of Public Service of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION 6. This Ordinance is hereby declared to be an emergency measure to expedite the transportation project and to promote transportation safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and

after the earliest period allowed by law.

Legislation Number: 1519-2012

Drafting Date: 6/28/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to modify a contract on behalf of the Facilities Management Division for the repair of a crack in boiler #2 at the Jerry Hammond Center, 1111 East Broad Street. The initial contract was formally bid in February 2010 (SA003169) and was established for emergency service and repair of various building heating, ventilating and air conditioning systems. Legislation was not necessary earlier because the contract did not exceed \$20,000.00 (the threshold for Councilmanic approval). The contract encompasses all buildings under the purview of the Facilities Management Division.

The project shall include, but is not limited to, removal of insulation and metal underneath the front of the burner, and repair of the crack by grinding out and welding the area.

Mid Ohio Air Conditioning Contract Compliance No. 31-0732219 expiration date January 20, 2014.

Fiscal Impact: The cost of the contract is \$6,000.00. Funding is available in the 1111 East Broad Street Operations Fund.

To authorize the Finance and Management Director to modify a contract on behalf of the Facilities Management Division for the repair of a crack in boiler #2 at the Jerry Hammond Center, 1111 East Broad Street; and to authorize the expenditure of \$6,000.00 from the 1111 East Broad Street Operations Fund. (\$6,000.00)

WHEREAS, the Facilities Management Division formally bid a contract with Mid Ohio Air Conditioning through SA003169; and

WHEREAS, it is necessary to modify said contract for the repair of a crack in boiler #2 at the Jerry Hammond Center, 1111 East Broad Street; now, therefore:

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

SECTION 1. That the Finance and Management Director is hereby authorized and directed to modify a contract on behalf of the Facilities Management Division with Mid Ohio Air Conditioning for repair of a crack in boiler #2 at the Jerry Hammond Center, 1111 East Broad Street.

SECTION 2. That the expenditure of \$6,000.00, or so much thereof as may be necessary in regards to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Dept. /Div: 45-07

Fund: 294

OCA: 294001

Object Level 01: 03

Object Level 03: 3370

Amount: \$6,000.00

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

Legislation Number: 1536-2012

Drafting Date: 6/29/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the Finance and Management Director to modify and extend the existing universal term contract to purchase Fuel Card Services for the Fleet Management Division through October 31, 2012.

Recently, the City of Columbus received proposals from three vendors for fuel card services. This extension will give the City the proper amount of time to evaluate these proposals and to transition to a new vendor if Voyager Fuel Card Services is not the selected vendor.

Contract compliance 76-0476053. Expiration date is 11/11/2012.

1) Amount of additional funds: Funds are not necessary to extend and modify this contract. The user Division will expend from its own appropriation authority.

2) Reason additional needs were not foreseen: The proposals received require more time to evaluate than originally scheduled.

3) Reason other procurement processes not used: Not Applicable.

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 maintain uninterrupted ability to purchase Fuel Card Services using the Universal Term Contract, this ordinance is be submitted as an emergency.

To authorize the Finance and Management Director to modify and extend the Universal Term Contract for the option to purchase Fuel Card Services with US Bank Voyager Fleet Systems Inc.; and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited proposals for the purchase of Fuel Card Services; and

WHEREAS, it is necessary to extend the current Fuel Card Services contract for three months in order to evaluate said proposals and potentially transition to a new vendor; and

WHEREAS, in order to avoid a lapse in our ability to purchase fuel card services for all City agencies, 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 is hereby authorized to modify and extend FL001215 with US Bank Voyager Fleet Systems Inc. to and including October 31, 2012.

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

Legislation Number: 1538-2012

Drafting Date: 6/29/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into an engineering agreement with DLZ Ohio, Inc. for the Williams Road Pump Station Force Main Improvement. The existing 24-inch sanitary sewer force main from the Williams Road Pump Station has a leak along the stretch under the Scioto River discharging sewage into river when operated. Engineering study is anticipated to begin fall 2012 and construction to end late 2014. No additional phases are anticipated.

2. Procurement Information: The Division advertised for Request for Proposals (RFP) on the City of Columbus's Vendor Services website and in the City Bulletin in accordance with the provisions of Section 329.14 of Columbus City Codes. The Division of Sewerage and Drainage opened the responding RFP's on March 16, 2012 from the following companies:

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
DLZ Ohio, Inc.	31-1268980/ 02/22/13	Columbus, Ohio	MAJ
R.W. Armstrong	31-1062227/ 07/27/13	Columbus, Ohio	MAJ
Burgess & Niple	31-0885550/ 11/26/12	Columbus, Ohio	MAJ

These proposals were evaluated on a Proposal Quality, Competence to Perform, Project Schedule, and Local Workforce criteria. After careful consideration, the committee recommended that DLZ Ohio be selected to provide the engineering services for the Williams Road Pump Station Force Main Improvement Project.

3. Contract Compliance No.: 31-1268980 | MAJ | Expires: 02/22/2013

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's Unresolved Findings for recovery search.

4. Emergency Designation: Emergency designation **is** requested at this time. This to prevent any leaks from occurring, which would be a violation of the City's NPDES permit and is fineable by \$1500/day.

5. Fiscal Impact: This legislation authorizes the transfer within and the expenditure of \$168,357.21 in funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664 and to amend the 2012 Capital Improvements Budget.

6. **Environmental Impact:** The existing sewer leaks sewage into the Scioto River when in operation, this project will eliminate this illicit discharge.

To authorize the Director of Public Utilities to enter into an engineering service agreement with DLZ Ohio, Inc. for the Williams Road Pump Station Force Main Improvement; to authorize the transfer within and the expenditure of \$168,357.21 in funds from the Sanitary Sewer General Obligation Bond Fund; amend the 2012 Capital Improvements Budget; and to declare an emergency.. (\$168,357.21)

WHEREAS, three (3) Request for Proposals were submitted for Williams Road Pump Station Force Main Improvement and opened on March 16, 2012. DLZ Ohio, Inc. was selected as the engineering firm with the winning proposal; and

WHEREAS, it is necessary for City Council to authorize the transfer within and the expenditure of funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664; and

WHEREAS, it is necessary to amend the 2012 Capital Improvements Budget for purposes of providing sufficient budget authority for the project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of Public Utilities to enter into an engineering agreement with DLZ Ohio, Inc. for the Williams Road Pump Station Force Main Improvement Project at the earliest the earliest practical date for the preservation of the public 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 enter into an engineering agreement with DLZ Ohio, Inc., 6121 Huntley Rd, Columbus, Ohio 43229, for the Williams Road Pump Station Force Main Improvement, in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the City Auditor is hereby authorized to transfer of \$168,357.21 within the Department of Public Utilities, Division of Sewerage and Drainage | Dept./Div. No. 60-05 | Sewerage and Drainage Sanitary Sewer General Obligation Bond Fund | Fund 664 | Object Level Three 6676, as follows:

From:

Project No. | Project Name | OCA Code | Change

650666-100000 | Sharon Heights Area Imp | 664666 | -\$5,294.63
650672-100000 | Bill Moose Run Imp | 664672 | -\$5177.00
650674-100000 | Broad Meadows Sewer Imp | 664674 | -\$30,546.63
650676-100000 | Stanton Area Sanitary Imp | 664676 | -\$68,325.17
650682-100000 | Chase/High Sanitary Imp | 664682 | -\$41,251.96
650699-100000 | Merwin Hill Area Imp | 664699 | -\$17,761.82

To:

Project No. | Project Name | OCA Code | Change

650751-100001 | Williams Rd Pump Station Force Main Imp | 664751 | +\$168,357.21

SECTION 3. That the Director of Public Utilities be and hereby is authorized to expend up to \$168,357.21 in the following manner:

Div. 60-05| Fund 664 | 650751-100001 | Williams Rd Pump Station Force Main Imp | 664751 | Object Level Three 6676. | \$168,357.21

SECTION 4. That the 2012 Capital Improvements Budget Ordinance No. 0368-2012 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Projects listed herein:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | (Change)

650666-100000 | Sharon Heights Area Imp | \$0 | \$5,295 | \$5,295 Creation of Budget Authority
650666-100000 | Sharon Heights Area Imp | \$5,295 | \$0 | (-\$5,295)
650672-100000 | Bill Moose Run Imp | \$0 | \$5,177 | \$5,177 Creation of Budget Authority
650672-100000 | Bill Moose Run Imp | \$5,177 | \$0 | (-\$5,177)
650674-100000 | Broad Meadows Sewer Imp | \$0 | \$30,547 | \$30,547 Creation of Budget Authority
650674-100000 | Broad Meadows Sewer Imp | \$30,547 | \$0 | (-\$30,547)
650676-100000 | Stanton Area Sanitary Imp | \$0 | \$68,326 | \$68,326 Creation of Budget Authority
650676-100000 | Stanton Area Sanitary Imp | \$68,326 | \$0 | (-\$68,326)
650682-100000 | Chase/High Sanitary Imp | \$0 | \$41,252 | \$41,252 Creation of Budget Authority
650682-100000 | Chase/High Sanitary Imp | \$41,252 | \$0 | (-\$41,252)
650699-100000 | Merwin Hill Area Imp | \$0 | \$36,018 | \$36,018 Creation of Budget Authority
650699-100000 | Merwin Hill Area Imp | \$36,018 | \$18,256 | (-\$17,762)
650751-100001 | Williams Rd Pump Force Main Imp | \$0 | \$168,358 | 168,358

SECTION 6. That said construction company, DLZ Ohio, Inc., shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the 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 within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

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

SECTION 9. That the City 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, 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.

Drafting Date: 7/2/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Resurfacing - Preventive Surface Treatments - Concrete project.

This contract consists of the rehabilitation potentially repairing thirty-four (34) city streets and constructing three (3) concrete medians. The work consists of repairing and replacing concrete slabs and repairing and replacing concrete medians.

The estimated Notice to Proceed date is August 15, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. 2 bids were received on June 19, 2012 (2 majority) and tabulated on June 20, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State*</u>	<u>Majority/MBE/FBE</u>
Decker Construction Company	\$752,405.20	Columbus, OH	Majority
Columbus Asphalt Paving	\$756,606.00	Columbus, OH	Majority

*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below.

Special Provision 146 in the bid document states, "It is the City's intent to fully utilize the available funding provided to its Concrete Street Rehabilitation Program within the approved Capital Improvements Budget. Therefore, the City reserves the right to increase or decrease the base contract amount, up to or down to a maximum of (\$658,000.00). The total amount of the work and other incidentals will not exceed the total amount of the contract price (maximum of \$658,000.00). In the event that the City does add concrete streets or medians to the original list in order to use the remaining available funds, the contractor shall be bound by all bid specifications and other terms and conditions contained in this contract document. The contract will be awarded to the lowest (determined by the base bid, not including additional funds to equal the maximum of \$658,000.00), best, responsive, responsible bidder per Columbus City Code Section 329.

Award is to be made to Decker Construction Company as the lowest responsive and responsible and best bidder. The contract amount will be \$658,000.00 with inspection amount of \$92,000.00

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Decker Construction Company.

2. CONTRACT COMPLIANCE

The contract compliance number for Decker Construction Company is 310983557 and expires 2/3/14.

3. FISCAL IMPACT

This project is programmed in the 2012 C.I.B and is contingent upon the 2012 bond sale. Funding for this ordinance is contingent on the 2012 Bond Sale.

4. EMERGENCY DESIGNATION.

Emergency action is requested in order for this project to commence as early as possible and perform necessary reconstruction to City streets in need of rehabilitation.

To authorize the Director of Public Service to enter into contract with Decker Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the Resurfacing - Preventive Surface Treatments - Concrete contract; to authorize the expenditure of up to \$750,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$750,000.00)

WHEREAS, the Division of Design and Construction is responsible for the construction and rehabilitation of

roadways within the City of Columbus; and

WHEREAS, it is necessary to enter into contract to provide for the rehabilitation of these City streets as part of the Resurfacing - Preventive Surface Treatments - Concrete project; and

WHEREAS, bids were received on June 19, 2012, and tabulated on June 20, 2012, for the Resurfacing - Resurfacing - Preventive Surface Treatments - Concrete project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction administration and inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to perform necessary reconstruction to City streets in need of rehabilitation and to maintain the project schedule, 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 contract with Decker Construction

Company, 3040 McKinley Avenue, Columbus, Ohio, 43204 for the construction of the Resurfacing - Preventive Surface Treatments - Concrete project in the amount of up to \$658,000.00 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$92,000.00.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$750,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept.-Div. 59-12

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530282-100072 / Resurfacing - Crack Seal / 06-6631 / 748272 / \$658,000.00

704 / 530282-100072 / Resurfacing - Crack Seal / 06-6687 / 748272 / \$92,000.00

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

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

Legislation Number: 1542-2012

Drafting Date: 7/2/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

The Division of Planning and Operations is responsible for snow and ice removal and for maintaining the City's roadway system. To accomplish this mission the Division requires eight CNG powered single axle dump trucks and five diesel powered tandem axle dump trucks. These trucks will replace older trucks beyond

their useful service lives and will provide for a more reliable fleet to carry out services provided by the Division. This purchase is consistent with the division's fleet replacement program.

All the main parts and components and the cabs and chassis necessary for the building of the eight CNG powered single axle dump trucks are available on existing ODOT contracts with the exception of the snow plow which is available on an Ohio Department of Administrative Service Cooperative Contract. All items will be purchased from the appropriate contracts and drop shipped to the qualified up-fitter. The Purchasing Office has established contract FL004977 with H Y O Inc. dba Pengwyn Hydraulics for the upfitting of dump trucks.

ODOT Contracts for Chassis and Parts/Pieces for the eight single axle dump trucks:

Contract	Item	Vendor	Unit Cost
023-12	Cab and Chassis (CNG)	Miami Valley International Trucks	\$133,896.00
026-12	Dump Body and Hoist	Galion-Godwin Body Company	\$10,984.00
030-13	Spreader Box	Swenson Spreaders	\$2,495.00
034-12	Liquid Brine System	H Y O Inc. dba Pengwyn Hydraulics	\$1,650.00
035-11	Hydraulic System	H Y O Inc. dba Pengwyn Hydraulics	\$10,009.00
187-12	Lighting System	Parr Public Safety Equipment	\$1,215.06

Ohio Department of Administrative Service Cooperative Contract for the eight axle snow plows

Contract	Item	Vendor	Unit Cost
STS-515	10 FT Snow Plow	Gledhill Road Machinery	\$9,449.27

City-wide UTC for the upfitting of dump trucks:

Contract	Item	Vendor	Unit Cost
FL004977	Upfitting of dump trucks	H Y O Inc. dba Pengwyn Hydraulics	\$18,500.00

Total cost of the purchase of the CNG single axle dump truck is \$188,193.33.

ODOT Contracts for Chassis and Parts/Pieces for the tandem axle dump truck:

Contract	Item	Vendor	Unit Cost
023-10	Cab and Chassis	Miami Valley International Trucks	\$99,820.00
026-11	Dump Body and Hoist	Galion-Godwin Body Company	\$16,168.00
034-11	Liquid Brine System	H Y O Inc. dba Pengwyn Hydraulics	\$1,700.00
035-11	Hydraulic System	H Y O Inc. dba Pengwyn Hydraulics	\$10,954.00
187-11	Lighting System	Parr Public Safety Equipment	\$1,215.06

Ohio Department of Administrative Service Cooperative Contract

Contract	Item	Vendor	Unit Cost
STS-515	11 FT Snow Plow	Gledhill Road Machinery	\$9,552.42

City-wide UTC for the upfitting of dump trucks:

Contract	Item	Vendor	Unit Cost
FL004977	Upfitting of dump truck	H Y O Inc. dba Pengwyn Hydraulics	\$18,500.00

Total cost of the purchase of the tandem axle dump truck is \$157,859.48.

This legislation will also provide for installation of spreader boxes, fenders and mud flaps on five single axle dump trucks which had their dump bodies replaced; \$1,675.00 per unit, total cost of \$8,375.00.

The quotations are on file with the Purchasing Office. These purchases have been approved by the Fleet Management Division.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against any of the companies listed above.

2. CONTRACT COMPLIANCE

Miami Valley International Trucks' contract compliance number is 31-1040091 and expires 11/02/2012.

Galion-Godwin Body Company's contract compliance number is 20-0169253 and expires 11/01/2012.

H Y O Inc. dba Pengwyn Hydraulics' contract compliance number is 31-1201883 and expires 09/13/2013.

Swenson Spreader Company's contract compliance number 20-2176319 and expires 11/01/2012.

Parr Public Safety Equipment's contract compliance number is 20-1619573 and expires 12/31/2012.

Gledhill Road Machinery contract compliance number is 34-4244140 and expires 10/26/2012.

3. FISCAL IMPACT

Funds are available for this expenditure from the Streets and Highways G.O. Bonds Fund, no. 704 and are contingent on the 2012 Bond Sale. The cost of this purchase is \$2,315,734.04.

4. EMERGENCY

This legislation is requested to be heard as an emergency to ensure that the single axle and tandem axle dump trucks are available for immediate use.

To authorize the Director of Finance and Management to establish purchase orders for the purchase and assembly of eight single axle dump trucks and five tandem axle dump trucks, plows and accessories in accordance with Ohio Department of Transportation and State of Ohio contracts, and in accordance with the terms and conditions of the existing citywide universal term contract, for the Division of Planning and Operations; to authorize the expenditure of \$2,315,734.04 from the Streets and Highway G.O. Bonds Fund; and to declare an emergency. (\$2,315,734.04)

WHEREAS, the Division of Planning and Operations is responsible for conducting maintenance and repair along the City's roadway system, and

WHEREAS, the purchase of eight single axle dump trucks and five tandem axle dump trucks is necessary to replace vehicles that are past their useful service lives to perform the mission of the Division and ensure the safety of the traveling public, and

WHEREAS, City ordinance 1410-2010 authorizes city agencies to utilize Ohio Department of Transportation contracts, and

WHEREAS, City ordinance 0582-87 authorizes city agencies to utilize Ohio Department of Administrative Services cooperative contracts, and

WHEREAS, the City of Columbus does not include this type of equipment on any Universal Term Contract, and

WHEREAS, this purchase has been approved by the Fleet Management Division, and

WHEREAS, the Division of Planning and Operations wishes to purchase eight single axle and five tandem axle truck cabs and chassis using Ohio Department of Transportation contract, 023-12 which expires on September 30, 2012, and

WHEREAS, the Division of Planning and Operations wishes to purchase 13 dump bodies and hoists using Ohio Department of Transportation contract, 026-12 which expires on April 30, 2013, and

WHEREAS, the Division of Planning and Operations wishes to purchase 13 hydraulics systems using Ohio Department of Transportation contract, 035-11 which expires on June 30, 2012, and

WHEREAS, the Division of Planning and Operations wishes to purchase 13 spreader systems using Ohio Department of Transportation contract, 030-13 which expires on May 31, 2013, and

WHEREAS, the Division of Planning and Operations wishes to purchase 13 liquid brine systems using Ohio Department of Transportation contract, 034-12 which expires on August 31, 2012, and

WHEREAS, the Division of Planning and Operations wishes to purchase 13 lighting systems using Ohio Department of Transportation contract, 187-12 which expires on August 31, 2013, and

WHEREAS, the Division of Planning and Operations wishes to purchase 13 snow plows using Ohio Department of Administrative Service Cooperative Contract, STS515 which expires on March 31, 2014, and

WHEREAS, the Purchasing Office has established universal term contracts for the upfitting of dump trucks, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Planning and Operations in that the funding should be authorized immediately for the purchase of these vehicles to have them available for the 2012 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 Finance and Management is hereby authorized to establish purchase orders for the purchase of equipment for eight single axle dump truck and five tandem axle dump truck parts and components as follows:

Miami Valley International Trucks

11775 Highway Drive
Cincinnati, OH 45241

Amount - \$1,570,268.00

For the purchase of eight CNG single axle, and five tandem axle truck cabs and chassis.

Ohio Department of Transportation contract 023-12 which expires on September 30, 2012.

Funding for this legislation is based on quotes dated February 2 and May 10, 2012 submitted by Miami Valley International Trucks, and the quoted prices reflect Ohio Department of Transportation contract pricing, and are on file with the Purchasing Office.

Galion-Godwin Body Company

7415 Peabody Kent Rd
P.O. Box 208
Winesburg, OH 44690

Amount - \$168,712.00

For the purchase of eight 10-ft dump bodies and hoists and five 15-ft dump body and hoist.

Ohio Department of Transportation contract 026-12 which expires on April 30, 2013.

Funding for this legislation is based on quotes dated March 16, 2012 submitted by Galion-Godwin Body Company, and the quoted prices reflect Ohio Department of Transportation contract pricing, and are on file with the Purchasing Office.

H Y O Inc. dba Pengwyn Hydraulics

2550 West 5th Avenue
Columbus, OH 43204

Amount - \$134,842.00

For the purchase of 13 hydraulics systems.

Ohio Department of Transportation contract 035-11 which expires on July 31, 2012.

Funding for this legislation is based on quotes dated February 3, 2012 submitted by HYO dba Pengwyn Hydraulics, and the quoted prices reflect Ohio Department of Transportation contract pricing, and are on file with the Purchasing Office.

Swenson Spreader Company

P.O. Box 127

Lindenwood, IL 61049

Amount - \$32,435.00

Ohio Department of Transportation contract 030-13 which expires on May 31, 2013.

For the purchase of 13 spreader systems.

Funding for this legislation is based on quotes dated (Pending) submitted by Swenson Spreader Company, and the quoted prices reflect Ohio Department of Transportation contract pricing, and are on file with the Purchasing Office.

H Y O Inc. dba Pengwyn Hydraulics

2550 West 5th Avenue

Columbus, OH 43204

Amount - \$21,450.00

Ohio Department of Transportation contract 034-11 which expires on August 31, 2011.

For the purchase of 13 liquid brine systems.

Funding for this legislation is based on quotes dated February 3, 2012 submitted by H Y O Inc. dba Pengwyn Hydraulics, and the quoted prices reflect Ohio Department of Transportation contract pricing, and are on file with the Purchasing Office.

Parr Public Safety Equipment Inc.

8495 Estates Court

Plain City, OH 43064

Amount - \$15,795.78

For the purchase of 13 lighting systems.

Ohio Department of Transportation contract 187-12 which expires on August 31, 2012.

Funding for this legislation is based on quotes dated February 24, 2012 submitted by Parr Public Safety Equipment Inc., and the quoted prices reflect Ohio Department of Transportation contract pricing, and are on file with the Purchasing Office.

Gledhill Road Machinery Company

8495 Estates Court

PO Box 567, Galion, OH 44833

Amount - \$123,356.26

For the purchase of eight 10-ft snow plow and five 11-ft snow plow.

Ohio Department of Administrative Service Cooperative Contract STS515 which expires on March 31, 2014.

Funding for this legislation is based on quotes dated February 23, 2012 submitted by Gledhill Road Machinery Company, and the quoted prices reflect State of Ohio contract pricing, and are on file with the Purchasing Office.

H Y O Inc. dba Pengwyn Hydraulics

2550 West 5th Avenue

Columbus, OH 43204

Amount - \$248,875.00

City-wide universal term contract for the upfitting of dump trucks which expires on August 31, 2011.

For the upfitting of eight single axle dump trucks, five tandem axle dump trucks, and five single axle dump truck retrofits.

Funding for this legislation is based on quotes dated June 1, 2012 for the upfitting of the single and tandem axle dump trucks and are on file with the Purchasing Office.

SECTION 2. That the sum of \$2,315,734.04 or so much thereof as may be needed is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, Dept./Div. 59-11 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount
704 / 530020-100000 / Street Equipment / 06-6651 / 591246 / \$2,315,734.04

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: 1544-2012

Drafting Date: 7/2/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Resurfacing - Preventive Surface Treatments - Brick 2012 project.

This contract will potentially rehabilitate ten City streets. The work consists of rehabilitating and replacing brick bases and surface courses.

The estimated Notice to Proceed date is August 16, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. 2 bids were received on June 26, 2012 (2 majority) and tabulated on June 27, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State*</u>	<u>Majority/MBE/FBE</u>
G&G Cement Contractors, LLC	\$490,740.00	Columbus, OH	Majority
Columbus Asphalt Paving	\$598,844.30	Columbus, OH	Majority

*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below.

Special Provision 146 in the bid document states, "It is the City's intent to fully utilize the available funding provided to its Concrete Street Rehabilitation Program within the approved Capital Improvements Budget. Therefore, the City reserves the right to increase or decrease the base contract amount, up to or down to a maximum of (\$682,000.00). The total amount of the work and other incidentals will not exceed the total amount of the contract price (maximum of \$682,000.00). In the event that the City does add brick streets to the original list in order to use the remaining available funds, the contractor shall be bound by all bid specifications and other terms and conditions contained in this contract document. The contract will be awarded to the lowest (determined by the base bid, not including additional funds to equal the maximum of \$682,000.00), best, responsive, responsible bidder per Columbus City Code Section 329.

Award is to be made to G&G Cement Contractors, LLC for the amount of, which was the lowest responsive and responsible and best bidder. The contract amount will be \$682,000.00 with inspection amount of

\$68,000.00

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against G&G Cement Contractors, LLC.

2. CONTRACT COMPLIANCE

The contract compliance number for G&G Cement Contractors, LLC is 262560462 and expires 4/17/14.

3. FISCAL IMPACT

This project is programmed in the 2012 C.I.B and is contingent upon the 2012 bond sale.

4. EMERGENCY DESIGNATION.

Emergency action is requested in order for this project to commence as early as possible and perform necessary reconstruction to City streets in need of rehabilitation.

To authorize the Director of Public Service to enter into contract with G&G Cement Contractors, LLC to provide for the payment of the contract and construction administration and inspection services, in connection with the Resurfacing - Preventive Surface Treatments - Brick 2012 contract; to authorize the expenditure of \$750,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$750,000.00)

WHEREAS, the Division of Design and Construction is responsible for the construction and rehabilitation of roadways within the City of Columbus; and

WHEREAS, it is necessary to enter into contract to provide for the rehabilitation of these City streets as part of the Resurfacing - Preventive Surface Treatments - Brick 2012 project; and

WHEREAS, bids were received on June 26, 2012, and tabulated on June 27, 2012, for the Resurfacing - Resurfacing - Preventive Surface Treatments - Brick 2012 project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction administration and inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to perform necessary reconstruction to City streets in need of rehabilitation and to maintain the project schedule, 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 contract with G&G Cement Contractors, LLC, 2849 Switzer Avenue Avenue, Columbus, Ohio, 43219 for the construction of the Resurfacing - Preventive Surface Treatments - Brick 2012 project in the amount of up to \$682,000.00 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$68,000.00.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$750,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept.-Div. 59-12

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530282-100073 / Resurfacing - Slurry Seal / 06-6631 / 748273 / \$682,000.00

704 / 530282-100073 / Resurfacing - Slurry Seal / 06-6687 / 748273 / \$68,000.00

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source

for all contracts or contract modifications associated with this ordinance.

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

Legislation Number: 1548-2012

Drafting Date: 7/2/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

This ordinance authorizes the Directors of the Department of Technology (DoT), the Department of Public Utilities (DPU) and the Equal Business Opportunity Commission Office (EBOCO), to enter into a contract with Early Morning Software, Inc. for provisioning and hosting of a minority/female business enterprise (M/FBE) tracking system. The City requires a new M/FBE tracking system to replace the existing and outdated Biztrack system used to fulfill the requirements of City Code Title 39. Early Morning Software will help the City implement its PRISM software solution, and provide system hosting services to support the ongoing operation of PRISM. The term of this agreement is for one (1) year from the date of a purchase order certified by the City Auditor. This agreement includes annual options to renew, subject to mutual agreement and approval of proper City authorities. The total cost of \$223,740.00 includes (\$149,700.00 for professional services for project implementation, \$18,150.00 for training services and \$55,890.00 for the first year of software hosting fee service.

To procure these services, a Request for Proposals (SA004452) was published June 14, 2012. The solicitation received one (1) proposal, which was scored by an evaluation committee of three (3) representatives from City departments. The committee scored the proposal, using the following criteria: competence of the offeror (up to 25 points), quality and feasibility of proposed software and services (25 points), ability of the offeror (10 points), past performance of the offeror (25 points), and the total cost of ownership of the proposed solution (15 points). The committee determined that Early Morning Software met all requirements outlined in the RFP, and the PRISM system would meet the City's needs for a new M/FBE tracking system. The committee recommended an award to the Director of the Department of Technology and was accepted.

After further discussions with Early Morning Software, a revised proposal was submitted with a revised cost. Given revisions to the original proposal, this ordinance requests waiver of competitive bidding provisions of Columbus City Code.

FISCAL IMPACT:

The cost associated with this agreement is \$223,740.00 with Early Morning Software, Inc.. The funds to cover this expense are budgeted and available within the Department of Technology, Internal Service Fund.

EMERGENCY:

Emergency action is requested to expedite authorization of this contract in order to initiate services from the supplier at the prices proposed.

CONTRACT COMPLIANCE:

Vendor Name: Early Morning Software, Inc.

C.C.#: 52 - 1839305

Expiration Date:

3/22/2014

To authorize the Directors of the Department of Technology (DoT), the Department of Public Utilities (DPU) and the Equal Business Opportunity Commission Office (EBOCO), to enter into a contract with Early Morning Software, Inc. for provisioning and hosting of a minority/female business enterprise (M/FBE) tracking system; to waive the competitive bidding provisions of the Columbus City Code; to authorize the expenditure of \$223,740.00 from the Department of Technology, Internal Service Fund; and to declare an emergency. (\$223,740.00)

WHEREAS, a Request for Proposals (SA004452) was published June 14, 2012. The solicitation received one (1) proposal, which was scored by an evaluation committee of three (3) representatives from City departments. The committee determined that Early Morning Software met all requirements outlined in the RFP, and the PRISM system would meet the City's needs for a new M/FBE tracking system. The committee recommended an award to the Director of the Department of Technology and was accepted; and

WHEREAS, this legislation authorizes the Directors of the Department of Technology (DoT), the Department of Public Utilities (DPU) and the Equal Business Opportunity Commission Office (EBOCO), to enter into a contract with Early Morning Software, Inc. for provisioning and hosting of a minority/female business enterprise (M/FBE) tracking system. The City requires a new M/FBE tracking system to replace the existing and outdated Biztrack system used to fulfill the requirements of City Code Title 39; and

WHEREAS, Early Morning Software will assist the City with implementing its PRISM software solution, and provide system hosting services to support the ongoing operation of PRISM. The term of this agreement is for one (1) year from the date of a purchase order certified by the City Auditor. This agreement includes annual options to renew, subject to mutual agreement and approval of proper City authorities. The cost for the first year of this agreement is \$223,740.00; and

WHEREAS, this ordinance also requests a waiver of competitive bidding requirements of Columbus City Code, in accordance with section 329.27; and

WHEREAS, an emergency exists in that it is immediately necessary for the Directors of the Department of Technology (DoT), the Department of Public Utilities (DPU) and the Equal Business Opportunity Commission Office (EBOCO), to enter into a contract with Early Morning Software, Inc. for provisioning and hosting of a minority/female business enterprise (M/FBE) tracking system thereby preserving the public health, peace, property, safety and welfare; now, therefore:

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

SECTION 1. That the Directors of the Department of Technology (DoT), the Department of Public Utilities (DPU) and the Equal Business Opportunity Commission Office (EBOCO), are hereby authorized to enter into a contract with Early Morning Software, Inc. for provisioning and hosting of a minority/female business enterprise (M/FBE) tracking system (PRISM). The City requires a new M/FBE tracking system to replace the existing and outdated Biztrack system used to fulfill the requirements of City Code Title 39. The term of this agreement is for one (1) year from the date of a purchase order certified by the City Auditor. This agreement includes annual options to renew, subject to mutual agreement and approval of proper City authorities. The cost for the first year of this agreement is \$223,740.00 for professional and training services and vendor hosting fees.

SECTION 2. That the expenditure of \$223,740.00 or so much thereof as may be necessary is hereby authorized to be expended from:

OBJ Level: 3336 (\$167,850.00):

Division: 47-01| Fund: 514| Subfund: 550| OCA Code: 514550| OBJ Level 1: 03| OBJ Level 03: 3336| Amount: \$10,238.85| Electricity/Power

Division: 47-01| Fund: 514| Subfund: 600| OCA Code: 514600| OBJ Level 1: 03| OBJ Level 03: 3336| Amount: \$65,125.80| Water

Division: 47-01| Fund: 514| Subfund: 650| OCA Code: 514650| OBJ Level 1: 03| OBJ Level 03: 3336| Amount: \$73,014.75| Sanitary Sewers & Drains

Division: 47-01| Fund: 514| Subfund: 675| OCA Code: 514675| OBJ Level 1: 03| OBJ Level 03: 3336| Amount: \$19,470.60| Storm Water

OBJ Level: 3367 (\$55,890.00):

Division: 47-01| Fund: 514| Subfund: 550| OCA Code: 514550| OBJ Level 1: 03| OBJ Level 03: 3367| Amount: \$3,409.29| Electricity/Power

Division: 47-01| Fund: 514| Subfund: 600| OCA Code: 514600| OBJ Level 1: 03| OBJ Level 03: 3367| Amount: \$21,685.32| Water

Division: 47-01| Fund: 514| Subfund: 650| OCA Code: 514650| OBJ Level 1: 03| OBJ Level 03: 3367| Amount: \$24,312.15| Sanitary Sewers & Drains

Division: 47-01| Fund: 514| Subfund: 675| OCA Code: 514675| OBJ Level 1: 03| OBJ Level 03: 3367| Amount: \$6,483.24| Storm Water

TOTAL AMOUNT: \$223,740.00

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 this ordinance requests to waive the competitive bidding provisions of the Columbus City Codes Section 329.07.

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: 1551-2012

Drafting Date: 7/2/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

Project includes the removal and replacement of the Bath House Facilities at Dodge, Marion Franklin, and Windsor Pools, as well as the Pool and Pool Mechanical Building at Dodge Pool and other such work as may be necessary to complete the contract in accordance with the plans and specifications. Gutknecht Construction Company, Inc. is requesting an increase from the original contract of \$6,200,000.00 due to the changes in scope of work and budget. Changes occurred as a result of adding additional deck and pool gutter replacement at the Marion Franklin Pool.

Planning Area: 23

Principal Parties:

Gutknecht Construction Company
Jeff Feinman (Contact)
2280 Citygate Dr.
Columbus, OH 43219
614-532-5410 (Phone)
310935568 9/9/11
30+ (Columbus Employees)

Fiscal impact:

Funds are contingent on the July 10, 2012 Bond Sale
\$30,000.00

Emergency Justification:

An emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to modify said contract so that work may proceed as quickly as possible so that construction can be scheduled with as little impact to the community as possible.

To authorize and direct the Director of Recreation and Parks to modify the contract with Gutknecht Construction Company, Inc. for the Columbus Pools Improvements Project; to authorize the expenditure of \$30,000.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$30,000.00)

WHEREAS, It is necessary to modify a contract with Gutknecht Construction Company for additional deck and pool gutter replacement at the Marion Franklin Pool; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to modify the contract with Gutknecht Construction Company so that construction can be scheduled with as little impact to the community as possible; **NOW, THEREFORE**

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

SECTION 1. That the Director of Recreation and Parks be and is hereby authorized to modify the contract with Gutknecht Construction Company for additional deck and pool gutter replacement at the Marion Franklin Pool.

SECTION 2. That the expenditure of \$30,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted Recreation and Parks Bond Fund as follows, to pay the cost thereof:
Funds are contingent on the July 10, 2012 Bond Sale

Recreation and Parks Voted Bond Fund 702
Project 510011-100000 (Swimming Facilities) Obj Level 3# 6621, OCA#644658

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 10 days after passage if the Mayor neither approves or vetoes the same.

Legislation Number: 1553-2012

Drafting Date: 7/2/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

Bids were received by the Recreation and Parks Department on June 26, 2012 for the Roof Renovations Fall 2012 Project, as follows:

	<u>Status</u>	<u>Base Bid Amount</u>
Smith Roofing	MAJ	\$944,000
Kalkreuth Roofing	MAJ	\$1,019,500

Project work consists of:

The work for which proposals are invited consists of roof repairs and replacements at various recreation facilities and other such work as may be necessary to complete the contract in accordance with the plans and specifications. Facilities include Beatty Recreation Center, Retreat at Turnberry, Mentel Memorial Golf Course, Swim Center, Carriage Place Recreation Center, Marion Franklin Recreation Center, Linden Maintenance Zone HQ, Linden Recreation Center, Barack Recreation Center, Woodward Recreation Center, Berliner Maintenance Garage, Glenwood Recreation Center, Schiller Residence, and Sawyer Recreation.

The Contract Compliance Number for Smith Roofing & Sheet Metal, LLC. is #27-0828913.

Contract compliant through: 12/3/13

Principal Parties:

Smith Roofing & Sheet Metal, LLC

Bob Bartels (Contact)

2137 Parkwood Ave.

Columbus, Oh 43219

614-447-8293 (Phone)

270828913(Contract Compliance)

10+ (Columbus Employees)

Fiscal Impact:

Contingent on July 10th Bond Sale

\$1,000,000.00 from the Voted Recreation and Parks Bond Fund 702.

Emergency Justification:

An emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to enter into said contract so that work may proceed during the current construction season

To authorize and direct the Director of Recreation and Parks to enter into contract with Smith Roofing & Sheet Metal, LLC. for the Roof Renovations Fall 2012 Project; to authorize the expenditure of \$1,000,000.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$1,000,000.00)

WHEREAS, it is necessary to enter into agreement Smith Roofing & Sheet Metal, LLC. for the Roof Renovations Fall 2012 Project; 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 so that work may proceed as quickly as possible to replace and repair the deteriorating roofs at these facilities; **NOW, THEREFORE**

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

SECTION 1. The Director of Recreation and Parks be and is hereby authorized to enter into agreement Smith Roofing & Sheet Metal, LLC. for the Roof Renovations Fall 2012 Project.

SECTION 2. That the expenditure of \$1,000,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted Recreation & Parks Bond Fund 702, as follows:

<u>Project</u>	<u>OCA Code</u>	<u>Object Level 3</u>	<u>Amount</u>
510035-100024 Roof Improvemnts	723524	6620	\$1,000,000.00

SECTION 3. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 2 above.

SECTION 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 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1554-2012

Drafting Date: 7/2/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

Project includes supply and installation of play equipment, supply and installation of wood safety surfacing,

repair of rubberized safety surfacing, supply and installation of concrete footings, supply and installation of asphalt walkway, supply and installation of site furnishings, demolition and removal of play equipment, repair of play equipment, purchase of spare parts, supply and installation of plat material, supply and installation of drainage system and connections and any such materials and services necessary to complete the project in accordance with intentions of the drawings and specifications. Recreation & Parks is asking for an increase in the existing contract in order to fulfill a request from the Green Countrie, Westchester, and Westland Area Commission communities to replace an unsafe playground that had been previously removed at Green Countrie Park.

The Contract Compliance Number for Pavement Protectors, Inc dba M&D Blacktop Sealing is #311131599. Paperwork is currently being updated with EBO. See Duane Parks with questions.

Principal Parties:

Pavement Protectors, Inc dba M&D Blacktop Sealing
Mark Nance (Contact)
2020 Longwood Ave
Grove City, OH 43123
614-875-9989 (Phone)
311131599 (Contract Compliance)
10+ (Columbus Employees)

Fiscal Impact:

Contingent on July 10, 2012 Bond Sale
Recreation and Parks Voted Bond Fund

To authorize and direct the Director of Recreation and Parks to modify the contract with Pavement Protectors, Inc. dba M&D Blacktop Sealing for the Playground Improvements Various Sites 2012 Project, to authorize the expenditure of \$16,200.00 and a contingency of \$8,800.00 for a total of \$25,000.00 from the Voted Recreation and Parks Bond Fund and to declare an emergency. (\$25,000.00)

WHEREAS, it is necessary to modify the contract with Pavement Protectors, Inc. dba M&D Blacktop Sealing for the Playground Improvements Various Sites 2011 Project for additional work related to the replacement of an unsafe playground at Green Countrie Park; and

WHEREAS, an emergency exists in the usual operation of the Recreation and Parks Department that it is immediately necessary to modify said contract so that work can begin and the project completed during the current construction season; **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 modify a contract with Pavement Protectors, Inc., dba M&D Blacktop Sealing, for the Playground Improvements at Various Sites 2012 Project for additional work related to the replacement of an unsafe playground at Green Countrie Park.

SECTION 2. That the expenditure of \$25,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted Recreation and Parks Bond Fund 702 as follows:
Contingent on July 10, 2012 Bond Sale

Recreation and Parks Voted Bond Fund

Fund 702, Project# 510017-100000 (Park and Playground) OCA#721700, Obj Level 3# 6621 \$25,000.00

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 legislation

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 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1556-2012

Drafting Date: 7/2/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with U.S. Utility Contractor Company, in the amount of \$66,476.12; to encumber funds with the Department of Public Service, Design and Construction Division for inspection, testing and prevailing wage coordination services in the amount of \$10,000.00; all in connection with the Street Lighting Improvements for the Agler Road area for the Division of Power and Water (Power).

Street Lighting Improvements for Agler Road consists of the installation of street lighting in the area South of Agler Road, between Clubhouse Drive and Brentnell Avenue. This installation will consist of the installation of overhead wood street lighting poles with 120 volt LED luminaires. Additions to the existing lighting on Agler Road will also be required using overhead wood poles and High Pressure Sodium (HPS) luminaires.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened three bids on June 27, 2012. Bids were received from: U.S. Utility Contractor Company - \$66,476.12; Complete General - \$77,020.90; and Jess Howard Electric - \$78,376.44.

The lowest and best bid was from U.S. Utility Contractor Company in the amount of \$66,476.12. Their Contract Compliance Number is 34-1606689 (expires 01/13/14, FBE). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Information form.

3. EMERGENCY DESIGNATION: This emergency designation is a result of neighborhood citizen complaints. The installation of these street lights will address safety concerns in this area.

4. FISCAL IMPACT A transfer of cash and amendment to the 2012 Capital Improvements Budget is needed to provide sufficient cash and authority for this expenditure.

To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Company; to encumber funds to provide for payment of inspection and related services to the Department of Public Service, Design and Construction Division; to authorize the transfer of \$76,476.12 within the Electric Permanent Improvement Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditures of \$76,476.12 within the Electric Permanent Improvement Fund for Street Lighting Improvements for the Agler Road area for the Division of Power and Water (Power) and to declare an emergency. (\$76,476.12)

WHEREAS, three bids for Street Lighting Improvements for the Agler Road area were received and publicly opened in the offices of the Director of Public Utilities on June 27, 2012; and

WHEREAS, the lowest and best bid was from U.S. Utility Contractor Company in the amount of \$66,476.12; and

WHEREAS, it is necessary to authorize the transfer of \$76,476.12 within the Electric Permanent Improvement Fund for purposes of providing sufficient funding for the aforementioned project; and

WHEREAS, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of creating and providing sufficient budget authority for the aforementioned project; and

WHEREAS, it is necessary to install street lights to address safety concerns identified by the neighborhood citizens; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately 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 Street Lighting Improvements for the Agler Road area 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 award and execute a construction contract for Street Lighting Improvements for the Agler Road area with the lowest and best bidder, U.S. Utility Contractor Company, 3115 East 17th Avenue, Columbus, Ohio 43219; in an amount not to exceed \$66,476.12; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water (Power); and to obtain the necessary inspection, testing and prevailing wage coordination services from the Department of Public Service, Design and Construction Division in an amount not to exceed \$10,000.00

SECTION 2. That the City Auditor is hereby authorized and directed to appropriate the following funds:

Division: Power and Water (Power)

Fund Name: Electric Permanent Improvement Fund

Fund No.: 565

Dept./Div.: 60-07

OL3: 6625

Project No. | Project Name | OCA | Amount

565999-100000 | Unallocated Balance | 052043 | \$76,476.12

SECTION 3. That the City Auditor be and is hereby authorized to transfer \$76,476.12 within the Division of Power and Water (Power), Division No. 60-07, Electric Permanent Improvement Fund, Fund No. 565, Object Level One-06, Object Level Three-6625 as follows:

TRANSFER FROM:

Fund No. / Project No. | Project Name | OCA Code | Amount

565 / 565999-100000 / Unallocated Balance / 052043 / \$76,476.12

TRANSFER TO:

Fund No. | Project No. | Project Name | OCA Code | Amount

565 / 670767-100000 / Agler Road Street Lighting / 565767 / \$76,476.12

SECTION 4. That the 2012 Capital Improvement Budget is hereby amended as follows:

Division of Power and Water (Power), Division 60-07:

Fund No. | Project No. | Project Name | Current Authority | Revised Authority | Change

565 | 565999-100000 | Unallocated Balance | \$83,764 | \$7,477 | -\$76,477

565 | 670767-100000 | Agler Road Street Lighting | \$0 | \$76,477 | +\$76,477

SECTION 5. That for the purpose of paying the cost of the construction contract, the expenditure of \$66,476.12, or as much as may be needed is hereby authorized for the Agler Road Street Lighting Project within the Electric Permanent Improvement Fund, Fund No. 565, Division 60-07, Project No. 670767-100000, Object Level Three 6625, OCA Code 565767.

SECTION 6. That for the purpose of paying the cost of the inspection, testing and prevailing wage coordination services, the expenditure of \$10,000.00, or as much as may be needed is hereby authorized for the Agler Road Street Lighting Project within the Electric Permanent Improvement Fund, Fund No. 565, Division 60-07, Project No. 670767-100000, Object Level Three 6687, OCA Code 565767.

SECTION 7. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

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

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

SECTION 10. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this Ordinance.

SECTION 11. That for the reasons stated in the preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1557-2012

Drafting Date: 7/2/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with PIZZUTI SHORT NORTH, LLC, for the Pizzuti Short North Project. The project will include roadway improvements and associated utility work along Wall Street and Poplar Avenue in the Short North.

Upon passage of this Ordinance, the City of Columbus will agree to pay a guaranteed maximum reimbursement of \$1,367,051.90 to PIZZUTI SHORT NORTH, LLC, for the Pizzuti Short North Project. The developer has agreed to construct the improvements at their cost and then obtain reimbursement from the City. Funding for the reimbursement is provided by the Department of Development.

A guaranteed maximum cost reimbursement with PIZZUTI SHORT NORTH, LLC, provides that they construct the public improvement on the City's behalf; and that the project is publicly bid and subject to reimbursement agreement with the City.

CONTRACT COMPLIANCE NO.: 45-5124078 | Exp 04/05/2014 | MAJ

EMERGENCY DESIGNATION: The Department of Public Utilities is requesting an emergency designation at this time to facilitate this project's completion.

FISCAL IMPACT: This legislation authorizes the Director of Development to expend up to \$1,367,051.90 from the Streets and Highways Bond Fund, Fund 704, for the Pizzuti Short North Project, contingent upon the 2012 Bond Sale.

To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with PIZZUTI SHORT NORTH, LLC, pursuant to Section 186 of the Columbus City Charter for roadway improvements and associated utility work as part of the Pizzuti Short North Project for the Division of Sewerage and Drainage; to authorize the expenditure up to \$1,367,051.90 from the Streets and Highways Bond Fund 704; and to declare an emergency. (\$1,367,051.90)

WHEREAS, the Director of Public Utilities needs to enter into a Guaranteed Maximum Reimbursement agreement with PIZZUTI SHORT NORTH, LLC, for road improvements and associated utility work in the Short North area; and

WHEREAS, the Department of Public Utilities will pay, with funds provided by the Department of Development, a guaranteed maximum reimbursement of \$1,367,051.90; and

WHEREAS, it is necessary for the City Council to authorize the expenditure of funds from the Streets and Highways Bond Fund;

WHEREAS, it is necessary for Council to authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement with PIZZUTI SHORT NORTH, LLC, for the Pizzuti Short North Project, at the earliest practical date 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 is authorized to enter into a Guaranteed Maximum Reimbursement agreement with PIZZUTI SHORT NORTH, LLC, pursuant to Section 186 of the Columbus City Charter for the construction of roadway and associated utility improvements in the Short North Area, for the Division of Sewerage and Drainage.

SECTION 2. That for paying the cost of this improvement, the Guaranteed Maximum Reimbursement up to and including \$1,367,051.90 is hereby authorized from the Streets and Highways Bond Fund, Fund No. 704, Dept./Div/ 44-01, OCA 710405, Object Level One 06, Object Level Three 6681, Project Number 590415-100010, to pay the cost thereof.

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 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: 1562-2012

Drafting Date: 7/3/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a maximum reimbursement agreement with the Columbus Downtown Development Corporation (CDDC) for the Scioto Greenways Project. The Scioto Greenways Project involves the removal of the Main Street dam, the restoration of the Scioto River, construction of several park improvements, and the related utility and bridge improvements along both sides of the Scioto River between the confluence of the Scioto River and the Olentangy River to a distance of approximately 800 feet south of the current Main Street dam.

The Columbus Downtown Development Corporation (CDDC), which is a private, 501(c) (3) not-for-profit corporation, is governed by a 15-member board of directors, of whom 14 are appointed by the Mayor of Columbus with the confirmation of the Columbus City Council, and one is appointed by Franklin County. The CDDC is sustained by annual financial commitments of each board member, as well as the City of Columbus and Franklin County. Moreover, the CDDC will continue to forge public-private partnerships so that limited public dollars will leverage more substantial private sector investments. The CDDC is responsible for implementing those ideas put forth in the Mayors Strategic Business Plan for Downtown Columbus, modifying the plan as necessary in response to changes in circumstance, need, and policy leadership over time and broadening and maintaining support for the plan.

It is anticipated that a future appropriation by Columbus City Council is required to fund the construction portion of this project. These additional costs cannot be quantified at this time until evaluations are completed and final plans and construction estimates are completed.

FISCAL IMPACT:

This ordinance authorizes the Director of Public Utilities to enter into a maximum reimbursement agreement for a total \$236,311.00 with the Columbus Downtown Development Corporation (CDDC) for the Scioto Greenways Project; to authorize the transfer within and the expenditure of \$118,155.50 from the Sanitary Sewer General Obligation Bond Fund, Fund 664 and \$118,155.50 the Storm Water Bond Fund, Fund 685 to provide sufficient budget authority; and to amend the 2012 Capital Improvements Budget.

CONTRACT COMPLIANCE INFO: 76-0704655 | Expiration 2/16/14 | MAJ

EMERGENCY DESIGNATION:

The Division of Sewerage and Drainage is requesting that City Council designate this ordinance as an emergency measure in order to expedite the establishment of the professional services and other services that are necessary to ensure the continuation of this schedule sensitive work in coordination with other related projects.

To authorize the Director of Public Utilities to enter into a maximum guaranteed reimbursement agreement with the Columbus Downtown Development Corporation (CDDC) for up to \$236,311.00 for the Scioto Greenways Project; to authorize a transfer within and an expenditure of \$118,155.50 from both the Sanitary Sewer General Obligation Bond Fund and the Storm Water Bond Fund; to authorize an amendment to the 2012 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$236,311.00)

WHEREAS, it is necessary for the Director of Public Utilities to enter into the Scioto Greenways Project Utilities Work with the Columbus Downtown Development Corporation for the utility improvements associated with the removal of the Main Street Dam and the development of the Scioto River; and

WHEREAS, the Scioto Greenways Project involves the removal of the Main Street dam, the restoration of the Scioto River and related improvements along both sides of the river; and

WHEREAS, it is necessary to authorize the transfer within and expend funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664; and

WHEREAS, it is necessary to authorize the transfer and expend funds from the Storm Water Bond Fund, Fund 685; and

WHEREAS, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of creating and providing sufficient budget authority for the aforementioned project expenditure; 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 for this Council to authorize the Director of Public Utilities to enter into a reimbursement agreement with the CDDC in order to ensure the continued progress of this time sensitive work in coordination with other related projects; 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 reimbursement agreement with the CDDC, 150 S. Front St., Suite 200, Columbus, OH 43215, that will provide various professional engineering and construction services in connection with the Scioto Greenways Project in accordance with the terms and conditions as shown in the agreement on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the City Auditor is hereby authorized to transfer \$118,155.50 within the Sanitary Sewer General Obligation Fund, Fund 664 | Division of Sewerage and Drainage | Div. 60-05 | Obj Lvl 3 6676;

FROM:

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

664 | 650405-100000 | Sewer System/I Remediation | 655274 | -\$118,155.50

TO:

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

664 | 650115-100000 | Scioto Greenways | 664115 | +118,155.50

SECTION 3. That the expenditure of up to \$118,155.50, or as much thereof as may be needed, is hereby authorized from the Sanitary General Obligation Bond Fund, Dept./Div. 60-05; Obj Lvl 3 - 6676 as follows:

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

Fund 664 | 650115-100000 | Scioto Greenways Project | 664115 | \$118,155.50

SECTION 4. That the City Auditor is hereby authorized to transfer \$118,155.50 within the Department of Public Utilities, Division of Sewerage and Drainage | Dept./Div. No 60-15 | Storm Sewer Bonds Fund | Fund 685 | Object Level Three 6682, as follows:

FROM:

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

685 | 610734-100000 | Midland/Eakin Stormwater Imps | 685734 | -\$118,155.50

TO:

Fund No. | Project No. | Project Name | OCA Code | Amount

685 | 611015-100000 | Main Street Dam | 685015 | +\$118,155.50

SECTION 5. That the expenditure of \$118,155.50 is hereby authorized from the Storm Sewer Bonds Fund, Fund 685, Division 60-15, Project No. 611015-100000, Main Street Dam, OCA 685015, Object Level Three 6682.

SECTION 6. That the 2012 Capital Improvements Budget Ordinance No. 0368-2012 is hereby amended as follows, to provide sufficient budget authority for the award of the agreement stated herein.

Sanitary:

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

664 | 650405-100000 | Sewer System/I Remediation | \$0 | \$673,597 | \$673,597 Creation of Authority

664 | 650405-100000 | Sewer System/I Remediation | \$673,597 | \$555,481 | (-\$118,156)

664 | 650115-100000 | Scioto Greenways | \$0 | \$118,156 | (+\$118,156)

Storm:

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

685 | 610734-100000 | Midland/Eakin Stormwater Imps | \$217,668 | \$99,513 | (-\$118,156)

685 | 611015-100000 | Main Street Dam | \$0 | \$118,156 | \$118,156

SECTION 7. 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 8. 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 9. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

SECTION 10. 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 11. That the contracted firm shall perform the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Power and Water.

SECTION 12. 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: 1563-2012

Drafting Date: 7/3/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with U.S. Utility Contractor Company, in the amount of \$255,675.20 for the Parsons/Schottenstein Revitalization - Southern Gateway Power Relocation Project for the Division of Power and Water (Power).

The Southern Gateway Power Relocation project consists of relocating the existing 15 KV circuit on Goethe Alley between Innis Avenue on the north and Barthman Avenue on the south. The relocation will be one block to the west along Washington Avenue. Along with this relocation the existing secondary and street lighting has to be relocated to clear the site for development. The first development is the South Side Health Center.

2. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened two bids on June 27, 2012. Bids were received from: U.S. Utility Contractor Company - \$255,675.20, and Jess Howard Electric - \$265,773.23.

The lowest and best bid was from U.S. Utility Contractor Company in the amount of \$255,675.20. Their Contract Compliance Number is 34-1606689 (expires 05/31/14, FBE). Additional information regarding each bidder, description of work, contract time frame and detailed amounts can be found on the attached Information form.

3. EMERGENCY DESIGNATION: There are several development projects occurring in this area. In order to maintain the time schedule for these projects, it is necessary to immediately relocate the existing power lines.

4. FISCAL IMPACT A transfer of cash and amendment to the 2012 Capital Improvements Budget is needed to provide sufficient cash and authority for this expenditure. Project funding is being provided by the Department of Development.

To authorize the Director of Public Utilities to execute a construction contract with U.S. Utility Contractor Company for the Parsons/Schottenstein Revitalization - Southern Gateway Power Relocation Project; to authorize the transfer of \$255,675.20 within the Northland and Other Acquisitions Fund; to authorize an amendment to the 2012 Capital Improvements Budget; to authorize the expenditure of \$255,675.20 for the Division of Power and Water (Power) and to declare an emergency. (\$255,675.20)

WHEREAS, two bids for the Parsons/Schottenstein Revitalization - Southern Gateway Power Relocation

Project were received and publicly opened in the offices of the Director of Public Utilities on June 27, 2012; and

WHEREAS, the lowest and best bid was from U.S. Utility Contractor Company in the amount of \$255,675.20; and

WHEREAS, it is necessary to authorize the transfer of \$255,675.20 within the Northland and Other Acquisitions Fund for purposes of providing sufficient funding for the aforementioned project; and

WHEREAS, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of creating and providing sufficient budget authority for the aforementioned project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, in that it is immediately necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract for the Parsons/Schottenstein Revitalization - Southern Gateway Power Relocation Project for the Division of Power and Water (POWER); for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the Director of Public Utilities be and hereby is authorized to award and execute a construction contract for Primary, Secondary, and Street Lighting Relocations for the Parsons/Schottenstein Revitalization - Southern Gateway Power Relocation Project with the lowest and best bidder, U.S. Utility Contractor Company, 3115 East 17th Avenue, Columbus, Ohio 43219; in an amount not to exceed \$255,675.20; in accordance with the terms and conditions of the contract on file in the Office of the Division of Power and Water (Power).

SECTION 2. That the City Auditor be and is hereby authorized to transfer \$255,675.20 within the Northland and Other Acquisitions Fund, Fund No. 735, Object Level One-06, Object Level Three-6625 as follows:

TRANSFER FROM:

Fund No. / Project No. | Project Name | OCA Code | Amount

735 / 441743-100000 / Parsons Ave. Acquisitions / 441743 / \$32,720.00

735 / 590415-100000 / Economic and Community Development / 440735 / \$222,955.20

TRANSFER TO:

Fund No. | Project No. | Project Name | OCA Code | Amount

735 / 590415-100003 / E&CD - Schottenstein Program / 735415 / \$255,675.20

SECTION 3. That the 2012 Capital Improvement Budget is hereby amended as follows:

Fund No. | Project No. | Project Name | Current Authority | Revised Authority | Change

735 | 441743-100000 | Parsons Ave. Acquisitions | \$32,720 | \$0.00 | -\$32,720

735 | 590415-100000 | Economic and Community Development | \$257,683 | \$34,727 | - \$222,956

735 | 590415-100003 | E&CD - Schottenstein Program | \$0 | \$255,676 | +\$255,676

SECTION 4. That the expenditure of \$255,675.20 is hereby authorized for the Parsons/Schottenstein Revitalization - Southern Gateway Power Relocation Project within the Northland and Other Acquisitions Fund, Fund No. 735, Division 44-01, Project No. 590415-100003, Object Level Three 6625, OCA Code 735415.

SECTION 5. 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 6. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

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

SECTION 8. That 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, 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: 1567-2012

Drafting Date: 7/5/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a professional engineering services contract with Evans, Mechwart, Hambelton & Tilton, Inc., (EMH&T) for the Traffic Signal Installation - Traffic Signal Design Manual project.

The intent of this project is to provide the City of Columbus, Division of Design and Construction, additional resources to create a traffic signal design manual. The traffic signal design manual will organize existing City of Columbus standards, policies, recommended practices, and typical drawings into one comprehensive formal document. The manual will give the Department of Public Service design and review personnel a reference document to ensure a clear, complete, and concise set of plans to avoid misinterpretation during construction. The manual will provide a centralized source for consultants to utilize for plan preparation and development. In addition, the document will provide the Department of Public Service personnel a reference document which will assure design consistency with consultant designs.

The Department of Public Service, Office of Support Services solicited Requests for Proposals for the Traffic Signal Installation - Traffic Signal Design Manual contract. The project was formally advertised on the Vendor Services web site from May 30, 2012 to June 28, 2012. The city received three (3) responses. All proposals were deemed minimally compliant and were fully evaluated when the Evaluation Committee met on July 2, 2012.

<u>Company Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE/ASN /PHC</u>
EMH&T, Inc.	Columbus, OH	Majority
MS Consultants	Columbus, OH	Majority
Trans Associates	Columbus, OH	Majority

EMH&T, Inc. received the highest score by the evaluation committee and will be awarded the Traffic Signal Installation - Traffic Signal Design Manual contract in an amount up to \$225,000.00.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against EMH&T, Inc.

2. FISCAL IMPACT

Funding for project is available within the Street and Highway Improvement Fund. A C.I.B. amendment is necessary to establish authority in the correct project detail for this expenditure.

3. CONTRACT COMPLIANCE

The contract compliance number for Evans, Mechwart, Hambelton & Tilton, Inc. is 310685594 and Expires 9/22/13.

4. EMERGENCY DESIGNATION

Emergency action is requested to provide funding for the professional services described above at the earliest possible time to provide for the availability of this manual and assist City Personnel in projects where this manual is needed.

To authorize the Director of Public Service to enter into a professional engineering service contract with EMH&T, Inc, for the Signal Installation - Traffic Signal Design Manual project; to amend the 2012 C.I.B; to authorize the appropriation and transfer of funds within the Street and Highway Improvement Fund; to authorize the expenditure of up to \$225,000.00 from the Street and Highway Improvement Fund for the Department of Public Service; and to declare an emergency. (\$225,000.00)

WHEREAS, there is a need to provide professional engineering services for the design of the Traffic Signal Installation - Traffic Signal Design Manual project; and

WHEREAS, this project involves engineering services to create a traffic signal design manual; and

WHEREAS, this design manual will organize existing City of Columbus standards, policies, recommended practices, and typical drawings into one comprehensive formal document; and

WHEREAS, the manual will provide Department of Public Service design and review personnel a reference document to ensure a clear, complete, and concise set of plans to avoid misinterpretation during construction and provide a centralized source for consultants to utilize for plan preparation and development; and

WHEREAS, in addition, the document will provide the Department of Public Service personnel a reference document which will assure design consistency with consultant designs; and

WHEREAS, The Department of Public Service, Office of Support Services solicited Requests for Proposals for this project; and

WHEREAS, EMH&T, Inc, received the highest score by the evaluation committee and will be awarded the contract for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, in that this legislation should go forth immediately to provide funding for these engineering services for a traffic signal design manual to provide consistency and accuracy among signal projects, 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 professional

services contract with EMH&T, Inc, 5500 New Albany Road, Columbus, Ohio 43054, for engineering services associated with the Traffic Signal Installation - Traffic Signal Design Manual project.

SECTION 2. That the 2012 Capital Improvement Budget established within ordinance 0368-2012 be and hereby is amended as follows:

Project Number/Project Name/Current CIB Amount/Amended Amount/CIB Amount as Amended
766 / 766999-100000 / Unallocated Balance (Street and Highway Carryover) / \$3,387,772.00 / (\$225,000.00) / \$3,162,772.00
766 / 540007-100034 / Traffic Signal Installation - Traffic Signal Design Manual (Street and Highway Carryover) / \$0.00 / \$225,000.00 / \$225,000.00

SECTION 3. The sum of \$225,000.00 be and is hereby appropriated from the unappropriated balance of the Street and Highway Improvement Fund, Fund 766, 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, 2012 as follows:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount
766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$225,000.00

SECTION 4. That the transfer of cash and appropriation within the Street and Highway Improvement Fund, number 766, be authorized as follows:

Transfer from:

Fund / Project No. / Project Name / O.L. 01-03 Codes / OCA / Amount
766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$225,000.00

Transfer to:

Fund / Project No. / Project Name / O.L. 01-03 Codes / OCA / Amount
766 / 540007-100034 / Traffic Signal Installation - Traffic Signal Design Manual / 06-6600 / 760734 / \$225,000.00

SECTION 5. That the expenditure of up to \$225,000.00, or so much thereof as may be needed, be and hereby is authorized from the Street and Highway Improvement Fund, number 766, Department-Div. 59-12, Division of Design and Construction:

Dept-Div / Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount
766 / 540007-100034 / Traffic Signal Installation - Traffic Signal Design Manual / 06-6682 / 760734 / \$225,000.00

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 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: 1568-2012

Drafting Date: 7/5/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

Bids were received by the Recreation and Parks Department on July 3, 2012 for the Street Tree Installation Fall 2012 Project as follows:

	<u>Status</u>	<u>Base Bid Amount</u>
Builderscape	MAJ	\$365,089
Greenscape	MAJ	\$395,697

The work for which proposals were invited consists of the installation of street trees in Planning Areas 2, 3, 4, 5, 6, 7, 8, 13, and 18 as part of the Mayor's Green Initiative.

Principal Parties:

Builderscape, Inc.
Ronald Matthews (Contact)
7500 Industrial Parkway
Plain City, OH 43064
614-889-2533 (Phone)
200537419 (Contract Compliance) exp. 05/20/13

Emergency Justification:

An emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to enter into said contract in order to prepare for and maintain tree planting schedule.

Financial Impact:

Contingent on July 10 Bond Sale.
(\$400,000.00)

To authorize and direct the Director of Recreation and Parks to enter into contract with Builderscape, Inc. for the Street Tree Installation Fall 2012 Project; to authorize the expenditure of \$365,089.00 and a contingency of \$34,911.00 for a total of \$400,000.00 from the Voted Recreation and Parks Bond Fund; and to declare an emergency. (\$400,000.00)

WHEREAS, bids were received by the Recreation and Parks Department on July 3, 2012 for the Street Tree Installation Fall 2012 Project, and the contract will be awarded to Builderscape, Inc. as the lowest and best responsive bidder; and

WHEREAS, an emergency exists in the usual operation of the Recreation and Parks Department that it is immediately necessary to enter into said contract to maintain the Street Tree Installing Fall 2012 Project schedule thereby preserving the public health, safety and welfare; **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 Builderscape, Inc. for the Street Tree Installation Fall 2012 Project in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$400,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted Recreation and Parks Bond Fund 702 as follows:

Contingent on July 10th bond Sale
Recreation and Parks Voted Bond Fund 702
Project #510039-100001 (Street Trees)
OCA#723901
Object Level 3# 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 legislation

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 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1569-2012

Drafting Date: 7/5/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Complete General Construction Company for the Third Avenue - Olentangy River Road to Edgemoor Road (Part 1) Sanitary Improvements Project, Capital Improvements Plan Project Number: 650768-100000 and the Third Avenue - Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan (CC-16169), Capital Improvements Plan Project Number: 610939-100000. The work consists of the construction of approximately 1914' of sanitary sewer replacement and relief pipes ranging in diameter from 12" to 48" and associated the manholes; installation of approximately 1617' of new storm sewer ranging in diameter from 12" to 72" and the associated manholes; manhole and catch basin abandonments or removal; driveway and permanent pavement replacement; maintenance of traffic, and other such work as may be necessary to complete the contract in accordance with the plans (CC-16168 & CC-16169) and specifications. The timeline for this project has been established as begin date - August 2012 and End Date February 2013, approximately 180 days.

2. Procurement Information: The Division advertised for competitive bid proposals on the City of Columbus's Vendor Services website and in the City Bulletin in accordance with the provisions of Section 329.09 of Columbus City Codes. The Division of Sewerage and Drainage opened the responding bids on June 27, 2012 from the following companies:

<u>Name</u>	<u>C.C. No./Exp. Date</u>	<u>City/State</u>	<u>Status</u>
Complete General Construction	31-4366382/11-1-13	Columbus, Ohio	MAJ
Nickolas Savko & Sons	31-0907362/4-26-14	Columbus, Ohio	MAJ
George J. Igle Co.	31-4214570/2-22-13	Columbus, Ohio	MAJ

These bids were reviewed and ranked utilizing the Bid Tab and Quality Factor Form evaluation process. After careful consideration, the committee recommended that Complete General Construction Co. be selected to provide the construction services for the Third Avenue - Olentangy River Road to Edgemoor Road (Part 1) and the Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan Project.

3. The Engineer's construction cost estimate was totaled: \$2,970,729.85

The Award is recommended to the lowest Responsive, Responsible, and Best Bidder.

4. **Contract Compliance No.:** 31-4366382 | MAJ | Expires: 11/1/2013

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's Unresolved Findings for recovery search.

5. **Emergency Designation:** Emergency designation is requested to mitigate flooding and stay on schedule required by the consent order agreement with the OEPA.

6. **Fiscal Impact:** This legislation authorizes the transfer within and the expenditure of \$1,210,266.20 in funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664 and the \$2,371,757.25 in funds from the Storm Recovery Zone Build America Bond Funds, and amendment to the 2012 Capital Improvements Budget. The total project cost is \$3,582,023.45 which includes \$325,638.50 in inspection services to be provided by the Department of Public Service.

7. **Environmental Impact:** The storm sewer aspect of this project will reduce the potential for flooding along 3rd Ave. compared to current conditions. The sanitary portion of this project is part of a project to relieve DSRs as part of the consent order agreement with the OEPA.

To authorize the Director of Public Utilities to enter into a construction contract with the Complete General Construction Company for the Third Avenue - Olentangy River Road to Edgehill Road (Part 1) Sanitary Improvements Project, and the Third Avenue - Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan; and to authorize the transfer within and the expenditure of \$1,210,266.20 in funds from the Sanitary Sewer General Obligation Bond Fund; to authorize the transfer within and the expenditure of \$2,371,757.25 in funds from the Storm Recovery Zone Build America Bond Fund; to authorize an amendment to the 2012 Capital Improvements Budget for the Division of Sewerage and Drainage and to declare an emergency. (\$3,582,023.45)

WHEREAS, three (3) competitive bids for construction of the Third Avenue - Olentangy River Road to Edgehill Road (Part 1) Sanitary Improvements Project, and the Third Avenue - Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan, were received and opened on June 27, 2012 in the offices of the Director of Public Utilities; and

WHEREAS, the Division of Sewerage and Drainage engineering personnel have determined it necessary to enter into a construction contract with the Complete General Construction Company, in order to provide construction services for the Third Avenue - Olentangy River Road to Edgehill Road (Part 1) Sanitary Improvements Project, and the Third Avenue - Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan; and

WHEREAS, it is necessary for City Council to authorize the transfer within and the expenditure of funds from the Sanitary Sewer General Obligation Bond Fund, Fund 664; and

WHEREAS, it is necessary for City Council to authorize the transfer within and the expenditure of funds from the Storm Recovery Zone Build America Bond Fund, Fund 677; and

WHEREAS, it is necessary to amend the 2012 Capital Improvements Budget for purposes of providing sufficient budget authority for the project expenditure; and

WHEREAS, an emergency exists in the usual daily operations of the Divisions of Sewerage and Drainage, Department of Public Utilities, it is hereby requested that Council authorize the Director of Public Utilities to enter into a construction contract with Complete General Construction, Inc. for the Third Avenue - Olentangy River Road to Edgehill Road (Part 1) Sanitary Improvements Project, and the Third Avenue - Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan Project as soon as possible for the preservation of the public 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 enter into a contract with Complete General Construction Company, 1221 E. Fifth Avenue, Columbus, Ohio 43219 for the Third Avenue - Olentangy River Road to Edgehill Road (Part 1) Sanitary Improvements Project, and the Third Avenue - Olentangy River to CSX Railroad Bridge Storm Sewer Improvements Plan Project in accordance with the terms and conditions as shown on the contract on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the City Auditor is hereby authorized to transfer of \$1,210,266.20 within the Department of Public Utilities, Division of Sewerage and Drainage | Dept./Div. No. 60-05 | Sewerage and Drainage Sanitary Sewer General Obligation Bond Fund | Fund 664 | Object Level Three 6630, as follows:

From:

Project No. | Project Name | OCA Code | Change

650033-100000 | Big Walnut Trunk Sewer Sec 6F | 650033 | -\$911,630.21
650100-100000 | Sanitary Sewer Contingency | 650100 | -\$13,084.98
650404-100000 | Sanitary System Rehabilitation | 664404 | -\$4,921.00
650460-100000 | Franklin/OSIS/Interceptor | 664460 | -\$6,070.55
650489-100000 | Big Run Sanitary Subtrunk - South | 664489 | -\$221,161.87
650600-100000 | Franklin/Main Interceptor | 664600 | -\$12,312.50
650604-100000 | Big Run/Hellbranch Subtrunk | 650604 | -\$41,085.09

To:

Project No. | Project Name | OCA Code | Change

650768-100000 | 3rd Ave - Olentangy River Edgehill & CSX | 664768 | +\$1,210,266.20

SECTION 3. That the City Auditor is hereby authorized to transfer of \$2,371,757.25 within the Department of Public Utilities, Division of Sewerage and Drainage | Dept./Div. No. 60-15 | Storm Recovery Zone Build America Bond Fund | Fund 677 | Object Level Three 6621, as follows:

From:

Project No. | Project Name | OCA Code | Change

610990-100001 | Woodward, Wildwood & Woodnell Avenue | 679901 | -\$2,371,757.25

To:

Project No. | Project Name | OCA Code | Change

610939-100000 | Third Avenue Underpass SSI | 677939 | +\$2,371,757.25

SECTION 4. That the Director of Public Utilities be and hereby is authorized to expend a total of \$3,582,023.45 in the following manner:

Div. 60-05| Fund 664 | 650768-100000 | Third Avenue - Olentangy River Road to Edgehill Road (Part 1)
Sanitary Improvements Project | 664768 | Object Level Three 6630 | \$1,100,242.00

Div. 60-05| Fund 664 | 650768-100000 | Third Avenue - Olentangy River Road to Edgehill Road (Part 1)
Sanitary Improvements Project | 664768 | Object Level Three 6687 | \$110,024.20

Div. 60-15| Fund 677 | 610939-100000 | Third Avenue Underpass SSI Project | 677939 | Object Level Three
6621 | \$2,156,142.95

Div. 60-15| Fund 677 | 610939-100000 | Third Avenue Underpass SSI Project | 677939 | Object Level Three
6687 | \$215,614.30

SECTION 5. That the 2012 Capital Improvements Budget Ordinance No. 0368-2012 is hereby amended as follows, to provide sufficient budget authority for the Capital Improvement Projects listed herein:

SANITARY:

<u>Fund No.</u>	<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>(Change)</u>
664	650033-100000	Big Walnut Trunk Sewer Sec 6F	\$943,129	\$31,498	(-\$911,631)
664	650100-100000	Sanitary Sewer Contingency	\$0	\$13,085	\$13,085 Creation of Authority
664	650100-100000	Sanitary Sewer Contingency	\$13,085	\$0	(-\$13,085)
664	650404-100000	Sanitary System Rehabilitation	\$0	\$4,921	\$4,921 Creation of Authority
664	650404-100000	Sanitary System Rehabilitation	\$4,921	\$0	(-\$4,921)
664	650460-100000	Franklin/OSIS/Interceptor	\$0	\$6071	\$6,071 Creation of Authority
664	650460-100000	Franklin/OSIS/Interceptor	\$0	\$6071	(-\$6,071)
664	650489-100000	Big Run Sanitary Subtrunk - South	\$0	\$221,262	\$221,162 Creation of Authority
664	650489-100000	Big Run Sanitary Subtrunk - South	\$221,262	\$0	(-\$221,162)
664	650600-100000	Franklin/Main Interceptor	\$0	\$12,313	\$12,313 Creation of Authority
664	650600-100000	Franklin/Main Interceptor	\$12,313	\$0	(-\$12,313)
664	650604-100000	Big Run/Hellbranch Subtrunk	\$0	\$71,425	\$71,425 Creation of Authority
664	650604-100000	Big Run/Hellbranch Subtrunk	\$71,425	\$30340	(-\$41,086)
664	650768-100000	3rd Ave - Olentangy River Edgehill & CSX	\$0	\$1,210,267	(+\$1,210,267)

STORMWATER:

<u>Fund No.</u>	<u>Proj. No.</u>	<u>Proj. Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>(Change)</u>
677	610990-100001	Woodward, Wildwood & Woodnell Avenue	\$3,200,000	\$828,242	-\$2,371,758
677	610939-100000	Third Avenue Underpass SSI	\$0	\$2,371,758	+\$2,371,758

SECTION 6. That said construction company, Complete General Construction Company, shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Sewerage and Drainage.

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

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

SECTION 9. That the City 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, 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: 1570-2012

Drafting Date: 7/5/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND:

This legislation authorizes the Director of Public Service to enter into a professional engineering services contract with TranSystems Corp., for the Pedestrian Safety Improvements - Hilltop Community Mobility Plan (HCMP).

This project involves engineering services for preliminary engineering and design recommendations from the Hilltop Community Mobility Plan (HCMP). Work will include detailed design of several features throughout the Greater Hilltop area, as specified in the Scope of Services. Designs are to conform to the Hilltop Community Mobility Plan unless specified otherwise. The project boundary is the Greater Hilltop area.

The Department of Public Service, Office of Support Services solicited Requests for Proposals for the Pedestrian Safety Improvements - Hilltop Community Mobility Plan (HCMP) contract. The project was formally advertised on the Vendor Services web site from May 2, 2012, to May 31, 2012. The city received six (6) responses.

<u>Company Name</u>	<u>City/State</u>	<u>Majority/MBE/FBE/ASN /PHC</u>
Orchard Hiltz & McCliment	Gahanna, OH	MAJ
TranSystems Corp.	Columbus, OH	PHC
Woolpert	Columbus, OH	MAJ
Trans Associates	Columbus, OH	MAJ
Parsons-Brinckerhoff	Columbus, OH	PHC
Columbus Engineering Consultants	Columbus, OH	ASN

Orchard Hiltz & McCliment and TranSystems Corp. received the 2 highest scores by the evaluation committee. Oral presentations were requested of these two firms and the committee determined that TranSystems submitted the strongest proposal for the following reasons:

1. TranSystems brought a large staff with availability to complete the project in a year.
2. TranSystems offered a very professional and compelling presentation, with good details on traffic engineering and curb replacement.
3. TranSystems worked on the original Hilltop plan and understands the specific public involvement needs.

TranSystems Corp. will be awarded the Pedestrian Safety Improvements - Hilltop Community Mobility Plan

(HCMP) contract in an amount up to \$250,000.00.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against TranSystems Corp..

2. CONTRACT COMPLIANCE

The contract compliance number for TranSystems Corp, is 430839725 and Expires 9/16/2013.

3. FISCAL IMPACT:

Funding for this contract is budgeted within the 2012 Capital Improvement Budget and available within the Streets and Highways G.O. Bonds Fund. This ordinance is contingent on 2012 bond sale.

4. EMERGENCY DESIGNATION

Emergency action is requested to provide funding for the professional services described above at the earliest possible time to provide for design work for this project and pedestrian improvements at the earliest possible time.

To authorize the Director of Public Service to enter into a professional engineering service contract with TranSystems Corp, for the Pedestrian Safety Improvements - Hilltop Community Mobility Plan (HCMP) contract; to authorize the expenditure of up to \$250,000.00 from the Streets and Highways G.O. Bonds Fund for the Department of Public Service; and to declare an emergency. (\$250,000.00)

WHEREAS, there is a need to provide professional engineering services for the Pedestrian Safety Improvements - Hilltop Community Mobility Plan (HCMP) project; and

WHEREAS, this project involves engineering services for preliminary engineering and design recommendations from the Hilltop Community Mobility Plan (HCMP). Work will include detailed design of several features throughout the Greater Hilltop area. Designs are to conform to the Hilltop Community Mobility Plan unless specified otherwise; and

WHEREAS, The Department of Public Service, Office of Support Services solicited Requests for Proposals for this project; and

WHEREAS, Orchard Hiltz & McCliment and TranSystems Corp. received the 2 highest scores by the evaluation committee; and

WHEREAS, after oral presentations by both firms it was determined that TranSystems submitted the best overall proposal and will be awarded the contract for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, in that this legislation should go forth immediately to provide funding for these engineering services to provide project design services for pedestrian and travelling public improvements at the earliest possible time, 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 professional services contract with TranSystems Corp., 1105 Schrock Road, Columbus, OH, 43229, for engineering services associated with the Pedestrian Safety Improvements - Hilltop Community Mobility Plan (HCMP).

SECTION 2. That the expenditure of \$250,000.00, or so much thereof as may be needed, be and hereby is authorized from the Streets and Highways G.O. Bonds Fund, Fund 704, Department No. 59-10, Division of Mobility Options as follows:

Dept-Div / Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount

704 / 590105-100040 / Pedestrian Safety Improvements - Hilltop Community Mobility Plan / 06-6600 / 740540 / \$250,000.00

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

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

Legislation Number: 1575-2012

Drafting Date: 7/5/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: To authorize the Director of the Department of Finance and Management to issue purchase orders with Ricart Properties, Inc. (CC#311282546, expires 9-21-2012) for the purchase of ten (10) 2013 Ford Focus S models under the terms of the Universal Term Contract FL005148 (expires 12-31-2012). There is a need to replace existing vehicles that are more than ten years old. Consideration of the Mayor's Green Initiative was made in the decision to purchase this specific vehicle.

FISCAL IMPACT: The 2012 Building and Zoning Services budget includes funding for the purchase of these vehicles contingent on the passage of Ordinance 1495-2012.

To authorize the Director of the Department of Finance and Management to issue purchase orders with Ricart Properties, Inc. under the terms of an existing Universal Term Contract for the purchase of ten (10) 2013 Ford Focus S models for the Department of Building and Zoning Services; and to authorize the expenditure of \$143,007.90 from the Development Services Fund. (\$143,007.90)

WHEREAS, the Director of the Department of Finance and Management has been authorized and directed to enter into contract for the option to purchase vehicles; and

WHEREAS, this ordinance authorizes the Director of the Department of Finance and Management to issue purchase orders with Ricart Properties, Inc. for the purchase of ten (10) 2013 Ford Focus S models under the terms of a City-wide contract (Universal Term Contract FL005148, expires 12-31-2012) for the Department of Building and Zoning Services; and

WHEREAS, there is a need to replace existing vehicles that are more than 10 years old; now, therefore,

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

SECTION 1. That the Director of the Department of Finance and Management is hereby authorized to establish purchase orders for the Department of Building and Zoning Services with Ricart Properties, Inc. (CC#311282546, expires 9-21-2012) under the terms of the Universal Terms Contract FL005148 (expires 12-31-2012) for the purchase of ten (10) 2013 Ford Focus S models.

SECTION 2. That the expenditure of \$143,007.90, or so much thereof as may be necessary, from the

Department of Building and Zoning Services, 43-01, Development Services Fund 240, Object Level One 06, Object Level Three 6650 for the aforesaid purpose is hereby authorized as follows:

OCA: 430382	Obj. Level 01:06	Amount \$42,902.37
OCA: 430383	Obj. Level 01:06	Amount \$42,902.37
OCA: 430384	Obj. Level 01:06	Amount \$28,601.58
OCA: 430385	Obj. Level 01:06	Amount \$28,601.58

Total Amount: \$143,007.90

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

Legislation Number: 1577-2012

Drafting Date: 7/5/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Department of Public Safety, Division of Police needs to purchase wireless voice, data, push-to-talk (radio), GPS, and modem services and equipment from Sprint Solutions Inc. (Nextel). These communication services enable Police to perform their jobs more effectively and safely.

Bid Information: The Purchasing Office has set up a universal term contract with Sprint Solutions, Inc. to provide wireless services and equipment under contract FL005003 through September 30, 2015.

Contract Compliance No.: 470882463 Expires: 01/19/2014

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

Fiscal Impact: This ordinance authorizes a total expenditure of \$273,500.00 for cellular phone and communication services for the Division of Police. The Police Division budgeted \$440,145.00 in the 2012 General Fund budget for cellular phone and communication services. A total of \$100,000.00 in General Fund monies has already been encumbered and expended so far this year for these services. The Police Division expended approximately \$439,000.00 for cellular and communication services in 2010 and in 2011 \$377,520.00 was encumbered and/or spent.

Emergency Designation: Emergency legislation is requested for this ordinance so as to allow continuation of the Sprint - Nextel services.

To authorize and direct the Finance and Management Director to issue a purchase order for cellular phone and communication services to Sprint Solutions, Inc. for the Division of Police, to authorize the expenditure of \$273,500.00 from the General Fund; and to declare an emergency. (\$273,500.00)

WHEREAS, funding is needed to continue cellular phone and communication services for the Division of Police, and

WHEREAS, the city has an universal term contract with Sprint Solutions, Inc. for wireless services and equipment, and

WHEREAS, emergency legislation is requested so phone and modem service will not be interrupted, 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 establish a purchase order for cellular phone and communication services for the immediate preservation of the public peace, property, health, safety, and welfare; now, therefore

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to issue a purchase order to Sprint Solutions, Inc. for wireless services for the Division of Police, Department of Public Safety, on the basis of the City's universal term contract number FL005003.

SECTION 2. That the expenditure of \$273,500.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

<u>DEPT</u>	<u>FUND</u>	<u>BJ LVL 1</u>	<u>OBJ LVL 3</u>	<u>OCA</u>	<u>AMOUNT</u>
30-03	010	03	3295	300301	273,500.00

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

Legislation Number: 1578-2012

Drafting Date: 7/5/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This ordinance modifies and increases the amount of funds on the contract with Metropolitan Towing and Storage (MTS) contract EL011923, effective July 1, 2012 through September 30, 2012. This modification will make additional funding available to continue towing services until a new contract is in place. MTS tows vehicles to the Division of Police Impound Lot. MTS will also be responsible for towing city vehicles.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$500,000.00 from the 2012 General Fund budget for towing services for the Division of Police. A total of \$500,000 has already been spent or encumbered for 2012 out of a budget of \$1.8 million. The Division of Police spent \$1,686,743.00 in 2011 for

towing services, and spent \$1,665,806.00 for towing services in 2010.

CONTRACT COMPLIANCE: 31-1035297, expires 9/30/2013.

Emergency Designation: Emergency legislation is necessary due to the extension of the contract from July 1, 2012 through September 30, 2012. Therefore, this funding is immediately needed in order to continue services until a new contract can be issued.

To authorize and direct the Director of Public Safety to modify and increase the amount of funds on the towing contract with Metropolitan Towing and Storage, Inc. for the Division of Police, to authorize the expenditure of \$500,000.00 from the General Fund; and to declare an emergency. (\$500,000.00)

WHEREAS, the City of Columbus Division of Police needs to modify and increase funds on the current contract EL0011923 with Metropolitan Towing and Storage, Inc. for three additional months of the contract, effective July 1, 2012; and

WHEREAS, Metropolitan Towing and Storage tows all impounded vehicles as well as city vehicles, and

WHEREAS, additional funding is immediately needed to continue services for three additional months of the contract to expire September 30, 2012; and

WHEREAS, funds are budgeted in the Division's 2012 General Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to modify and increase funding on the current contract for towing of vehicles from the city streets, thereby preserving the public peace, property, health, safety and welfare: Now, Therefore

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

SECTION 1. That the Director of Public Safety be and is hereby authorized and directed to modify and increase the funds on the current contract with Metropolitan Towing and Storage, Inc. for the purpose of towing vehicles from the city streets for the Division of Police.

SECTION 2. That the expenditure of \$500,000.00, or so much thereof as may be needed, be and the same is hereby authorized as follows:

DIV 30-03 | FUND 010 | OBJECT LEV (1) 03 | OBJECT LEV (3) 3355 | OCA# 330610

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: 1584-2012

Drafting Date: 7/6/2012

Current Status: Passed

Version: 2

Matter Type: Ordinance

In order for the City of Columbus to recognize relationships of mutual love, care, support and commitment, it is necessary for the government of the City of Columbus to enact new Section 229 of the Columbus City Code to establish a City of Columbus Domestic Partnership Registry. This registry will not only assist the City, and numerous local private and public entities, determine eligibility for partner benefits, it will further convey Columbus' long-time efforts of building an inclusive community that strives to improve residents' quality of life.

This ordinance also amends Ordinance 1077-2010, which will further strengthen the extension of eligible dependent benefits by updating the directive, and requirements to include the option of providing domestic partnership registration documentation as proof of eligibility.

This legislation enacts new Section 229 of the Columbus City Code to establish a City of Columbus Domestic Partnership Registry, and amends Ordinance No. 1077-2010, passed November 22, 2010, by updating the directive and criteria of extending benefits to older children and domestic partners of City employees.

WHEREAS, the government of the City of Columbus prides itself on being inclusive and representative of all residents, regardless of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, or national origin, age, disability, familial status or military status, and

WHEREAS, the City of Columbus respects and recognizes that many unmarried residents of Columbus have formed loving, supportive, and faithful relationships; and

WHEREAS, many public and private companies, organizations and institutions allow their employees, members, patrons and other individuals with whom they interact to include their partners as beneficiaries of various policies, including but not limited to health insurance coverage, hospital visitation rights, and family recreational memberships; and

WHEREAS, a registry for unmarried couples, maintained by the Columbus City Clerk, would help remove the administrative burden on hospitals, universities, employers and other businesses to define and verify the existence of these committed, non-marital relationships; and

WHEREAS, a registry for unmarried couples could make those couples and their families feel more welcome and valued in Columbus; and

WHEREAS, Columbus City Council approved Ordinance 1077-2010 on November 22, 2010 to provide for additional eligible dependents who meet the necessary criteria with along with a City employee; and

WHEREAS, the City seeks to amend Ordinance 1077-2010 to now authorize, and direct, the Director of Human Resources to provide for additional eligible dependents for purposes of insurance coverage; Now, Therefore,

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

Section 1. That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Section 229, which shall read as follows:

229 Domestic Partnership Registry

229.01 (A) Definitions

As used in this section:

- (1) "Domestic Partnership" refers to the non-marital committed relationship of two adults of the same or different sex, who share responsibility for each others' common welfare, and have signed and filed declaration of Domestic Partnership with the City.
- (2) "Financially Interdependent" means individuals in a domestic partnership are jointly responsible for the financial obligations of the partnership.

229.02 (B) Domestic Partnership Criteria

To establish a domestic partnership, two individuals must file a Declaration of Domestic Partnership with the Columbus City Clerk affirming that they meet the following eligibility requirement:

- (1) Share with another adult a government-issued marriage license whether recognized by the State of Ohio or not;
OR all of the following requirements:
 - (1) Are not currently married to another adult as recognized by Ohio law besides the adult with whom the domestic partnership is being established; and
 - (2) Are not legally separated from another person either under statutory or common law; and
 - (3) Shares responsibility for each others' common welfare; and
 - (4) Are at least eighteen (18) years of age and mentally competent to consent to contract; and
 - (5) Are financially interdependent, as demonstrated by at least four (4) of the following:
 - Joint ownership of real estate property or joint tenancy on a residential lease; or
 - Joint ownership of an automobile; or
 - Joint bank or credit account; or
 - Joint liabilities (e.g., credit cards or loans); or
 - A will designating the interdependent adults as primary beneficiaries; or
 - A retirement plan or life insurance policy beneficiary designation form designating the interdependent adults as primary beneficiaries; or
 - A durable power of attorney signed to the effect that the two interdependent adults have granted powers to one another.

229.03 (C) Filing

- (1) Location: Two persons wishing to establish a domestic partnership must complete and file, either in person or by ground mail, a Declaration of Domestic Partnership with the Columbus City Clerk.
- (2) Prohibitions: No individual who has previously filed a Declaration of Domestic Partnership with the Columbus City Clerk may file a new Declaration of Domestic Partnership until a Notice of Termination of Domestic Partnership has been filed with the Columbus City Clerk. However, this prohibition shall not apply if the previous domestic partnership ended because one of the domestic partners is deceased. A death certificate or a dated newspaper obituary with newspaper citation may be used as proof of death to end partnership.

229.04 (D) Registration

- (1) The city clerk shall develop "Declaration of Domestic Partnership" and "Notice of Termination of Domestic Partnership" forms.
- (2) The "Declaration of Domestic Partnership" form shall require each registrant to:
 - a) Affirm that he or she meets the aforementioned requirements of this section;
 - b) Provide a mailing address;
 - c) Sign the form under penalty of perjury; and

- d) Have a notary public acknowledge his or her signature.
- (3) The City shall have declaration and termination forms available at the office of the City Clerk.
- (4) The City shall charge an administrative fee of \$50 to persons filing a Declaration of Domestic Partnership. No fee shall be charged for the filing of a Notice of Termination of Domestic Partnership.
- (5) The City shall register the Declaration of Domestic Partnership in a registry and return a copy of the declaration form to the domestic partners at the address provided as their common residence.
- (6) The City shall register the Notice of Termination of Domestic Partnership pursuant to the aforementioned requirements set forth in this division.

229.05 (E) Termination

- (1) A domestic partnership ends when:
 - a) One of the domestic partners dies; or
 - b) A Notice of Termination of Domestic Partnership has been filed by one or both domestic partners with the City.
- (2) If the facts affirmed in the Declaration of Domestic Partnership cease to be true, one or both parties to a domestic partnership shall file a Notice of Termination of Domestic Partnership with the City Clerk. Upon receipt, the City shall return a copy of the notice marked "filed" to each of the partners if jointly filed; or two copies to the filing partner. Unless the partners jointly file the notice, the partner filing the notice shall, within five days, send a copy of the filed notice to the other partner's last known address. However, this requirement shall not apply if the termination is due to the death of one of the domestic partners.
- (3) Termination of a domestic partnership shall be effective upon filing of the Notice of Termination of Domestic Partnership with the City by one or both partners or on the date of the death of one of the domestic partners.
- (4) Following the termination of a domestic partnership, the burden of notification rests with each former domestic partner who has received or qualified for any benefit or right based upon the existence of a domestic partnership and whose receipt of that benefit or enjoyment of that right has not otherwise terminated, to give prompt notification to any third party who provides such benefit or right that the domestic partnership was terminated. The City shall not be liable for any injury to any third party by virtue of lack of notice of termination to the domestic partnership, including any third party which has provided any benefits regarding the domestic partnership.
- (5) Failure to provide notice to third parties as prescribed in this section shall not delay or prevent the termination of the domestic partnership.

229.06 (F) Legal Effect

- (1) Registering as domestic partners by two individuals who are also married to one another in Ohio or in another state shall under no circumstances be considered as evidence, knowledge, awareness or an admission that the partners are not lawfully married and it shall not be given any other legal effect in Ohio or any other state with regard to whether the persons are lawfully married.
- (2) Nothing in this division shall be interpreted to alter or contravene county, state or federal law.
- (3) Nothing in this division shall be construed as recognizing or treating a Declaration of Domestic Partnership as a marriage or a legal status that intends to approximate the design, qualities, significance or effect of marriage.

Section 2. That Section 3 of Ordinance 1077-2010 is amended to the following:

That the Human Resources Director is hereby authorized **and directed** to provide for additional eligible dependents to include an adult with whom the covered employee shares a permanent residence. The additional eligible dependent must also **be registered along with the City employee on the City's Domestic Partnership Registry, or** meet all of the following criteria:

- (1) Is not currently married to or legally separated from another person either under statutory or common law; and
- (2) Shares responsibility with the employee for each others' common welfare; and
- (3) Is at least eighteen (18) years of age and mentally competent to consent to contract; and
- (4) Is financially interdependent with the employee, as demonstrated by a signed declaration of financial interdependence and at least four (4) of the following:
 - Joint ownership of real estate property or joint tenancy on a residential lease; or
 - Joint ownership of an automobile; or
 - Joint bank or credit account; or
 - Joint liabilities (e.g., credit cards or loans); or
 - A will designating the eligible dependent as primary beneficiary; or
 - A retirement plan or life insurance policy beneficiary designation form designating the eligible dependent as primary beneficiary; or
 - A durable power of attorney signed to the effect that the employee and eligible dependent have granted powers to one another.~~Any additional criteria limiting eligibility as determined by the Human Resources Director. Such additional criteria shall be incorporated by amendment in the Health Insurance Summary Plan Description, commonly referred to as the benefit booklet.~~

Section 3. That this ordinance shall take effect at the earliest possible date allowed by law but its provisions shall not be enforced until ninety days from final passage.

Legislation Number: 1586-2012

Drafting Date: 7/6/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance is for the option to purchase EMC Equipment & Services for the Department of Technology. The contract will be used to maintain, repair and upgrade the City's SAN (storage area network) environment. The term of the proposed option contract would be approximately three (3) years, with the option to extend the contract for one (1) additional one-year period if mutually agreed upon. The Contract is through June 30, 2015. The Purchasing Office opened formal bids on May 3, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06, Solicitation SA004333. Two-hundred Sixty (260) bids were solicited (MBR: 5; F1: 7). Three (3) bids were received.

All three bids submitted were rejected because none of the bidders provided an applicable reference to the catalog/price list that would be used by the City as the list of all the available EMC products. The discounts

included on the bids would also be calculated from this catalog/list. One of the bidders also offered exceptions to the City's Standard Terms and Conditions. Because they were the low bidder based on the category discounts quoted in their bid, the Purchasing Office informally reconsidered the bid from Advizex Technologies after they were able to provide the complete price list of EMC products.

The Purchasing Office is recommending award of the contract to the lowest and best bidder:

Advizex Technologies, CC#371504931 (Expires July 5, 2012); All Items, \$1.00
Total Estimated Annual Expenditure: \$150,000.00

This company is not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action important repair services to the City's SAN network could be delayed, thereby causing potential harm to City services.

FISCAL IMPACT: Funding to establish this option contract is budgeted in the Mail, Print Services and UTC Fund. The City Agencies will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to enter into a universal term contract for the option to purchase EMC Equipment and Services with Advizex Technologies; to authorize the expenditure of one (1) dollar to establish the contracts from the Mail, Print Services and UTC Fund; to waive the competitive bidding provisions of the Columbus City Codes; and to declare an emergency. (\$1.00).

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 3, 2012 and selected the lowest, responsive, responsible and best bids; and

WHEREAS, all the bids were deemed non-responsive and the City conducted negotiations after considering the bids on an informal basis, 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, the EMC Equipment and Services UTC will be used by the Department of Technology to maintain, repair and upgrade the City's SAN (Storage Area Network) environment, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to enter into one (1) contract for an option to purchase the EMC Equipment and Services to ensure the uninterrupted supply of repair to the SAN environment, 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 the following contract for the option to purchase EMC Equipment and Services for the term ending June 30, 2015, with the option to extend the contracts for one (1) additional one-year period if mutually agreed upon, in accordance with Solicitation No. SA004333 as follows:

Advizex Technologies; All items, Amount: \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2270, OCA: 451130, to pay the cost thereof.

SECTION 3. That in accordance with Section 329.27 of the Columbus City Code, this Council finds the best interest of the City is served by waiving and does hereby waive Section 329.06 (Formal Competitive Bidding) of the Columbus City Codes.

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

Legislation Number: 1587-2012

Drafting Date: 7/6/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of the Department of Development to modify the CDBG-funded contract EL011460 with the Lifecare Alliance by extending the contract termination date from May 31, 2012 to May 31, 2013. The additional time will allow the Lifecare Alliance to continue to support the operation of the Chores Program. The Chores Program provides minor home maintenance and repair services to low and low/moderate-income elderly and disabled homeowner-occupants in the City of Columbus. Emergency action is requested to allow program services to continue without interruption.

FISCAL IMPACT: No additional funds are needed for this modification.

To authorize the Director of the Department of Development to modify a contract with the Lifecare Alliance to extend the termination date to May 31, 2013; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify contract EL011460 with the Lifecare Alliance by extending the contract termination date from May 31, 2012 to May 31, 2013; and

WHEREAS, this modification will allow Lifecare Alliance to continue to support the operation of the Chores Program and

WHEREAS, an emergency exists in the usual daily operation of the Housing Division in that it is immediately necessary to approve this Ordinance to allow program services to continue without interruption, all for the immediate preservation of the public health, property, safety and welfare; **NOW, THEREFORE**,

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

Section 1. That the Director of the Department of Development is hereby authorized to modify contract EL01146 with the Lifecare Alliance by extending the contract termination date from May 31, 2012 to May 31, 2013.

Section 2. That this modification is made pursuant to Section 329.16 of the Columbus City Code.

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

Legislation Number: 1588-2012

Drafting Date: 7/6/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Board of Health and the Columbus Public Schools have collaborated for several years to offer quality health services to Columbus Public School employees and students that are both efficient and responsive to the district's needs. It is necessary to enter into a revenue contract to provide public health consultation services. Under this revenue contract, the Columbus Public Schools will reimburse the Board of Health for the provision of public health consultation services, in an amount not to exceed \$10,000.00, for the period of July 1, 2012 through June 30, 2013.

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: The Columbus Public Schools will reimburse the Board of Health for the services provided. The revenue from the Columbus Public Schools will be deposited into the Health Special Revenue Fund.

To authorize the Board of Health to enter into a revenue contract with the Columbus Public Schools for the provision of public health consultation services in an amount not to exceed \$10,000.00, and to declare an emergency. (\$10,000.00)

WHEREAS, it is necessary to enter into a revenue contract to allow for quality health services to Columbus Public School employees and students that are both efficient and responsive to the district's needs; and,

WHEREAS, it is necessary to enter into a revenue contract for the provision of public health consultation services; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into this revenue contract for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delays in providing program services; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized to enter into a revenue contract with the Columbus Public Schools for the provision of public health consultation services, in an amount not to exceed \$10,000.00, for the period of July 1, 2012 through June 30, 2013.

SECTION 2. 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: 1589-2012

Drafting Date: 7/6/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: Columbus Public Health provides Chlamydia and gonorrhea testing for patients of the STD Clinic and various other clinics in the City of Columbus. Columbus Public Health uses a highly effective DNA probe test kit for Chlamydia and gonorrhea testing. The DNA probe test kit has higher sensitivity, specificity, and transportability characteristics than other types of testing methods. Gen-Probe is the sole provider of the DNA probe test kit, which is the only FDA approved test kit available in the United States.

Columbus Public Health, as a public health agency, receives discounted pricing for these DNA Probe test kits.

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

Gen-Probe's contract compliance expires 4/25/14. Their contract compliance number is 330767987.

FISCAL IMPACT: Funding for this purchase is budgeted in the 2012 Health Special Revenue Fund.

To authorize the Director of Finance and Management to establish a purchase order with Gen-Probe for the purchase of Chlamydia and gonorrhea test kits for Columbus Public Health in accordance with sole source provisions; to authorize the expenditure of \$85,000.00 from the Health Special Revenue Fund; and to declare an emergency. (\$85,000.00)

WHEREAS, Columbus Public Health provides Chlamydia and gonorrhea testing for patients of the STD Clinic and various other clinics in the City of Columbus; and,

WHEREAS, Columbus Public Health is in need of DNA test kits to provide the Chlamydia and gonorrhea

testing; and,

WHEREAS, Gen-Probe is the sole supplier of DNA probe test kits; and,

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

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

SECTION 1. That the Director of Finance and Management is hereby authorized to establish a purchase order with Gen-Probe for the purchase of Chlamydia and gonorrhea test kits.

SECTION 2. That the total expenditure of \$85,000.00 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Department of Health, Department No. 50-01, Object Level One 02, Object Level Three 2293, OCA Code 502054.

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

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

Legislation Number: 1590-2012

Drafting Date: 7/6/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to issue a purchase order to AT&T for telephone services for the Division of Police. These phone services are used in Police facilities for both voice and data services.

Bid Information: The Purchasing Office has set up universal term contract FL004566 with AT&T for these telephone services.

AT&T is not debarred according to the excluded party listing system of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search.

Contract Compliance: 340436390 - expires 02/13/2014

Emergency Designation: Emergency action is requested as funds are needed immediately to ensure these

services can continue without interruption.

FISCAL IMPACT: The Division of Police budgeted \$265,000.00 in the 2012 General Fund operating budget for services from AT&T. The Division spent and/or encumbered approximately \$182,500.00 in 2011 for these services, and \$100,000.00 thus far in 2012. This ordinance authorizes an additional \$97,000.00 in services with AT&T.

To authorize and direct the Finance and Management Director to issue a purchase order on behalf of the Division of Police for telephone services from an existing Universal Term Contract with AT&T, to authorize the expenditure of \$97,000.00 from the General Fund; and to declare an emergency. (\$97,000.00)

WHEREAS, there is a need to purchase telephone services for the Division of Police, and

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

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

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to issue a purchase order to AT&T for telephone services for the Division of Police, on the basis of the City's universal term contract number FL004566.

SECTION 2. That the expenditure of \$97,000.00, or so much thereof as may be needed, be and is hereby authorized as follows:

|DEPT 30-03| FUND 010| OBJ LEVEL 1-03| OBJ. LEVEL 3-3320| OCA 300301|

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

Legislation Number: 1591-2012

Drafting Date: 7/6/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the Bridge Rehabilitation - Ohio Center Way over Conrail Contract for the Division of Design and Construction.

This project consists of rehabilitation of the Convention Center bridges, including pier patching, expansion joint replacements, expansion joint seal replacements, replacement of steel diaphragms, and two spans of pre-stressed concrete beams, and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

The estimated Notice to Proceed date is August 16, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. Two bids were received on July 3, 2012, (both majority) and tabulated as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Complete General Construction Co.	\$1,149,712.50	Columbus, OH	Majority
Righter Company, Inc.	\$1,698,550.00	Columbus, OH	Majority

Award is to be made to Complete General Construction, as the lowest responsive and responsible and best bidder. The contract amount will be \$1,149,712.50.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Complete General Construction Company.

2. CONTRACT COMPLIANCE

The contract compliance number for Complete General Construction Company is 314366382 and expires on 11/1/2013.

3. FISCAL IMPACT

Funding for this project budgeted in the 2012 C.I.B. and is contingent upon the 2012 bond sale.

4. EMERGENCY DESIGNATION

Emergency action is requested in order to provide for necessary bridge rehabilitation work at the earliest possible time to ensure the safety of the travelling public.

To authorize the Director of Public Service to enter into contract with Complete General Construction Company for the Bridge Rehabilitation - Ohio Center Way over Conrail project; to provide for the payment of construction administration and inspection services in connection with the project; to amend the 2012 C.I.B; to authorize the transfer of funds within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of up to \$1,264,683.75 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$1,264,683.75)

WHEREAS, the City of Columbus Department of Public Service is engaged in the Bridge Rehabilitation - Ohio Center Way Over Conrail project; and

WHEREAS, work on this project consists of rehabilitation of the Convention Center bridges, including pier patching, expansion joint replacements, expansion joint seal replacements, replacement of steel diaphragms, and two spans of pre-stressed concrete beams; and

WHEREAS, Complete General Construction Company will be awarded the contract for the Bridge Rehabilitation - Ohio Center Way over Conrail project; and

WHEREAS, it is necessary to enter into contract with Complete General Construction Company; and

WHEREAS, it is necessary to provide for construction administration and inspection services; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that this project should proceed immediately for the rehabilitation of this bridge to ensure the safety of the travelling public, 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 contract with Complete General Construction Company, 1221 East Fifth Avenue, Columbus, Ohio, 43219, for the construction of the Bridge Rehabilitation - Ohio Center Way over Conrail project in an amount up to

\$1,149,712.50 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to pay for the necessary inspection costs associated with the project up to a maximum of \$114,971.25.

SECTION 2. That the 2012 C.I.B. authorized within ordinance 0368-2012 be amended as follows to establish funding in the correct project detail number to ensure proper accounting practices:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

704 / 530301-100015 / Bridge Rehabilitation - Major Bridge Rehab (Carryover) / \$229,391.00 / (\$225,082.00) / \$4,309.00
704 / 530301-100016 / Bridge Rehabilitation - State Route (Carryover) / \$32,019.00 / (\$32,019.00) / \$0.00
704 / 530301-163177 / Bridge Rehabilitation - Ohio Center Way over R.R. N. of Structure 1 (Carryover) / \$0.00 / \$257,100.00 / \$257,100.00

SECTION 3. That the transfer of cash and appropriation within the Streets and Highways G.O. Bonds Fund, Number 704, be authorized as follows:

From:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530301-100015 / Bridge Rehabilitation - Major Bridge Rehab / 06-6600 / 760115 / \$225,081.17
704 / 530301-100016 / Bridge Rehabilitation - State Route / 06-6600 / 743116 / \$32,018.83

Total Transfer from: \$257,100.00

To:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530301-163177 / Bridge Rehabilitation - Ohio Center Way over Conrail / 06-6600 / 763177 / \$257,100.00

SECTION 4. That for the purpose of paying the cost of this contract and inspection, the sum of \$1,264,683.75 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount

704 / 530301-100000 / Bridge Rehabilitation / 06-6621 / 591142 / \$764,045.78
704 / 530301-161263 / Bridge Rehabilitation - James Road Over Mason Run / 06-6621 / 740163 / \$243,537.97
704 / 530301-163177 / Bridge Rehabilitation - Ohio Center Way over Conrail / 06-6621 / 763177 / \$142,128.75
704 / 530301-163177 / Bridge Rehabilitation - Ohio Center Way over Conrail / 06-6687 / 763177 / \$114,971.25

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

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the

same.

Legislation Number: 1593-2012

Drafting Date: 7/8/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of Public Safety to enter into a contract with Alternative Business Systems, LLC for professional consulting services to analyze the software and hardware upgrade necessary for Crime Analysts to perform their job functions for the Division of Police. Crime Analysts review reported crimes and help identify crime trends. These crime trends are then discussed at weekly strategy meetings so that resources may be directed to address these crimes and help Police take action in the various neighborhoods. The Crime Analysts also use software to report, map, and compare crime statistics across the city.

The Division of Police wants to upgrade the data base storage capabilities for crime statistics and improve the quality of software and hardware used to analyze crime data. Alternative Business Systems (ABS) LLC will help Police determine the best vendors capable of providing the latest and best crime analysis programs. ABS will review current operations with respect to crime analysis, work with the Division's Police Net Operations Unit, review the network infrastructure system requirements and determine the best software solutions to enable Police to fight crime. Once a new crime analysis system is identified, ABS will help Police during the implementation phase of any new crime analysis system.

BID INFORMATION: Formal bid # SA004277 was opened on February 28, 2012 for consulting services for the Division of Police to identify and document the system requirements. Three responses were received for these services from the following vendors:

Alternative Business Systems, Unicon International and Axia Consulting.

A committee consisting of personnel from the Crime Analysis Unit, Strategic Response Bureau and Police Net Unit evaluated the proposals on five categories: Competence, Quality and Feasibility, Ability, Past Performance and Pricing Structure. The committee recommended that the contract should be awarded based on these categories to Alternative Business Systems, LLC.

Contract Compliance No.: 31-1220941 expires 8/04/2013

Emergency action is requested so that these consulting services can begin in order to get a system in place for better reports to identify, analyze, and communicate crime problems and trends.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$25,000.00 from the Law Enforcement Seizure Fund for Phase One of this project. Additional Law Enforcement Seizure Funds will be needed to implement the new software system (Phase Two).

To authorize and direct the Director of Public Safety to enter into a contract with Alternative Business Systems LLC for professional consulting services for the Division of Police, to authorize the expenditure of \$25,000.00 from the Law Enforcement Seizure Fund; and to declare an emergency. (\$25,000.00)

WHEREAS, the Division of Police's Crime Analysis Unit is in dire need of a new system to provide reports to identify, analyze, and communicate crime problems and trends; and

WHEREAS, it is in the City's best interest to procure professional services to perform a proper detailed

system analysis for the Division of Police; and

WHEREAS, a formal bid opening was held on February 28, 2012 for consulting services for the Division of Police; and

WHEREAS, based on the committee's recommendation, the Director of Public Safety should enter into a contract with Alternative Business Systems LLC for professional consulting services; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Public Safety Department, in that it is immediately necessary to enter into a contract with Alternative Business Systems LLC so that a software system can be put in place 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 and directed to enter into a contract between the Division of Police and Alternative Business Systems LLC for consulting services based on the committee's recommendation.

SECTION 2. That the expenditure of \$25,000.00, or so much thereof as may be necessary, is hereby authorized to be expended as follows:

|Dept.30-03|FUND 219|Sub Fund 016|Obj. Level (1) 03|Obj. Level (3) 3336| OCA Code 300988| \$22,000.00

|Dept.30-03|FUND 219|Sub Fund 002|Obj. Level (1) 03|Obj. Level (3) 3336| OCA Code 301838 | \$3,000.00

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 approved nor vetoes the same.

Legislation Number: 1594-2012

Drafting Date: 7/8/2012

Current Status: Passed

Version: 2

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes an expenditure of \$71,959.60 for the Division of Police to pay prisoner medical bills to Grant/Riverside Methodist Hospitals and to Mount Carmel Health. The Division of Police is responsible for medical care provided to prisoners in police custody. The Division of Police works with the City Attorney's office to determine if individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices. These invoices are also reviewed by our current contractor, Careworks, who verifies all the charges on the invoices and negotiates the cost with the hospital staff.

Contract Compliance: Grant/ Riverside 314394942 - NPO, Mount Carmel Health 314379602 - NPO

Emergency Designation: Emergency legislation is requested for this ordinance in order to pay outstanding prisoner medical bills.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$71,959.60 from the General Fund for payment of prisoner medical bills (\$34,517.45) to Grant/Riverside Methodist Hospitals and (\$37,442.15) to Mount Carmel Health. The Division of Police budgeted \$700,000.00 in the 2012 General Fund budget for

medical services for prisoners. With this expenditure, the Division has encumbered or spent approximately \$172,395.00 for prisoner medical claims in 2012. The Division spent or encumbered approximately \$967,430.00 for prisoner medical bills in 2011.

To authorize and direct the Director of Public Safety to pay prisoner medical bills to Grant/Riverside Methodist Hospitals and to Mount Carmel Health for the Division of Police, to authorize the expenditure of \$71,959.60 from the General Fund.
~~; and to declare an emergency. (\$71,959.60)~~

WHEREAS, individuals were incarcerated or in the custody of the Division of Police during the specified dates of services on the medical invoices; and

WHEREAS, pursuant to the City Attorney's office, the Division of Police findings, and Careworks, the Police Division is responsible for paying the medical bills; **now therefore and**

~~WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary for payment of prisoner medical invoices to Grant/Riverside Hospitals and to Mount Carmel Health for the preservation of public health, peace, property, safety and welfare; now, therefore~~

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

SECTION 1. That the Director of Public Safety be and is hereby authorized and directed to pay Grant/Riverside Methodist Hospitals and Mount Carmel Health for prisoner medical bills.

SECTION 2. That the expenditure of \$71,959.60, or so much thereof as may be needed, be and the same is hereby authorized as follows:

<u>DIV</u>	<u>FUND</u>	<u>OBJ LEV (1)</u>	<u>OBJ LEV (3)</u>	<u>OCA#</u>
30-03	010	03	3413	301382

SECTION 3. ~~That 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 enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.~~

Legislation Number: 1596-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Alley Rehabilitation - Downtown SID Project.

This project consists of removing the brick on the raised and lowered areas of the plaza on the south side of Lynn Alley between High Street and Pearl Alley. These areas will be leveled and repaired as necessary to provide a continuous single level surface between the building on the north side and south side of Lynn Alley. A raised brick platform will be constructed as necessary to provide access to the business operating out of the

building on the south side of the alley. The raised platform shall be ADA accessible with an accessible ramp and, if required, steps. Storm sewer inlets, all manholes, water valve boxes, and water services will be adjusted to grade, and other such work as may be necessary to complete the contract in accordance with the plans and specifications.

There are no bus stops or transit routes within the limits of the project.

Pedestrian generators and destinations impacting the proposed project include High Street, Lynn and Pearl Alley Businesses and the Pearl Alley Farmer's Market.

The estimated Notice to Proceed date is August 22, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. 3 bids were received on July 2, 2012 (all majority) and tabulated on July 3, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State *</u>	<u>Majority/MBE/FBE</u>
G&G Cement Contractors	\$170,338.00	Columbus, OH	Majority
Columbus Asphalt Paving	\$181,079.00	Columbus, OH	Majority
Complete General Construction	\$220,044.74	Columbus, OH	Majority

*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below.

Award is to be made to G&G Cement Contractors as the lowest, responsive, responsible and best bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against G&G Cement Contractors.

2. CONTRACT COMPLIANCE

The contract compliance number for G&G Cement Contractors is 262560462 and expires 4/17/14.

3. FISCAL IMPACT

Funding for this project budgeted and available within the Streets and Highways G.O. Bonds Fund.

4. EMERGENCY DESIGNATION

Emergency action is requested in order to allow this project to begin at the earliest possible time this construction season and to allow the alley and improved access to be available to the public at the earliest possible time.

To authorize the Director of Public Service to enter into contract with G&G Cement Contractors, and to provide for the payment of construction administration and inspection services, in connection with the Alley Rehabilitation - Downtown SID Improvements Project; to authorize the expenditure of up to \$204,405.60 within the Streets and Highways G.O. Bonds Fund for the Division of Design and Construction; and to declare an emergency. (\$204,405.60)

WHEREAS, the City of Columbus, Department of Public Service, Division of Design and Construction, is engaged in the Alley Rehabilitation - Downtown SID Improvements project; and

WHEREAS, this project consists of leveling the areas of the plaza on the south side of Lynn Alley between High Street and Pearl Alley by removing the brick on the raised and lowered areas of the plaza and repairing as necessary to provide a continuous single level surface between the building on the north side and south side of Lynn Alley; and

WHEREAS, this ordinance authorizes the Director of Public Service to enter into contract with G&G Cement Contractors, for the construction of the Alley Rehabilitation - Downtown SID Improvements project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction in order to maintain the project schedule and provide the level surface and improved access planned in this project to provide the highest level of pedestrian safety possible 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 contract with G&G Cement Contractors, 2849 Switzer Avenue, Columbus, OH 43219, for the construction of the Alley Rehabilitation - Downtown SID Improvements project in the amount of \$170,338.00 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$34,067.60.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$204,405.60 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept.-Div. 59-12, as follows:

Fund / Grant / Grant Name / O.L. 01-03 Codes / OCA / Amount

704 / 530104-100003 / Alley Rehabilitation - Downtown SID Improvements / 06-6621 / 740403 / \$170,338.00

704 / 530104-100003 / Alley Rehabilitation - Downtown SID Improvements / 06-6621 / 740403 / \$34,067.60

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: 1597-2012

Drafting Date: 7/9/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the ADA Curb Ramp - Citywide Curb Ramps Package 1 project.

Work for project consists of building ADA curb ramps at various locations in Columbus and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is August 22, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. 4 bids were received on July 3, 2012 (4 Majority) and tabulated on July 5, 2012 as follows:

Company Name	Bid Amt	City/State*	Majority/MBE/FBE
Decker Construction Company	\$510,549.69	Columbus, OH	Majority
Shelly and Sands, Inc.	\$562,474.55	Columbus, OH	Majority
Columbus Asphalt Paving	\$567,261.20	Columbus, OH	Majority
G&G Cement Contractors	\$768,343.40	Columbus, OH	Majority

*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below.

The bid documents included SP-146 which states, "It is the City's intent to fully utilize the available funding provided to its Ramp Program within the approved Capital Improvements Budget. Therefore, the City reserves

the right to increase or decrease the base contract amount, up to or down to a maximum of (\$660,000.00). The total amount of the work and other incidentals will not exceed the total amount of the contract price (maximum of \$660,000.00). The contract will be awarded to the lowest (determined by the base bid, not including additional funds to equal the maximum of \$660,000.00), best, responsive, responsible bidder per Columbus City Code Section 329."

Award is to be made to Decker Construction Company for the amount of, which was the lowest responsive and responsible and best bidder. The contract amount will be \$660,000.00 with inspection amount of \$90,000.00

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Decker Construction Company.

2. CONTRACT COMPLIANCE

The contract compliance number for Decker Construction Company is 310983557 and expires 2/3/14.

3. FISCAL IMPACT

This project is programmed in the 2012 C.I.B and is contingent upon the 2012 bond sale.

4. EMERGENCY DESIGNATION.

Emergency action is requested in order for this project to commence as early as possible and perform necessary reconstruction to City curb ramps for the highest level of pedestrian access and safety.

To authorize the Director of Public Service to enter into contract with Decker Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the ADA Curb Ramp - Citywide Curb Ramps Package 1 project; to authorize the expenditure of up to \$750,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$750,000.00)

WHEREAS, the Division of Design and Construction is responsible for the construction and rehabilitation of curb ramps within the City of Columbus; and

WHEREAS, it is necessary to enter into contract to provide for the construction and rehabilitation of City curb ramps as part of the ADA Curb Ramp - Citywide Curb Ramps Package 1 project; and

WHEREAS, bids were received on July 3, 2012, and tabulated on July 5, 2012, for the ADA Curb Ramp - Citywide Curb Ramps Package 1 project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction administration and inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to perform necessary construction and rehabilitation to City curb ramps to maintain the highest level of pedestrian access and safety, 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 contract with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio, 43204 for the construction of the ADA Curb Ramp - Citywide Curb Ramps Package 1 project in the amount of up to \$660,000.00 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the

necessary inspection costs associated with the project up to a maximum of \$90,000.00.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$750,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept.-Div. 59-12

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530087-100002 / ADA Curb Ramps - Citywide Curb Ramps / 06-6621 / 748702 / \$500,000.00

704 / 530087-100005 / ADA Curb Ramps - Repairs / 06-6621 / 748705 / \$160,000.00

704 / 530087-100005 / ADA Curb Ramps - Repairs / 06-6687 / 748705 / \$90,000.00

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

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

Legislation Number: 1598-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the ADA Curb Ramp - Citywide Curb Ramps Package 2 project.

The work for which proposals are invited consists of building ADA curb ramps at various locations in Columbus and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is August 23, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. 3 bids were received on July 3, 2012 (3 Majority) and tabulated on July 5, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State*</u>	<u>Majority/MBE/FBE</u>
Decker Construction Company	\$189,035.50	Columbus, OH	Majority
G&G Cement Contractors	\$209,389.95	Columbus, OH	Majority
Columbus Asphalt Paving	\$233,552.49	Columbus, OH	Majority

*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below. The bid documents include SP-146 which states, "It is the City's intent to fully utilize the available funding provided to its Ramp Program within the approved Capital Improvements Budget. Therefore, the City reserves the right to increase or decrease the base contract amount, up to or down to a maximum of \$200,000.00. The total amount of the work and other incidentals will not exceed the total amount of the contract price (maximum of \$200,000.00). The contract will be awarded to the lowest (determined by the base bid, not including additional funds to equal the maximum of \$200,000.00), best, responsive, responsible bidder per Columbus City Code Section 329."

Award is made to the lowest responsive, responsible and best bidder, Decker Construction Company, for their

bid of \$189,035.50, which was the lowest responsive and responsible and best bidder. The contract amount will be \$200,000.00 with inspection amount of \$50,000.00

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Decker Construction Company.

2. CONTRACT COMPLIANCE

The contract compliance number for Decker Construction Company is 310983557 and expires 2/3/14.

3. FISCAL IMPACT

This project is programmed in the 2012 C.I.B and is contingent upon the 2012 bond sale.

4. EMERGENCY DESIGNATION.

Emergency action is requested in order for this project to commence as early as possible and perform necessary reconstruction to City curb ramps for the highest level of pedestrian access and safety.

To authorize the Director of Public Service to enter into contract with Decker Construction Company to provide for the payment of the contract and construction administration and inspection services, in connection with the ADA Curb Ramp - Citywide Curb Ramps Package 2 project; to authorize the expenditure of \$250,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$250,000.00)

WHEREAS, the Division of Design and Construction is responsible for the construction and rehabilitation of curb ramps within the City of Columbus; and

WHEREAS, it is necessary to enter into contract to provide for the construction and rehabilitation of City curb ramps as part of the ADA Curb Ramp - Citywide Curb Ramps Package 2 project; and

WHEREAS, bids were received on July 3, 2012, and tabulated on July 5, 2012, for the ADA Curb Ramp - Citywide Curb Ramps Package 2 project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction administration and inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to perform necessary construction and rehabilitation to City curb ramps to maintain the highest level of pedestrian access and safety, 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 contract with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio, 43204 for the construction of the ADA Curb Ramp - Citywide Curb Ramps Package 2 project in the amount of up to \$200,000.00 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$50,000.00.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of up to \$250,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept.-Div. 59-12
Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530087-100005 / ADA Curb Ramps - Repair / 06-6621 / 748705 / \$200,000.00

704 / 530087-100005 / ADA Curb Ramps - Repair / 06-6687 / 748705 / \$50,000.00

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

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

Legislation Number: 1600-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

The Division of Planning and Operations is responsible for installation and maintenance of traffic control devices along the City's roadway system. To accomplish this mission the Division requires a 40-Foot Aerial Truck to install and maintain fiber optic cable mounted on utility poles. This 40-Foot Aerial Truck will replace a unit that is beyond its useful service life and provide for a more reliable fleet to carry out services provided by the Division. This purchase is consistent with the division's fleet replacement program.

Bids were advertised in the City Bulletin and were received by the Purchasing Office on June 14, 2012 for Bid SA004419 as follows:

Company	Cab and Chassis	Aerial Lift	Cost	Status
Utility Truck Equipment	International 4300	Versalift VST-40-I	\$178,870.00	Majority
Center City International	International 4300	Terex TL41	\$189,428.00	Majority

The lowest bid was from Utility Truck Equipment, Inc. and met specifications as the lowest responsive, responsible bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Utility Truck Equipment.

2. CONTRACT COMPLIANCE INFORMATION

Utility Truck Equipment's contract compliance number is 31-0989420 and expires 8/29/13.

3. EMERGENCY DESIGNATION

Emergency action is requested to make this equipment available at the earliest possible time to meet the needs of the Division of Planning and Operations daily activity.

4. FISCAL IMPACT

Funding for this purchase is budgeted within the 2012 C.I.B. and is contingent upon the 2012 bond sale. The cost of this purchase is \$178,870.00.

To authorize the Director of Finance and Management to enter into a contract for the purchase of 40-Foot Aerial Truck from Utility Truck Equipment, Inc., for the Division of Planning and Operations; and to authorize the expenditure of \$178,870.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$178,870.00)

WHEREAS, the Division of Planning and Operations is in need of a 40-Foot Aerial Truck, and

WHEREAS, the City of Columbus does not include this type of equipment on any Universal Term Contract, and

WHEREAS, this purchase has been approved by the Fleet Management Division and this equipment does not offer environmentally preferred fuel options at this time, and

WHEREAS, funds are available in the Streets and Highways G.O. Bonds Fund for this expense; and

WHEREAS, emergency action is requested to make this equipment available for the Division of Planning and Operations at the earliest possible time; now, therefore

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

SECTION 1. That the Director of Finance and Management is hereby authorized to establish a purchase order with Utility Truck Equipment, Inc., 23893 U.S. 23 South, Circleville, Ohio, 43113, for the purchase of a 40-Foot Aerial Truck in accordance with the specifications on file in the Purchasing Office.

SECTION 2. That the sum of \$178,870.00 or so much thereof as may be needed is hereby authorized to be expended from Streets and Highways G.O. Bonds Fund, number 704 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount
704 / 530020-100000 / Street Equipment / 06-6651 / 591246 / \$178,870.00

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

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

Legislation Number: 1606-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with M + A Architects for professional architectural and engineering consulting services to design Fire Station No. 2/3. The present Fire Station 2/3 is located at 150 E. Fulton Street. Fire Station 2/3 is fifty years old and is the busiest of Columbus 32 stations, achieving over 20,000 service runs in 2011.

The primary service area for Fire Station 2/3 is the southern portion of downtown and the German Village area as well as portions of South High Street. Besides housing two units, Fire Station 2/3 also has a Heavy Rescue company and a Bomb Squad. The Fire Division has outgrown the present location at Fulton Street and has

been investing significant funds attempting to upgrade the site over the past several years by installing new windows, upgrading the kitchen, replacing the roof, and dealing with a deteriorating parking lot. With the potential changes to the Interstate Highway in the area of Fulton Street (I71/I70 split), it is the right time to look at re-constructing Fire Station 2/3.

The Public Safety Department proposes to use city property at Greenlawn Avenue for a new Fire Station for 2/3. Upon completion of the Greenlawn Fire Station, the Department will seek to demolish the Fulton Street Station and rebuild an appropriate size Fire Station at this location. Operationally, the Greenlawn property has been vacated of all city facilities (at one time Recreation & Parks, Weights & Measures, Safety Support Services, the Fire Division, and Fleet Management utilized this property). Demolition and cleanup of the site in preparation for the Fire Station 2/3 should begin later this year.

In accordance with the competitive bidding provisions of the Columbus City Codes, Requests for Statements of Qualifications were advertised and responses were submitted on or before April 2, 2012. The City received fourteen statements from the following firms(*1 AS1, 0 FBE, 3 ^MBE): DLZ Architecture, ^Harris Design Services, RP Architects, Inc., M + A Architects, Philip Markwood, Abbot Studios Architects Planners, JBA Architects, P.C., MSA Architects, Schorr Architects, Inc., ^HKI Associates, Inc., ^Moody Nolan, Braun & Steidl Architects, Inc., *Prime Engineering, and JL Bender.

A committee of city employees from Construction Management, Public Safety, and EBOCO, evaluated the RFSQ's and recommended M + A as the firm to design Fire Station 2/3.

Emergency action is requested to begin the engineering and design of this fire station so as to ensure that a spring or summer construction start can begin in 2013. Potential I-70/71 construction may impact the operation of the current station, and the optimal start time for most construction projects is spring or summer. Meacham & Apel, Inc., Contract Compliance No. 31-0989412, expiration date November 23, 2013.

Fiscal Impact: The cost of this design contract is \$745,900.00. Funds for this project are budgeted in Public Safety's 2012 Capital Improvement Budget and are contingent on the June 10, 2012 bond sale.

To authorize the Finance and Management Director to enter into a contract with M + A Architects on behalf of the Office of Construction Management with M + A for professional architectural and engineering consulting services to design Fire Station No. 2/3; to authorize the expenditure of \$745,900.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$745,900.00)

WHEREAS, the Finance and Management Department, Office of Construction Management desires to enter into a professional services contract with M + A Architects for professional architectural and engineering consulting services for the design of Fire Station No. 2/3; and

WHEREAS, M + A is the most responsive and responsible bidder; 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 authorize the Finance and Management Director to enter into a contract with M + A Architects for professional architectural and engineering consulting services for the design of Fire Station No. 2/3, thereby preserving the public health, property, peace, 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 authorized to enter into a contract on behalf of the Office of Construction Management with M + A Architects for professional architectural and engineering consulting services for the design of Fire Station 2/3.

SECTION 2. That the expenditure of \$745,900.00, or so much thereof as may be necessary in regards to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-04

Fund: 701

Project: 340126-100000

OCA: 701126

Object Level 1: 06

Object Level 3: 6681

Amount: \$745,900.00

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

Legislation Number: 1607-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

The Recreation and Parks Department, acting on behalf of the City of Columbus ("City"), is engaged in the Scioto Greenways Project which involves the removal of the Main Street dam, the restoration of the Scioto River and construction of park improvements along the Scioto River. The following ordinance authorizes the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs necessary to the Scioto Greenways Project.

Fiscal Impact: The Recreation and Parks Department has determined that the funding for this project will come from the Recreation and Parks Voted Bond Fund. Funds are contingent on the July 10, 2012 Bond Sale.

Emergency Justification: Emergency action is requested to allow for the immediate acquisition of that real property necessary to the project, as not to delay the restoration of the Scioto River.

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend \$20,000.00 from the Recreation and Parks Voted Bond Fund for costs relative to the acquisition of real property necessary to the Scioto Greenways Project; and to declare an emergency. (\$20,000.00)

WHEREAS, the Recreation and Parks Department, acting on behalf of the City of Columbus ("City"), is engaged in the Scioto Greenways Project which involves the removal of the Main Street dam, the restoration of the Scioto River and construction of park improvements along the Scioto River; and

WHEREAS, the following ordinance authorizes the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs

necessary to the Scioto Greenways Project; and

WHEREAS, it is necessary to expend \$20,000.00 from the Recreation and Parks Voted Bond Fund for costs relative to the acquisition of certain real property necessary to the Scioto Greenways Project; and

WHEREAS, an emergency exists in the usual daily operation of the City, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, and to expend the monies for payment of acquisition costs necessary to the Scioto Greenways Project for the immediate preservation of the public health, peace, property and safety; now, therefore:

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

SECTION 1. That the City Attorney be and is hereby authorized to acquire fee simple title and lesser interests in and to certain real property, and to contract for professional services, necessary to the Scioto Greenways Project.

SECTION 2. That the City Attorney be and is hereby authorized to expend \$20,000.00, or so much thereof as may be necessary, from the Recreation and Parks Voted Bond Fund, OCA: 644625; Fund #702; Object Level Three: 6601; Dept./Div. 51-01, Project No. 510316-100000 for costs relative to the acquisition of certain real property necessary to the Scioto Greenways Project.

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 its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1609-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

As part of the continued development of the Arena District, Nationwide Realty Investors, Ltd., ("NRI") desires to construct a pedestrian bridge to connect the Greater Columbus Convention Center parking garage with its new office building at 10 West Nationwide Blvd and the Arena District. The bridge will be placed over Columbus Convention Center Drive to provide better pedestrian access to the Arena District from the new convention center hotel and the Greater Columbus Convention Center. NRI has requested an aerial easement over the City's right of way, Columbus Convention Center Drive. Upon completion of the bridge NRI will grant a public access easement across the bridge over the portions outside the City's right of way to the City for the purpose of providing pedestrian access for the public. The Department of Public Service has determined that granting of an aerial easement over the City's right of way will not adversely affect the City and should be allowed for so long as the easement is used to provide public pedestrian access/egress. The following ordinance is to authorize the Director of the Department of Public Services to execute a Quitclaim Deed of Aerial Encroachment Easement.

Fiscal Impact: N/A

Emergency Justification: Passage is necessary as an emergency in order to allow the completion of the bridge by the opening of the new convention center hotel, thereby providing pedestrian access.

To authorize the Director of the Department of Public Service to execute a Quitclaim Deed of Aerial Encroachment Easement necessary for Nationwide Realty Investors, Ltd. ("NRI"), to construct a pedestrian bridge over Columbus Convention Center Drive, to accept a pedestrian easement from NRI, and to declare an emergency.

WHEREAS, as part of the continued development of the Arena District , Nationwide Realty Investors, Ltd., an Ohio Limited Liability Company ("NRI") desires to construct a pedestrian bridge to connect the Greater Columbus Convention Center parking garage with its new office building at 10 West Nationwide Blvd; and

WHEREAS, the bridge will traverse over Columbus Convention Center Drive to provide better pedestrian access among the Arena District , the new convention center hotel and the Greater Columbus Convention Center; and

WHEREAS, NRI has requested that the City of Columbus ("City") grant the necessary aerial easement to allow NRI to encroach upon the City's right-of-way in order to construct, operate and maintain the bridge; and

WHEREAS, upon completion of the bridge NRI will grant a public access easement across the entire bridge to the City; and

WHEREAS, the Department of Public Service has determined that granting of the easement will not adversely affect the City and should be allowed for so long as the land is used for the purposes to be set forth by the City in the Quitclaim Deed of Aerial Encroachment Easement; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, in that it is necessary to immediately authorize the Director of the Department of Public Service, to execute a Quitclaim Deed of Aerial Encroachment Easement to grant NRI the right to encroach upon certain City real property, more fully described in the body of this legislation, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore:

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

Section 1. That the Director of the Department of Public Services, be and hereby is authorized to execute those documents, prepared by the City Attorney's Office, Department of Law, Real Estate Division, necessary to grant a Quitclaim Deed of Aerial Encroachment Easement unto Nationwide Realty Investors, an Ohio Limited Liability Company to construct a pedestrian bridge over the following described real property:

AERIAL ENCROACHMENT EASEMENT
0.043 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 8, Township 5, Range 22 of the Refugee Lands, being on, over and across Columbus Convention Center Drive of record in Plat Book 109, Page 88, being above the elevation of 759 feet, NAVD 88 (all references are

to the records of the Recorder's Office, Franklin County, Ohio), being more particularly described as follows:

Beginning for reference at the intersection of the easterly right-of-way line of Front Street (80 feet wide) with the southerly right-of-way line of said Columbus Convention Center Drive (varying in width), at the northwest corner of Lot 28 of A.H. Phinney Addition to Columbus of record in Plat Book 1, Page 40;

Thence South 86°44'39" East, with said southerly right-of-way line, with the northerly line of said Lot 28, with the northerly line of Lot 26 of said A.H. Phinney Addition, a distance of 44.80 feet to the TRUE POINT OF BEGINNING;

Thence North 03°22'33" East, across said Columbus Convention Center Drive, a distance of 51.36 feet to a point in the northerly right-of-way line of said Columbus Convention Center Drive, in the southerly line of a 2.585 acre tract conveyed to Franklin County Convention Facilities Authority by deed of record in Instrument Number 201007230094006;

Thence South 86°47'05" East, with said northerly right-of-way line, with said southerly line, a distance of 36.50 feet to a point;

Thence South 03°22'33" West, across said Columbus Convention Center Drive, a distance of 51.37 feet to a point in said southerly right-of-way line, in the northerly line of Lot 24 of said A.H. Phinney Addition;

Thence North 86°45'47" West, with the northerly lines of said Lots 24 and 26, with said southerly right-of-way line, a distance of 36.50 feet to the TRUE POINT OF BEGINNING, containing 0.043 acre, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Daniel Neer, Professional Surveyor No. 8533, DAN June 27, 2012

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Section 2. That the City of Columbus hereby accepts a public access/egress easement from Nationwide Realty Investors, an Ohio Limited Liability Company, over the pedestrian bridge.

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 its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1610-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

This Ordinance authorizes the Public Service to provide payment to the Ohio Department of Transportation (ODOT) for the pavement marking materials needed for the Bridge Rehabilitation - US 23 (4th Street) over Convention Center Connector and Railroad project (ODOT FRA-23-12.11 PID 77565), in ODOT District 6.

This project rehabilitated the US 23 (4th Street) bridge over Convention Center Connector and Railroad by redecking and repainting structural steel and include limited resurfacing, sidewalk improvements, and installation of three of the City's lighting poles near the bridge that are in need of repair due to age and deteriorating pole foundation structure and circuitry.

The Department of Public Service, Division of Design and Construction requested that the State include an

alternate bid item in the project for pavement markings on the bridge that are typically utilized by the City and differ from those utilized by the State in their increased durability. The expenditure of \$7,000.00 for these pavement marking was authorized within ordinance 0329-2011. At this time it is necessary to authorize the additional expenditure of \$3,642.00 for the purpose of providing for the appropriate striping material needed. Since the original amount was requested, it was determined that the materials that were going to be used did not meet the requirements of the City and additional funding is needed for the materials needed.

2. EMERGENCY DESIGNATION

Emergency action is requested in order to provide funding to ODOT as expeditiously as possible to maintain proper accounting practices.

3. FISCAL IMPACT

Funding for this expense is available within the Streets and Highways G.O. Bonds Fund due to the cancellation of encumbrances from completed projects.

To authorize the Director of Public Service to provide payment to the Ohio Department of Transportation for pavement marking materials needed for the Bridge Rehabilitation - US 23 (4th Street) over Convention Center Connector and Railroad structure; to amend the 2012 C.I.B; to authorize the transfer and expenditure of \$3,642.00 within the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$3,642.00)

WHEREAS, On the 7th day of July, 2008 the City of Columbus enacted legislation proposing cooperation with the Director of Transportation for the described project:

Rehabilitation of the US 23 (4th Street) over Convention Center Connector and Railroad (FRA-23-12.11 PID 77565), by redecking and repainting structural steel. The project also included limited resurfacing and sidewalk improvements, and installation of street lighting improvements to three of the City's street lighting poles near the bridge in need of repair due to age and deteriorating pole foundation structure and circuitry within the City of Columbus; and

WHEREAS, the Department of Public Service requested that the State include an alternate bid item for pavement markings; and

WHEREAS, the expenditure of \$7,000.00 for these pavement marking was authorized within ordinance 0329-2011.

WHEREAS, after this legislation it was determined that 5" wide pavement striping materials were needed instead of the 4" wide materials that were going to be used; and

WHEREAS, this ordinance authorizes the Director of Public Service to provide payment to the Ohio Department of Transportation for the additional sum needed for the increased size of the pavement striping materials; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Service, in that it is immediately necessary to authorize the Director of Public Service to expend \$3,642 for pavement markings on the US 23 (4th Street) over Convention Center Connector and Railroad structure to maintain proper accounting practices; now, therefore

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

SECTION 1. That the 2012 Capital Improvements Budget authorized by ordinance 0368-2012 be and is hereby amended as follows:

Fund / Project No. / Project Name / Current C.I.B. / Change / Revised C.I.B.

704 / 530301-160356 / Bridge Rehab - Hardy Parkway over Scioto Big Run (Carryover) / \$0.00 / \$5,326.00 / \$5,326.00 (amend due to cancellations)
704 / 530301-160356 / Bridge Rehab - Hardy Parkway over Scioto Big Run (Carryover) / \$5,326.00 / (\$3,642.00) / \$1,684.00
704 / 530301-100663 / Bridge Rehabilitation- US 23 over Convention Ctr. (Carryover) / \$1,062.00 / \$3,642.00 / \$4,704.00

SECTION 2. That the transfer of cash and appropriation within the Streets and Highways G.O. Bond Fund be authorized as follows:

Transfer from

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

704 / 530301-160356 / Bridge Rehab - Hardy Parkway over Scioto Big Run / 06-6600 / 743156 / \$3,642.00

Transfer to:

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

704 / 530301-100663 / Bridge Rehabilitation- US 23 over Convention Ctr / 06-6600 / 704663 / \$3,642.00

SECTION 3. That for the purpose of pavement striping connected with ODOT's Bridge Project - US 23 (4th Street) over Convention Center Connector and Railroad (FRA-23-12.11), the sum of \$3,642.00 or so much thereof as may be needed be and is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, Fund 704 as follows:

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

704 / 530301-100663 / Bridge Rehabilitation- US 23 over Convention Ctr / 06-6621 / 704663 / \$3,642.00

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

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

Legislation Number: 1612-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

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

Fiscal Impact: The Department of Public Utilities, Division of Sewerage and Drainage, has determined funding for this project will be from the Storm Sewers Bond Fund. A transfer of \$105,000.00 is needed to provide sufficient cash for this project within the Storm Sewer Bonds Fund for the Division of Sewerage and Drainage. An amendment to the 2012 Capital Improvements Budget will also be necessary.

Emergency Justification: Emergency action is requested to allow the acquisition of the parcels necessary for the aforementioned project to proceed without delay thereby allowing this project to move forward.

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services, to amend the 2012 C.I.B.; to authorize a transfer and expenditure up to \$105,000.00, or so much thereof as may be necessary from the Storm Sewers Bond Fund, for costs in connection with the Eastside Neighborhood Storm Water Improvements Project, and to declare an emergency. (\$105,000.00)

WHEREAS, the City of Columbus is engaged in the Eastside Neighborhood Storm Water Improvements Project; and

WHEREAS, it is necessary for this Council to authorize the City Auditor to transfer and expend funds within the Storm Sewers Bond Fund; and

WHEREAS, it is necessary to authorize an amendment to the 2012 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the aforesaid professional services necessary in connection with said project for the preservation of the public health, peace, property and safety; now, therefore:

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

SECTION 1. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Eastside Neighborhood Storm Water Improvements Project, Project No. 610758-100000.

SECTION 2. That the 2012 C.I.B authorized by Ordinance 0368-2012 be amended as follows to provide sufficient authority for these activities as follows:

Division of Sewerage and Drainage: 60-15

Fund / Project / Project Name / Current C.I.B. / Change / Amended C.I.B.

685 / 610855-100000 / Storm Sewer Contingencies / \$220,154.00 / (\$105,000.00) / \$115,154.00

685 / 610758-100000 / Eastside Neighborhood SSI / \$0 / \$105,000.00 / \$105,000.00

SECTION 3. That the transfer of cash and appropriation be authorized as follows:

Division of Sewerage and Drainage: 60-15

Transfer from

Project / Project Name / O.L. 01-03 Codes / OCA / Amount

685 / 610855-100000 / Storm Sewer Contingencies / 06-6601 / 685855 / (\$105,000.00)

Transfer to

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

685 / 610758-100000 / Eastside Neighborhood SSI / 06-6601 / 685758 / \$105,000.00

SECTION 4. That the expenditure of \$105,000.00, or so much thereof as may be necessary for the Eastside Neighborhood Storm Water Improvements Project, Project No. 610758-100000 from the Storm Sewers Bond Fund, Fund No. 685, Dept. /Div. 60-15, OCA Code 685758, 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 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 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: 1613-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance is for the option to establish four Universal Term Contracts for Moyno Pump Parts for the Division of Sewerage and Drainage, the primary user. This contract will provide for purchase of replacement parts for Moyno Pumps in operation at both Jackson Pike and Southerly Wastewater Treatment Plants. The term of the proposed option contracts would be approximately two years, expiring July 31, 2014, with the option to renew for one (1) additional year. The Purchasing Office opened formal bids on May 17, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA004349). Sixty (60) bids were solicited: (M1A-0, F1-1, MBR-1). Four (4) bids were received.

The Purchasing Office is recommending award to the overall lowest, responsive, responsible and best bidders as follows:

Westcoast Rotor Inc., MAJ, CC#95-3929147 expires 02/03/2013, Various Items (see body of ordinance) \$1.00.
Liberty Process Equipment, Inc., MAJ, CC#36-4365095 expires 07/01/2013, Various Items (see body of

ordinance) \$1.00.

Moyno, Inc., MAJ, CC#31-1605167 expires 06/29/2013, Various Items (see body of ordinance) \$1.00.

Bassi Pump LLC, MAJ, CC#90-0278523 expires 01/12/2013, Various Items (see body of ordinance) \$1.00.

Total Estimated Annual Expenditure: \$150,000.00, Division of Sewerage and Drainage, the primary user

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

This ordinance is being submitted as an emergency because, without emergency action, potential repairs at the Jackson Pike and Southerly Wastewater Treatment Plant could be delayed, thereby causing a substantial decline in services to City residents.

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.

To authorize the Finance and Management Director to enter into four (4) contracts for the option to purchase Moyno Pump Parts with Westcoast Rotor, Liberty Process Equipment, Inc., Moyno Inc. and Bassi Pump LLC; to authorize the expenditure of \$4.00 to establish the contract from the Mail, Print Services and UTC Fund Account; and to declare an emergency. (\$4.00).

WHEREAS, Moyno Pump Parts are utilized primarily by Division of Sewerage and Drainage for replacement parts for existing pumps in service at both Jackson Pike and Southerly Wastewater Treatment Plants; and,

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 17, 2012 and selected the overall lowest, responsive, responsible and best bidders; 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 Moyno Pump 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 the option to contract for Moyno Pump Parts, so that delays in necessary repairs to wastewater treatment plants are not delayed, 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 the following contract for the option to purchase Moyno Pump Parts in accordance with Solicitation No. SA004349 for a term of approximately two years, expiring July 31, 2014, with the option to renew for one (1) additional year, as follows:

Westcoast Rotor Inc., Items 2, 4, 5, 7-19, 25, 28, 58, 59, 63, 72, 81, 85-89, 93, 94, 96, 97, 99, 110, 111, 113, 114, 116-119, 120-122, 126-129, 131, 132, 136-138, 144-148, 156-158, 162, 163, 168-175, 177-179, 181, 187, 189, 200-205, 213-215, 217-219, 221-223, 225, 226, 229, 233, 235, 237, 239, 240-247, 249-253, 257, 258, 261-275, 278-284, 286, 290-295, 297-299, 301-308, 311-314, 317, 320, 322-328, 331-333, 335-339, 342, 346-356, 358-360, 362-374, 376-382, 386, 391-429, 431-435, 437-442, 444-448, 451-453, 455, 458, 459, 461-463, 465-468, 470, 475-514, 520 and 523, \$1.00.

Liberty Process Equipment, Inc., Items 1, 3, 6, 21-24, 26, 27, 29-34, 36-40, 42-45, 47, 49-53, 55-57, 60-62, 64, 65, 67, 69, 74-80, 83, 84, 90, 91, 98, 100-102, 105, 107-109, 112, 115, 123-125, 130, 134, 135, 139-142, 143, 149, 150, 153-155, 159-161, 164-167, 176, 180, 182-185, 188, 206-212, 216, 220, 224, 227, 228, 230-232, 234, 236, 248, 254-256, 259, 260, 276, 277, 285, 287-289, 296, 300, 309, 310, 315, 316, 318, 319, 321, 329, 330, 334, 340, 341, 343, 345, 357, 361, 383-385, 387, 388, 430, 436, 443, 450, 454, 456, 457, 469, 471-474, and 515-517, \$1.00.

Moyno, Inc., Items 46, 48, 54, 66, 92, 95, 103, 104, 106, 133, 151, 152, 186, 238, 344, 375, 389, 390, 449, 460, 464, 518, 519, 521 and 522, \$1.00.

Bassi Pump LLC, Items 20, 35, 41, 68, 70, 71, 73 and 82, \$1.00.

SECTION 2. That the expenditure of \$4.00 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 for the reason stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1615-2012

Drafting Date: 7/9/2012

Current Status: Passed

Version: 2

Matter Type: Ordinance

Council Variance Application: CV12-026

APPLICANT: John D. Wymer; c/o Rose Oberst, Agent; 6420 East Main Street; Reynoldsburg, OH 43068.

PROPOSED USE: Child day care center.

FAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Disapproval. The requested Council Variance will allow 6,600 square feet of vacant space within an existing office/warehouse to be used for a child day care center in the M-2, Manufacturing District. The M-2, Manufacturing District only allows a child day care center as an accessory use that is associated with a less-objectionable manufacturing use in accordance with Section 3367.31. The site lies within *Brice/Tussing Plan* (1990), which recommends the separation of industrial uses from incompatible uses. The subject site is in an area designated in the Plan and zoned for light manufacturing uses. Staff does not support this request due to the potential conflicts between child care and industrial activity on this and adjacent sites.

To grant a Variance from the provisions of Section 3367.01, M-2, Manufacturing uses, of the Columbus City Codes; for the property located at **6950 AMERICANA PARKWAY (43068)**, to permit a 6,600 square foot child day care center in the M-2, Manufacturing District **and to declare an emergency** (Council Variance # CV12-026).

WHEREAS, by application No. CV12-026, the owner of property at **6950 AMERICANA PARKWAY (43068)**, is requesting a Council Variance to permit a 6,600 square foot child day care center in the M-2, Manufacturing District; and

WHEREAS, Section 3367.01, M-2, Manufacturing district, only allows a child day care center as an accessory use that is associated with a less-objectionable manufacturing use in accordance with Section 3367.31, while the applicant proposes to convert a vacant tenant space within an existing office-warehouse building into a private (non-accessory) child day care center; and

WHEREAS, the Far East Area Commission recommends approval; and

WHEREAS, City Departments recommend disapproval because the requested Council variance for a child day care center is not consistent with the land use recommendations of the *Brice/Tussing* Plan, and introduces potential conflicts between child care and industrial activity on this and adjacent sites; and

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

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

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

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owner of the property located at **6950 AMERICANA PARKWAY (43068)**, in using said property as desired; and

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

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

SECTION 1. That a variance from the provisions of Section 3367.01, M-2, Manufacturing district of the Columbus City Codes; is hereby granted for the property located at **6950 AMERICANA PARKWAY (43068)**, insofar as said section prohibits a 6,600 square foot child day care center; said property being more particularly described as follows:

6950 AMERICANA PARKWAY (43068), being 3.05± acres located on the north side of Americana Parkway, 1400± northeast of the west intersection with Tussing Road, and being more particularly described as follows:

Situated in the State of Ohio, County Franklin, City of Columbus, located in Half Section 42, Section 24, Township 12, Range 21, Refugee Lands and being 3.049 acres of those tracts conveyed to Americana Investment Company, by deeds of record in Official Record 4790B13 and Official Record 4790B15, all references being to those of record in the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at a point in the northerly right-of-way line of Americana Parkway, marking the southeasterly corner of said Americana Company tracts and also marking a southwesterly corner of those parcels conveyed to Trojan Enterprises, Inc., by deed of record in Deed Book 3390, Page 102;

Thence North 85° 37' 36" West, along the northerly right-of-way line of Americana Parkway, a distance of 573.00 feet to a point of curvature to the left;

Thence northwesterly, continuing along said northerly right-of-way line and along the arc of said curve (Radius - 430.0 feet, Delta 0° 15' 59"), along a chord of which bears North 85° 45' 36" West, a distance of 2.00 feet to a point marking the southwesterly corner of said Americana Investment Co. tracts and also marking a southeasterly corner of those parcels conveyed to Tussing Road Investment Company, by deed of record in Official Record 4790B18;

Thence leaving the northerly right-of-way line of Americana Parkway, North 4° 22' 24" East, along a line common to said tracts, a distance of 231.01 feet to a point;

Thence leaving said common line, South 85° 37' 36" East, a distance of 575.00 feet to a point in the easterly line of said Americana Investment Co. tracts and in the westerly line of said Trojan Enterprises, Inc. parcels;

Thence South 4° 22' 24" West, along a line common to said tracts, a distance of 231.00 feet to the place of beginning and containing 3.049 acres, more or less.

The bearing in the above description are based upon the northerly right-of-way line of Americana Parkway as being North 85° 37' 36" West.

Being known as 6950 Americana Parkway, Columbus, Ohio
Parcel No. 540-199369

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a child day care center with a maximum square footage of 6,600 square feet.

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

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

Drafting Date: 7/10/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into a contract for the construction of the Curb Reconstruction - Citywide Curb Rehabilitation (Project 1) project.

Work for this project consists of removal and rehabilitation of various locations of curb and curb and gutter and constructing ADA curb ramps along those streets where warranted. The work consists of removing curb and replacing in kind, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth in the Bid Submittal Documents.

The estimated Notice to Proceed date is August 22, 2012. The project was let by the Office of Support Services through Vendor Services and Bid Express. 3 bids were received on July 5, 2012 (3 Majority) and tabulated on July 5, 2012 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State*</u>	<u>Majority/MBE/FBE</u>
G&G Cement Contractors	\$208,728.00	Columbus, OH	Majority
Columbus Asphalt Paving	\$232,268.30	Columbus, OH	Majority
Decker Construction Company	\$339,402.80	Columbus, OH	Majority

*City/State is from the Ohio Secretary of State web site, which may differ from the mailing address below.

Special Provision 146 in the bid document states, "It is the City's intent to fully utilize the available funding provided to its Curb Rehabilitation Program within the approved Capital Improvements Budget. Therefore, the City reserves the right to increase or decrease the base contract amount, up to or down to a maximum of \$200,000.00. The total amount of the work and other incidentals will not exceed the total amount of the contract price (maximum of \$200,000.00). The contract will be awarded to the lowest (determined by the base bid, not including additional funds to equal the maximum of \$200,000.00), best, responsive, responsible bidder per Columbus City Code Section 329."

Award is made to the lowest responsive and responsible and best bidder, G & G Cement Contractors, LLC, for their bid of \$208,728.00. The contract amount will be \$200,000.00 with inspection amount of \$50,000.00

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against G & G Cement Contractors, LLC.

2. CONTRACT COMPLIANCE

The contract compliance number for G & G Cement Contractors, LLC is 262560462 and expires 4/17/14.

3. FISCAL IMPACT

Funding for this project is available within the Street and Highways G.O. Bonds Fund due to cancellation of encumbrances from completed projects.

4. EMERGENCY DESIGNATION.

Emergency action is requested in order for this project to commence as early as possible and perform necessary reconstruction to City curb ramps for the highest level of pedestrian access and safety.

To authorize the Director of Public Service to enter into contract with G & G Cement Contractors, LLC to provide for the payment of the contract and construction administration and inspection services, in connection with the Curb Reconstruction - Citywide Curb Rehabilitation (Project 1) project; to authorize the

appropriation, transfer and expenditure of \$250,000.00 within the Street and Highway Improvement Fund; and to declare an emergency. (\$250,000.00)

WHEREAS, the Division of Design and Construction is responsible for the construction and rehabilitation of curbs within the City of Columbus; and

WHEREAS, it is necessary to enter into contract to provide for the construction and rehabilitation of City curbs as part of the Curb Reconstruction - Citywide Curb Rehabilitation (Project 1) project; and

WHEREAS, bids were received on July 5, 2012, and tabulated on July 6, 2012, for the Curb Reconstruction - Citywide Curb Rehabilitation (Project 1) project and a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction administration and inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to perform necessary construction and rehabilitation to City curbs and curb ramps to maintain the highest level of pedestrian access and safety, 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 contract with G & G Cement Contractors, LLC, 2849 Switzer Avenue, Columbus, Ohio, 43219 for the construction of the Curb Reconstruction - Citywide Curb Rehabilitation (Project 1) project in the amount of up to \$200,000.00 or so much thereof as may be needed, for the Division of Design and Construction in accordance with the specifications and plans on file in the Office of Support Services, which are hereby approved; and to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$50,000.00.

SECTION 2. That the 2012 C.I.B. authorized by ordinance 0368-2012 be amended to provide sufficient authority in the appropriate project detail number for this project as follows:

Fund / Project / Project Name / Current C.I.B. / Change / C.I.B. as amended

766 / 766999-100000 / Unallocated Balance (Street & Highway Carryover) / \$3,387,772.00 / (\$250,000.00) / \$3,137,772.00

766 / 530210-100034 / Curb Reconstruction - Downtown (Street & Highway Carryover) / \$0.00 / \$17,500.00 / \$17,500.00

766 / 530210-100035 / Curb Reconstruction - Near East (Street & Highway Carryover) / \$0.00 / \$40,000.00 / \$40,000.00

766 / 530210-100038 / Curb Reconstruction - Near South (Street & Highway Carryover) / \$0.00 / \$170,000.00 / \$170,000.00

766 / 530210-100044 / Curb Reconstruction - Citywide (Street & Highway Carryover) / \$0.00 / \$22,500.00 / \$22,500.00

SECTION 3. The sum of \$250,000.00 be and is hereby appropriated from the unappropriated balance of the Street and Highway Improvement Fund, Fund 766, 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, 2012 as follows:

Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount

766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$250,000.00

SECTION 4. That the transfer of cash and appropriation within the Street and Highway Improvement Fund be authorized as follow:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$250,000.00

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

766 / 530210-100034 / Curb Reconstruction - Downtown / 06-6600 / 721034 / \$17,500.00

766 / 530210-100035 / Curb Reconstruction - Near East / 06-6600 / 721035 / \$40,000.00

766 / 530210-100038 / Curb Reconstruction - Near South / 06-6600 / 721038 / \$170,000.00

766 / 530210-100044 / Curb Reconstruction - Citywide / 06-6600 / 721044 / \$22,500.00

SECTION 5. That for the purpose of paying the cost of the contract and inspection, the sum of up to \$250,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, No. 704, for the Division of Design and Construction, Dept.-Div. 59-12

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

766 / 530210-100034 / Curb Reconstruction - Downtown / 06-6621 / 721034 / \$14,000.00

766 / 530210-100035 / Curb Reconstruction - Near East / 06-6621 / 721035 / \$32,000.00

766 / 530210-100038 / Curb Reconstruction - Near South / 06-6621 / 721038 / \$136,000.00

766 / 530210-100044 / Curb Reconstruction - Citywide / 06-6621 / 721044 / \$18,000.00

766 / 530210-100034 / Curb Reconstruction - Downtown / 06-6687 / 721034 / \$3,500.00

766 / 530210-100035 / Curb Reconstruction - Near East / 06-6687 / 721035 / \$8,000.00

766 / 530210-100038 / Curb Reconstruction - Near South / 06-6687 / 721038 / \$34,000.00

766 / 530210-100044 / Curb Reconstruction - Citywide / 06-6687 / 721044 / \$4,500.00

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 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: 1617-2012

Drafting Date: 7/10/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

The Division of Planning and Operations is responsible for conducting maintenance and repairs along the City's roadway system. To accomplish this mission the Division requires a self-propelled paver box. This paver box will be of a width sufficiently small enough to operate within the City's system of alleys. The Division's fleet does not currently possess a piece of equipment capable of performing this operation.

Bids were advertised in the City Bulletin and were received by the Purchasing Office on June 7, 2012 for Bid SA004412 as follows:

<u>Vendor</u>	<u>Unit Bid</u>	<u>Bid Amount</u>	<u>Status</u>
The McLean Company	LeeBoy 5000 Path Master Paver	\$87,500.00	Majority

The only bid received was from The McLean Company and met specifications as the lowest responsive, responsible bidder.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against The McLean Company.

2. CONTRACT COMPLIANCE INFORMATION

The McLean Company's contract compliance number is 34-0762688 and expires 7/19/12.

3. FISCAL IMPACT

Funds are available for this expenditure from the Streets and Highways G.O. Bonds Fund, no. 704 and are contingent on the 2012 Bond Sale. The cost of this purchase is \$87,500.00.

4. EMERGENCY DESIGNATION

This legislation is requested to be heard as an emergency to ensure that the paver box is available for immediate use.

To authorize the Finance and Management Director to enter into a contract for the purchase of one (1) paver box from The McLean Company, to authorize the expenditure of \$87,500.00 from the Streets and Highways G.O. Bonds Fund, no. 704; and to declare an emergency. (\$87,500.00)

WHEREAS, the Division of Planning and Operations is responsible for the installation and maintenance of traffic control devices along the City's roadway system, and

WHEREAS, the Division of Planning and Operations is in need of one (1) paver box, and

WHEREAS, the City of Columbus does not include this type of equipment on any Universal Term Contract, and

WHEREAS, this purchase has been approved by the Fleet Management Division and this equipment does not offer environmentally preferred fuel options at this time, and

WHEREAS, funds are budgeted within the 2012 C.I.B. for this expense, and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service, Division of Planning and Operations, in that it is immediately necessary to purchase said paver box for the preservation of the Public health, peace, property, safety, and welfare; now, therefore

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

SECTION 1. That the Director of Finance and Management is hereby authorized to establish a purchase order with The McLean Company, 3155 East 17th Avenue, Columbus, OH, 43219, for the purchase of one (1) paver

box in accordance with the specifications on file in the Purchasing Office..

SECTION 2. That the sum of \$87,500.00 or so much thereof as may be needed is hereby authorized to be expended from the Streets and Highways G.O. Bonds Fund, numb 704 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount.
704 / 530020-100000 / Street Equipment / 06-6651 / 591246 / \$87,500.00

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

SECTION 4. That for 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: 1619-2012

Drafting Date: 7/10/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND

This ordinance authorizes the Administrative Judge of the Franklin County Municipal Court to accept a grant in the amount of \$346,205 from the State of Ohio, Department of Rehabilitation and Correction, and to appropriate from the unappropriated balance of the general government grant fund to the Probation Department of the Franklin County Municipal Court, the total amount of the grant. This grant will fund a the salaries and fringe benefits of three probation officers who will perform specialized supervision to individuals with multiple convictions for operating a vehicle under the influence of alcohol or drugs and the work release program.

FISCAL IMPACT

Emergency legislation is requested to expedite funding for the new grant cycle as close to its commencement on July 1, 2012 as possible.

To authorize and direct the Administrative Judge of the Franklin County Municipal Court to accept a grant award from the State of Ohio, Department of Rehabilitation and Correction; to appropriate \$346,205 from the unappropriated balance of the general government grant fund to the Franklin County Municipal Court; and to declare an emergency. (\$346,205.00)

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

WHEREAS, grant monies from the State of Ohio, Department of Rehabilitation and Correction, in the amount of \$346,205 are available to provide for salaries and benefits of three probation officers and to pay for the work release program; and

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

Therefore,

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

SECTION 1. That the Administrative Judge of the Franklin County Municipal Court be and is hereby authorized to accept a grant in the amount of \$346,205 from the State of Ohio, Department of Rehabilitation and Correction.

SECTION 2. Funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated. The sum of \$346,205 is appropriated to the Franklin County Municipal Court, department number 2501 as follows: grant number 251202, oca 251202, object level 1 - 01, object level 3 - 1101, \$146,205 and object level 1 - 03, object level 3 - 3336, \$200,000.

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Administrative Judge of the Franklin County Municipal Court and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 4. At the end of the grant period, any repayment of unencumbered balances required by the grant is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements

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

Legislation Number: 1620-2012

Drafting Date: 7/10/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

The Municipal Court Judges have been provided funding from the State of Ohio, Department of Rehabilitation and Correction, in order to continue a work release program with Alvis House. This legislation authorizes the Franklin County Municipal Court Judges to enter into contract with the Alvis House as per the grant 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. In 2009, the State of Ohio provided the necessary monies to start the program.

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 and expires 11/11/13

..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; authorize the expenditure of up to an amount not to exceed \$200,000 from the Court's governmental grant fund; and to declare an emergency. (\$200,000.00)

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; authorize the expenditure of up to an amount not to exceed \$200,000 from the Court's governmental grant fund; and to declare an emergency. (\$200,000.00)

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 \$200,000 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 terminate June 30, 2013.

SECTION 2. That up to an amount not to exceed the sum of \$200,000 be and hereby is authorized to be expended from the Franklin County Municipal Court, department 2501, fund 220, grant number 251202, oca 251202 as follows \$200,000 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.

Drafting Date: 7/10/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: In 2009, the City of Columbus requested the tax foreclosure of a 118-unit apartment complex known as the Lockwood Apartments, located at the northeast corner of Lockbourne and Smith Roads. The complex was subject to numerous code violations and has been vacant for several years. Now under the ownership of the Columbus Land Bank Program, this legislation seeks authorization for the Director of Development to contract with S. G. Lowendick & Sons, Inc. (contract compliance number 314420502, expiration 5/7/2014) to perform asbestos abatement services and demolish the 10 buildings on the site. Lowendick was one of five companies who responded to a Request for Proposals (SA-004385) and were selected by an evaluation committee as the company with the best proposal. Authorization is necessary to enter into a contract for up to \$720,041, including the proposed price of \$685,753.41, plus a 5% contingency. Approximately half of the bid amount is for asbestos abatement, the remainder is for site work, demolition, capping of the utilities, and other associated costs.

Fiscal Impact: The \$720,041.08 is available in the 2012 Capital Improvement Budget. \$630,305 is available as carryover cash and \$89,736.08 is contingent on the July 10th Bond Sale.

Emergency Justification: Emergency action is requested in order to complete the work within the timeframe for which the cost estimates were given.

To authorize the Director of Development to enter into a contract with S. G. Lowendick & Sons, Inc. to demolish ten (10) structures at the northeast corner of Lockbourne and Smith Roads; to authorize the expenditure of \$720,041.08 from the Housing Preservation Fund; and to declare an emergency. (\$720,041.08)

WHEREAS, The City of Columbus Land Bank Program successfully gained control of 10 vacant multi-family structures commonly known as Lockwood Apartments, parcels numbered 010-089600; 010-117344; 010-134967; 010-1122203; 089601; 010-089608; 010-132189; 010-132190; and

WHEREAS, the structures were abandoned by the previous property owners and lienholders and must be demolished due to its deteriorated condition; and

WHEREAS, the legislation authorizes the Director of Development to enter into contract with S.G. Lowendick and Sons, Inc. (contract compliance number: 314420502, expiration 5/7/2014) for up to \$720,041 to perform asbestos abatement and demolition services; and

WHEREAS, \$720,041.08 is available in the 2012 Capital Improvements Budget, the Housing Preservation Fund 782; \$630,305.00 is available as carryover cash and \$89,736.08 is contingent upon the July 10th Bond Sale; and

WHEREAS, emergency action is requested in order to complete the work within the timeframe for which the cost estimates were given; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into contract with S. G. Lowendick & Sons, Inc., 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 Development is hereby authorized to enter into a contract with S. G. Lowendick & Sons, Inc. (contract compliance number 314420502, expiration 5/7/2014) for up to \$720,041 to demolish 10 vacant multi-family structures located at the northeast intersection of Lockbourne and Smith Roads, commonly known as The Lockwood Apartments.

Section 2. That for the purpose stated in Section 1, the expenditure of \$720,041.08 from the Development Department, Division No. 44-10, Fund 782 Housing Preservation, Project No. 782004-100000 Vacant Housing Demolition, OCA Code 782004, Object Level Three 6635 is hereby authorized.

Section 3. That this contract is awarded pursuant to Section 329.14 of the Columbus City Codes, 1959, as amended.

Section 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds in Section 2 above.

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

Legislation Number: 1624-2012

Drafting Date: 7/10/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: The Finance and Management Department, Office of Construction Management, employs personnel that are engaged in overseeing various construction and building renovation capital projects for the City. The staffing costs for the Office of Construction Management are initially expensed to the General Fund; however the portion that is project-specific 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 has incurred expenses more appropriate to capital improvement funding. Most recently, Ordinance No. 0561-2011, passed April 27, 2011, authorized \$361,482.14 for this purpose. The Office of Construction Management tracks the hours each employee works on individual projects and bills these hours to the proper capital project. This process reimburses the General Fund for the portion of staff time attributable to capital projects.

Emergency action is requested so that reimbursement of the General Fund can occur as quickly as possible. Up-to-date financial posting promotes accurate accounting and financial management.

Fiscal Impact: This expenditure is budgeted and available within various Capital Funds. This ordinance authorizes the expenditure of \$464,200.00, or so much thereof, as may be necessary for this purpose. Certain of these expenditures are contingent on the July 2012 Bond Sale

To authorize the Finance and Management Director to expend \$464,200.00, 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 2012 Capital Improvement Budget; to authorize expenditures from various Capital Funds; and to declare an emergency. (\$464,200.00)

WHEREAS, the Office of Construction Management employs personnel engaged in construction and building renovation activities; and

WHEREAS, these costs can be capitalized; and

WHEREAS, it is necessary to amend the 2012 Capital Improvements Budget and to transfer cash between projects within various Capital Funds, to provide sufficient funding in the appropriate areas of expense; 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, 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 \$464,200.00, 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.

SECTION 2. That the City Auditor is hereby authorized to transfer \$53,700 within the Department of Public Service, Dept./Div. No. 59-01, as follows:

Transfer From:

Fund	Project	Project Name	OCA Code	Object Level 3	Amount
704	530161-100013	Roadway Imps - SCMRF Reimb (Carryover)		746113	06-6600
					\$13,700
703	520004-100005	Alum Creek Remediation - Facility Improvements		730405	06-6600
					\$40,000
Total				\$53,700	

Transfer To:

Fund	Project	Project Name	OCA Code	Object Level 3	Amount
704	540003-100003	Computerized Signals - TMC Relocation (Carryover)		740303	06-6621
					\$10,500
704	590130-100016	Facilities - Salt Barn Roofs (Carryover)		743016	06-6621
					\$2,000
704	590130-100004	Facilities - Roberts Road Outpost (Carryover)		741304	06-6621
					\$1,000
704	530161-100088	Road Imps - Materials Testing & Inspection (Carryover)		746188	06-6621
					\$200
703	520756-100001	Morse Rd Renovations - Morse Road Transfer Station		735601	06-6600
					\$40,000

Total **\$53,700**

SECTION 3. That the 2012 Capital Improvement Budget Authorized by Ordinance 0368-2012 be amended as follows to provide sufficient authority for this reimbursement as follows:

Fund	Project	Project Name	Current CIB	Amended Amt	CIB
Revised					
704	530161-100013	Roadway Imps - SCMRF Reimb	\$693,758	(\$13,700)	\$680,058
704	540003-100003	Computerized Signals - TMC Relocation		\$0	\$10,500
					\$10,500
704	590130-100016	Facilities - Salt Barn Roofs	\$478,100	\$2,000	\$480,300
704	590130-100004	Facilities - Roberts Road Outpost	\$0	\$1,000	\$1,000
704	530161-100088	Roadway Imps - Materials Testing Inspection		\$0	\$200
703	520004-100005	Alum Creek Remediation - Facility Improvements		\$500,000	(\$40,000)
					\$460,000
702	520756-100001	Morse Rd Renovations - Morse Road Transfer Station		\$0	\$40,000
					\$40,000

SECTION 4. That the expenditure of \$464,200, or so much thereof as may be necessary, be and is hereby authorized from various Capital Funds, to pay the cost thereof as follows:

See Attached File: 2012 Construction Mgt Reimb Ord.xls.

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

SECTION 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1627-2012

Drafting Date: 7/10/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background: In February, 2012 Mayor Michael B. Coleman announced a program to fight vacant and abandoned properties that includes a plan to aggressively target and demolish blighted structures. This legislation authorizes the Director of the Department of Development to enter into contracts with R3, Inc. (contract compliance number: 113746960, expiration 5/16/2014, AFA) and Hina Environmental Solutions, LLC (contract compliance number: 261342009 expiration: 6/1/2014, FBE) to provide asbestos testing services under the program and authorize the expenditure of \$85,000. The companies responded to a Request for Proposal (RFP), SA-00482, and were selected by an evaluation committee as the companies with the best proposals. A total of four companies responded, three of which met the minimum qualifications.

Fiscal Impact: Funds are available in the 2012 Capital Improvement Budget, Housing Preservation Fund. Cash for this project is contingent on the July 10th Bond Sale.

Emergency Justification: Emergency action is requested in order to complete the work within the timeframe for which the cost estimates were given and demolish the structures as soon as possible.

..Title

To authorize the Director of Development to enter into a contracts with R3, Inc. and Hina Environmental Solutions, LLC to provide asbestos testing services as part of the Vacant and Abandon Properties Initiative; to authorize the expenditure of \$87,000 from the Housing Preservation Fund; and to declare an emergency. (\$87,000.00)

To authorize the Director of Development to enter into a contracts with R3, Inc. and Hina Environmental Solutions, LLC to provide asbestos testing services as part of the Vacant and Abandon Properties Initiative; to authorize the expenditure of \$87,000 from the Housing Preservation Fund; and to declare an emergency. (\$87,000.00)

WHEREAS, Mayor Michael B. Coleman announced the Vacant and Abandon Properties Initiative, a comprehensive plan to address vacant and abandoned properties that includes a goal to demolish hundreds of structures over the next four years; and

WHEREAS, Various City offices are implementing the demolition portion of the program, including the targeting of vacant and abandoned properties through tax foreclosure and seeking authorization to demolish blighted properties from the Environmental Section of the Franklin County Municipal Court; and

WHEREAS, R3, Inc. (contract compliance number: 113746960, expiration 5/16/2014, AFA) and Hina Environmental Solutions, LLC (contract compliance number: 261342009 expiration: 6/1/2014, FBE) were two of four companies who responded to a Request for Proposals (SA-00482) and selected by an Evaluation Committee as the best proposals; and

WHEREAS, the Department of Development desires to enter into an agreements with each vendors for asbestos testing services for a total of up to \$87,000; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into the contracts and demolish structures that are an immediate danger to the public, 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 Development is authorized to enter into contracts with R3, Inc. (contract compliance number: 113746960, expiration 5/16/2014, AFA) and Hina Environmental Solutions, LLC (contract compliance number: 261342009 expiration: 6/1/2014, FBE) to provide asbestos testing services.

Section 2. That for the purpose stated in Section 1, the expenditure of \$87,000.00 from the Development Department, Division No. 44-10, Fund 782 Housing Preservation, Project No. 782004-100000 Vacant Housing Demolition, OCA Code 782004, Object Level Three 6635 is hereby authorized.

Section 3. That these contracts are awarded pursuant to Section 329.14 of the Columbus City Codes, 1959, as amended.

Section 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds in Section 2 above.

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

Legislation Number: 1630-2012

Drafting Date: 7/10/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Fey Roofing & Sheet Metal, Inc., for the renovation of the roof and masonry for the Division of Police, Substation No. 12, 950 East Main Street. This project is necessary due to water penetration remediation and anchoring for exterior masonry.

Formal bids were solicited and four companies submitted bids on June 28, 2012 (0 FBE, 0 MBE) as follows:

Fey Roofing & Sheet Metal, Inc.	\$318,400.00
General Restoration Company	\$327,720.00
General Maintenance and Engineering	\$369,793.00
Thomas & Marker Construction Company	\$442,500.00

After review of the bids, Construction Management and the Public Safety Department recommend awarding the bid to Fey Roofing & Sheet Metal Inc., as the lowest and best bid.

Emergency action is requested so that the roof renovation can begin immediately to avoid further water penetration issues.

Fey Roofing & Sheet Metal Contract Compliance No. 27-1722556, expiration date July 19, 2014.

Fiscal Impact: The legislation authorizes the expenditure of \$318,400.00 from the Safety Voted Bond Fund.

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Fey Roofing & Sheet Metal, Inc., for the renovation of the roof and masonry for the Division of Police, Substation No. 12; to authorize the expenditure of \$318,400.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$318,400.00)

WHEREAS, it is necessary to renovate the roof and masonry for the Division of Police, 950 East Main Street; and

WHEREAS, formal bids were solicited and Fey Roofing & Sheet Metal, Inc., was the most responsive, responsible, and best 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 for the renovation of the roof and masonry for the Division of Police, Substation No. 12, 950 East Main Street, so that the roof renovation can occur without delay, 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 Fey Roofing & Sheet Metal, Inc., for the renovation of the roof and masonry for the Division of Police, Substation No. 12, 950 East Main Street.

SECTION 2. That the expenditure of \$318,400.00, or so much as may be necessary in regard to the action authorized in SECTION 4, be and is hereby authorized and approved as follows:

Division: 30-03
Fund: 701
Project: 330021-100000
OCA Code: 713321
Object Level: 06
Object Level 3: 6620
Amount \$318,400.00

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

Legislation Number: 1633-2012

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: In February, 2012 Mayor Michael B. Coleman announced a program to fight vacant and abandoned properties that includes a plan to aggressively target and demolish blighted structures. This legislation authorizes the Director of the Department of Development to enter into contracts with three contractors to provide demolition and asbestos abatement services under the program. The companies responded to a Request for Proposal (RFP), SA-004485, and were selected by an evaluation committee as the companies with the best proposals. A total of five companies responded. The companies and proposed contract amounts are as follows:

Watson General Contracting \$300,000
B and B Wrecking, Inc. \$300,000
Ransom Company \$300,000

Fiscal Impact: Funds are available in the 2012 Capital Improvement Budget in Fund 782 Housing

Preservation Fund. Cash for this project is contingent on the July 10th Bond Sale.

Emergency Justification: Emergency action is required in order to complete the work within the timeframe for which the cost estimates were given and demolish the structures as soon as possible.

To authorize the Director of the Department of Development to enter into contracts with three contractors to provide demolition and asbestos abatement services as part of the Vacant and Abandon Properties Initiative; to authorize the expenditure of \$900,000.00 from the Housing Preservation Fund; and to declare an emergency. (\$900,000.00)

WHEREAS, Mayor Michael B. Coleman announced the Vacant and Abandon Properties Initiative, a comprehensive plan to address vacant and abandoned properties that includes a goal to demolish hundreds of structures over the next four years; and

WHEREAS, various City offices are implementing the demolition portion of the program, including the targeting of vacant and abandoned properties through tax foreclosure and seeking authorization to demolish blighted properties from the Environmental Section of the Franklin County Municipal Court; and

WHEREAS, Watson General Contracting (contract compliance number: 311429409, expiration 3/10/2013), Ransom Company (contract compliance number: 269401266, expiration: 1/9/2014, MBE), B and B Wrecking, Inc. (contract compliance number: 743060207, expiration 11/28/2013) were three of five companies who responded to a Request for Proposals (SA-004485) and selected by an Evaluation Committee as the best proposals, they were also the lowest bids; and

WHEREAS, the Department of Development desires to enter into an agreements with all three vendors for demolition and asbestos abatement services for a total of up to \$900,000 or \$300,000 each; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into the contracts in order to complete the work within the timeframe for which the cost estimates were given and demolish the structures as soon as possible, all for the immediate preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE,**

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

Section 1. That the Director of the Department of Development is hereby authorized to enter into contracts with the following companies to perform demolition and asbestos abatement services:

Watson General Contracting (cc# 311429409, expiration 3/10/2013), \$300,000

B and B Wrecking, Inc. (cc# 743060207, expiration 11/28/2013), \$300,000

Ransom Company (cc# 269401266, expiration: 1/9/2014, MBE), \$300,000

Section 2. That for the purpose stated in Section 1, the expenditure of \$900,000.00 from the Development Department, Division No. 44-10, Fund 782, Housing Preservation Fund, Project No. 782004-100000 Vacant Housing Demolition, OCA Code 782004, Object Level Three 6635 is hereby authorized.

Section 3. That these contracts are awarded pursuant to Section 329.14 of the Columbus City Codes, 1959, as amended.

Section 4 That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds in Section 2 above.

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

Legislation Number: 1634-2012

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The need exists to amend the Columbus Downtown Office Incentive Agreement with Teng & Associates, Inc. Ordinance 1647-2009 approved by Columbus City Council on December 14, 2009, authorized the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Agreement with Teng & Associates, Inc. for an annual cash payment equal to fifty percent (50%) of the amount of City income withholding tax withheld on new employees for a term of three (3) years. This agreement was made and entered into effective January 19, 2010. An amendment to the agreement is now needed to change the company's name from Teng & Associates, Inc. to exp U.S. Services, Inc.

The Department of Development received a written request from the company requesting the City to change its name from Teng & Associates, Inc. to exp U.S. Services, Inc., from this point forward, all employees (both retained and new) will receive payroll compensation through exp U.S. Services, Inc. and not Teng & Associates, Inc.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of the Department of Development to amend the Columbus Downtown Office Incentive Agreement with Teng & Associates, Inc. for the purposes of changing the company's name from Teng & Associates, Inc. to exp U.S. Services, Inc.

WHEREAS, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Resolution 0088X-2007, adopted June 4, 2007, authorized the Department of Development to establish the Columbus Downtown Office Incentive program as amended; and

WHEREAS, after signing the agreement, Teng & Associates, Inc. changed its' corporate name to exp U.S. Services, Inc. and the employees, both retained and new, will receive payroll compensation through this newly created entity; and

WHEREAS, the Department of Development has received a written request from the company requesting the City to change its' corporate name from Teng & Associates, Inc. to exp U.S. Services, Inc.; and **NOW,**

THEREFORE,

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

Section 1. That the Columbus Downtown Office Incentive Agreement is hereby amended to change Teng & Associates, Inc.'s corporate name to exp U.S. Services, Inc. as the new grantee to the agreement.

Section 2. That the amended Downtown Office Incentive Agreement is signed by exp U.S. Services, Inc. within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

Section 3. Each year of the term of the agreement with exp U.S. Services, Inc. that a payment is due, the City's obligation to pay the incentive is expressly contingent upon the passing of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

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

Legislation Number: 1636-2012

Drafting Date: 7/11/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: The Columbus Department of Development is proposing to enter into a Jobs Growth Incentive Agreement with Electronic Classroom of Tomorrow equal to twenty-five percent (25%) of the amount of personal income tax withheld on new employees to Columbus for a term of five (5) years. The company will invest approximately \$3 million to increase capacity at 3700 S. High Street, and to create 90 new full-time permanent positions and retain 277 full-time permanent employees.

Electronic Classroom of Tomorrow, also known as ECOT, was started in 2000 and is headquartered in Columbus. The school provides fully accredited, tuition free public schooling for K-12 students. It is the largest online school in the nation with more than 15,000 students enrolled. The online school graduates more students than any in the US and more than many of the Ohio districts combined.

The Electronic Classroom of Tomorrow graduated 21 students in 2001 and over 1700 students in 2011. The school provides academic flexibility to suit a wide variety of learning styles, interests and special circumstances. The students that enroll at online schools range from exceptional students to "at-risk" students that have not been successful in traditional schools for a number of reasons. As in a traditional public school, the students attend one of three divisions that are each supervised by a principal.

Electronic Classroom of Tomorrow has acquired its existing facility at 3700 S. High Street for \$2.95 million and will invest \$125,000 in building improvements. A total of 90 new permanent full-time positions will be created in Columbus and 277 permanent full-time jobs will be retained, as a result of the project.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with Electronic Classroom of Tomorrow equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years in consideration of the company's investment of \$3 million, the creation of 90 new permanent full-time positions and the retention of 277 full-time permanent jobs.

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, the Department of Development has received a completed Jobs Growth Incentive Agreement Application from Electronic Classroom of Tomorrow; and

WHEREAS, Electronic Classroom of Tomorrow has acquired the property at 3700 S. High Street for \$2.95 million and proposes to renovate the facility with an additional \$125,000; and

WHEREAS, Electronic Classroom of Tomorrow has indicated that a Jobs Growth Incentive is crucial to its decision to further expand its operational capacity at the site with improvements to the property in Columbus; and

WHEREAS, the City of Columbus desires to facilitate Electronic Classroom of Tomorrow's future growth at the project site by providing a Jobs Growth Incentive; and

WHEREAS, in consideration of Electronic Classroom of Tomorrow's investment of \$3 million, the creation of 90 new full-time permanent positions and the retention of 277 full-time permanent employees; 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 Jobs Growth Incentive Agreement equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years with Electronic Classroom of Tomorrow.

Section 2. Each year of the term of the agreement with Electronic Classroom of Tomorrow, the City's obligation to pay the incentive is expressly contingent upon the passage of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

Section 3. That the City of Columbus Jobs Growth Incentive Agreement is signed by Electronic Classroom of Tomorrow within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

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

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND

From time to time, various parcels of land are deeded to the City of Columbus for public street and/or alley purposes. Ohio Revised Code Chapter 723.03 requires that property proposed for use as a public street or alley must be accepted and dedicated as public right-of-way by an ordinance specifically passed for such purpose. The following legislation provides for the City to accept deeds for various parcels of real property, to dedicate the parcels as road right-of-way and name the parcels as public roadways.

2. FISCAL IMPACT

N/A

To accept various deeds for parcels of real property; to dedicate these parcels as public rights-of-way and to name said rights-of-way appropriately.

WHEREAS, Ohio Revised Code Chapter 723.03 requires that property proposed for use as a public street or alley must be accepted and dedicated as public right-of-way by an ordinance specifically passed for such purpose; and

WHEREAS, the City of Columbus has been asked to accept various deeds for real property, to dedicate those parcels of real property as road rights-of-way, and to name said property as public roadways; and

WHEREAS, by virtue of a QUITCLAIM DEED recorded in the Franklin County, Ohio, Recorder's Office, on February 19, 2004 as Instrument Number 200402190036179, **CENTEX HOMES**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on July 2, 2009 as Instrument Number 200907020096336, **HAYDEN LEPPERT EAST LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on July 2, 2009 as Instrument Number 200907020096337, **THE FALLS AT HAYDEN RUN, LTD.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on July 2, 2009 as Instrument Number 200907020096338, **HAYDEN LEPPERT WEST LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on September 25, 2009 as Instrument Number 200909250139437, **HP LAND DEVELOPMENT, LTD.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on December 11, 2009 as Instrument Number 200912110178962, **TOPVALCO, INC.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on March 12, 2010 as Instrument Number 201003120029588, **HAYDEN'S RESERVE, L.P.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on March 12, 2010 as Instrument Number 201003120029590, **EPCON HAYDEN RUN, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on August 20, 2010 as Instrument Number 201008200107074, **DEFFET RENTALS INC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on November 5, 2010 as Instrument Number 201011050148559, **IDEAL INVESTMENT PROPERTIES, LTD.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Delaware County, Ohio, Recorder's Office, on NOVEMBER 15, 2010 as Instrument Number 201000034120, **9158 S OLD STATE, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on December 3, 2010 as Instrument Number 201012030164404, **COLUMBUS MOTOR CAR COMPANY, INC. fka COLUMBUS MOTOR CAR CO.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on January 7, 2011 as Instrument Number 201101070004491, **CVS 75718 OH, L.L.C.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on January 7, 2011 as Instrument Number 201101070004493, **MIRACLE REALTY LIMITED, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on January 14, 2011 as Instrument Number 201101140007939, **4799 SAWMILL ROAD, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on January 21, 2011 as Instrument Number 201101210010997, **WORTHINGTON GALENA PARTNERS, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on January 28, 2011 as Instrument Number 201101280014656, **EASTON HOTEL HOLDINGS, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on February 4, 2011 as Instrument Number 201102040017952, **COLUMBUS STATE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES, a.k.a. COLUMBUS STATE COMMUNITY COLLEGE**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on February 10, 2011 as Instrument Number 201102100021231, **COLUMBUS CORPORATE CENTER, INC.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on March 4, 2011 as Instrument Number 201103040030817, **DAVID R. CLAREY AND DIANA L. CLAREY**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on March 25, 2011 as Instrument Number 201103250040642, **VENEZIA PARTNERS, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on April 20, 2011 as Instrument Number 201104200051929, **DOMINION HOMES, INC.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on May 13, 2011 as Instrument Number 201105130061732, **FRIENDSHIP VILLAGE OF DUBLIN, OHIO, INC.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on May 13, 2011 as Instrument Number 201105130061734, **GEORGE'S CORNER TKT II, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on May 20, 2011 as Instrument Number 201105200064759, **SPEEDWAY SUPERAMERICA LLC**, n.k.a. **Speedway LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on June 13, 2011 as Instrument Number 201106130073659, **O'REILLY AUTOMOTIVE, INC.**, nka **O'REILLY AUTOMOTIVE STORES, INC.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on June 13, 2011 as Instrument Number 201106130073660, **MILMER, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on June 13, 2011 as Instrument Number 201106130073661, **TODD MEISTER** and **MATTHEW MEISTER**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on June 23, 2011 as Instrument Number 201106230078253, **THE WHITEHALL CHURCH OF CHRIST**, now known as **THE LAUREL CANYON CHURCH OF CHRIST**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on August 5, 2011 as Instrument Number 201108050097822, **PROGRESSIVE CASUALTY INSURANCE COMPANY**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on September 2, 2011 as Instrument Number 201109020110288, **HUTTON OHIO ONE LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on September 23, 2011 as Instrument Number 201109230120605, **ORR RETAIL LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on September 23, 2011 as Instrument Number 201109230120607, **CVS 5060 OH, L.L.C.**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on October 7, 2011 as Instrument Number 201110070128027, **TRADITIONS AT MILL RUN**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on November 4, 2011 as Instrument Number 201111040142680, **2539BILLINGSLEY ROAD LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, by virtue of a GENERAL WARRANTY DEED recorded in the Franklin County, Ohio, Recorder's Office, on November 15, 2011 as Instrument Number 201111150147729, **IMC PROPERTIES, LLC**, deeded property to the City of Columbus, to be used as road right-of-way; and

WHEREAS, the City desires to accept these deeds for property that will be used for road right-of-way; now, therefore

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

Section 1. That the City of Columbus hereby accepts the property more fully described in the attached QUITCLAIM DEED from **CENTEX HOMES**, dedicates said property as road right-of-way and

Section 2. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **HAYDEN LEPPERT EAST LLC**, dedicates said property as road right-of-way and names such road right-of-way as Hayden Run Road and Leppert Road.

Section 3. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **THE FALLS AT HAYDEN RUN, LTD.**, dedicates said property as road right-of-way and names such road right-of-way as Hayden Run Road.

Section 4. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **HAYDEN LEPPERT WEST LLC**, dedicates said property as road right-of-way and names such road right-of-way as Hayden Run Road and Leppert Road.

Section 5. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **HP LAND DEVELOPMENT, LTD.**, dedicates said property as road right-of-way and names such road right-of-way as Vine Street and Neil Avenue.

Section 6. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **TOPVALCO, INC.**, dedicates said property as road right-of-way and names such road right-of-way as E. Sixth Avenue and Pearl Street.

Section 7. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **HAYDEN'S RESERVE, L.P.**, dedicates said property as road right-of-way and names such road right-of-way as Hayden Run Road and Leppert Road.

Section 8. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **EPCON HAYDEN RUN, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Leppert Rd.

Section 9. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **DEFFET RENTALS INC**, dedicates said property as road right-of-way and names such road right-of-way as Dresden Street.

Section 10. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **IDEAL INVESTMENT PROPERTIES, LTD.**, dedicates said property as road right-of-way and names such road right-of-way as Sullivant Avenue.

Section 11. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **9158 S OLD STATE, LLC**, dedicates said property as road right-of-way and names such road right-of-way as South Old State Road.

Section 12. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **COLUMBUS MOTOR CAR COMPANY, INC. fka COLUMBUS MOTOR CAR CO.**, dedicates said property as road right-of-way and names such road right-of-way as Eleventh Street and Kiefer Avenue.

Section 13. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **CVS 75718 OH, L.L.C.**, dedicates said property as road right-of-way and names such road right-of-way as Hamilton Road.

Section 14. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **MIRACLE REALTY LIMITED, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Fairview Avenue.

Section 15. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **4799 SAWMILL ROAD, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Sawmill Rd.

Section 16. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **WORTHINGTON GALENA PARTNERS, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Worthington Galena Road.

Section 17. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **EASTON HOTEL HOLDINGS, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Sunbury Road.

Section 18. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **COLUMBUS STATE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES**, a.k.a. **COLUMBUS STATE COMMUNITY COLLEGE**, dedicates said property as road right-of-way and names such road right-of-way as Mount Vernon Avenue and Eleventh Street.

Section 19. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **COLUMBUS CORPORATE CENTER, INC.,**, dedicates said property as road right-of-way and names such road right-of-way as E. Broad Street.

Section 20. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **DAVID R. CLAREY AND DIANA L. CLAREY**, dedicates said property as road right-of-way and names such road right-of-way as Feder Rd.

Section 21. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **VENEZIA PARTNERS, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Warner Road.

Section 22. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **DOMINION HOMES, INC.**, dedicates said property as road right-of-way and names such road right-of-way as Haydens Crossing Boulevard.

Section 23. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **FRIENDSHIP VILLAGE OF DUBLIN, OHIO, INC.**, dedicates said property as road right-of-way and names such road right-of-way as Riverside Drive.

Section 24. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **GEORGE'S CORNER TKT II, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Renner Road.

Section 25. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **SPEEDWAY SUPERAMERICA LLC, n.k.a. Speedway LLC**, dedicates said property as road right-of-way and names such road right-of-way as Refugee Road.

Section 26. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **O'REILLY AUTOMOTIVE, INC.**, n.k.a. **O'REILLY AUTOMOTIVE STORES, INC.**, dedicates said property as road right-of-way and names such road right-of-way as Sheldon Avenue and Parsons Avenue.

Section 27. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **MILMER, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Sullivant Avenue.

Section 28. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **TODD MEISTER and MATTHEW MEISTER**, dedicates said

property as road right-of-way and names such road right-of-way as Chambers Road.

Section 29. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **THE WHITEHALL CHURCH OF CHRIST**, now known as **THE LAUREL CANYON CHURCH OF CHRIST**, dedicates said property as road right-of-way and names such road right-of-way as McNaughten Road.

Section 30. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **PROGRESSIVE CASUALTY INSURANCE COMPANY**, dedicates said property as road right-of-way and names such road right-of-way as Morse Road.

Section 31. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **HUTTON OHIO ONE LLC**, dedicates said property as road right-of-way and names such road right-of-way as Hudson St.

Section 32. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **ORR RETAIL LLC**, dedicates said property as road right-of-way and names such road right-of-way as Olentangy River Road.

Section 33. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **CVS 5060 OH, L.L.C.**, dedicates said property as road right-of-way and names such road right-of-way as Williams Road and S. High Street.

Section 34. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **TRADITIONS AT MILL RUN**, dedicates said property as road right-of-way and names such road right-of-way as Ridge Mill Drive, Fishinger Boulevard, and Smiley Road.

Section 35. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **2539BILLINGSLEY ROAD LLC**, dedicates said property as road right-of-way and names such road right-of-way as Billingsley Road.

Section 36. That the City of Columbus hereby accepts the property more fully described in the attached GENERAL WARRANTY DEED from **IMC PROPERTIES, LLC**, dedicates said property as road right-of-way and names such road right-of-way as Hamilton Road.

Section 37. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1639-2012

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Diversity Bridge Initiative is a program launched by the Columbus Chamber to cultivate the growth of minority and women-owned businesses in Columbus. Diversity Bridge is a direct outgrowth of a comprehensive strategic planning process that involved more than 100 diverse stakeholders including minority business owners, nonprofit-minority and women-owned businesses, business resource

providers, local, state and federal government and the private sector.

The Chamber, in concert with its partners, serves as the centralized point of contact to assure successful implementation of the programs and activities of The Diversity Bridge program. Diversity Bridge encourages collaboration among the organizations/agencies that service minority businesses, thereby eliminating unnecessary redundancy and enhance service.

Through the Diversity Bridge web portal, the Chamber desires to provide more jobs and build wealth in the W/MBE community by creating a more efficient and effective service delivery network; and build capacity within the minority business community.

This legislation authorizes the expenditure of \$50,000 from the General Fund and authorizes the Director of the Department of Development to enter into an agreement with the Columbus Chamber for administrative costs associated with the services referenced above.

Emergency action is requested to allow the Diversity Bridge Initiative to continue services.

FISCAL IMPACT: The \$50,000 for the administrative costs will come from the 2012 General Fund.

To authorize the Director of the Department of Development to enter into an agreement with the Columbus Chamber for administrative costs associated with the Diversity Bridge Initiative; to authorize the expenditure of \$50,000 from the General Fund; and to declare an emergency. (\$50,000)

WHEREAS, the Diversity Bridge Initiative provides direct programming or a link to the appropriate program for all women/minority business enterprises (W/MBEs) including start-up and mature businesses; and

WHEREAS, the Chamber in concert with its partners, serves as the centralized point of contact to assure successful implementation of the programs and activities of The Diversity Bridge Initiative; and

WHEREAS, through the Diversity Bridge web portal, the Chamber desires to provide more jobs and build wealth in the W/MBE community by creating a more efficient and effective service delivery network; and build capacity within the minority business community; and

WHEREAS, the Department of Development desires to enter into a contract with the Columbus Chamber to provide administrative costs associated with the Diversity Bridge Initiative; and

WHEREAS, emergency action is requested to allow the Columbus Chamber to continue to provide services through the Diversity Bridge Initiative without interruption; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to expend funds for administrative costs associated with the Columbus Chamber, Diversity Bridge Initiative, 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 enter

into an administrative contract with the Columbus Chamber in order to continue the Diversity Bridge Initiative.

Section 2. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.

Section 3. That for the purpose stated in Section 1, the expenditure of \$50,000 or so much thereof as may be necessary from the Department of Development, Economic Development Division, Division 44-02, General Fund, Fund 010, Object Level One 03, Object Level Three 3336, OCA Code 442030.

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: 1640-2012

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Columbus Public Health was awarded a grant from the Ohio Commission On Minority Health. This ordinance is needed to accept and appropriate \$60,000.00 to fund the Minority Health Grant Program, for the period July 1, 2012 through June 30, 2013. The purpose of the grant is to address needs and disparities in the City of Columbus in order to continue to develop the local Minority Health Program.

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

FISCAL IMPACT:

The Minority Health Grant Program is fully funded by the Ohio Commission On Minority Health. This program does not generate revenue.

To authorize and direct the Board of Health to accept a \$60,000.00 grant from the Ohio Commission On Minority Health for the Minority Health Program; to authorize the appropriation of \$60,000.00 to the Health Department in the Health Department Grants Fund; and to declare an emergency. (\$60,000.00)

WHEREAS, Columbus Public Health has received a preliminary notice that it will be awarded a \$60,000.00 grant from the Ohio Commission On Minority Health for the Minority Health program for the period July 1, 2012 through June 30, 2013; and,

WHEREAS, it is necessary to accept and appropriate these funds from the Ohio Commission On Minority Health for the continued support of the Minority Health program; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow the financial transaction to be

posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; and,

WHEREAS, an emergency exists in the usual daily operation of Columbus Public Health in that it is immediately necessary to accept these grant funds from the Ohio Commission On Minority Health and to appropriate these funds to Columbus Public Health for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept a grant award totaling \$60,000.00 from the Ohio Commission On Minority Health for the Minority Health program for the period July 1, 2012 through June 30, 2013.

SECTION 2. That from the unappropriated monies in the Health Department Grant Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources during the twelve months ending June 30, 2013, the sum of \$60,000.00 and any eligible interest earned during the grant period, is hereby appropriated to the Health Department, Division No. 50-01, as follows, appropriation effective upon receipt of executed grant agreement:

OCA: to be determined; Grant No.: to be determined; OL1:01; Amount: \$54,016.00
OCA: to be determined; Grant No.: to be determined; OL1:02; Amount: \$ 534.00
OCA: to be determined; Grant No.: to be determined; OL1:03; Amount: \$ 5,450.00

Total appropriation for Minority Health Grant to be determined: \$60,000.00

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

SECTION 4. At the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

SECTION 5. Funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

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.

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. Background

The City of Columbus, Department of Public Service, received a request from Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus asking that the City allow the installation of concrete steps and landing within the public right-of-way. During the design phase of the Saint Charles Preparatory School West Campus project, it was determined steps and a landing would need to be installed to allow access to an employee apartment. This project is located at 1886 East Long Street. The steps and landing will extend into the public right-of-way approximately 6 feet. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement to legally allow the installation of the proposed steps and landing within the public rights-of-way needed for this project. A value of \$500.00 was established for this encroachment easement.

2. Fiscal Impact

The City will receive a total of \$500.00, to be deposited in Fund 748, for granting the requested encroachment easement.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement, allowing concrete steps and landing within the public rights-of-way needed for this project.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Frederick F. Campbell, Bishop of the Catholic Diocese of Columbus asking that the City allow the installation of concrete steps and landing within the public right-of-way; and

WHEREAS, the concrete steps and landing will extend into the public right-of-way approximately 6 feet. The encroachment will allow access to an employee apartment; and

WHEREAS, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement to legally allow the installation of the proposed steps and landing within the public rights-of-way needed for this project; and

WHEREAS, a value of \$500.00 was established for this encroachment easement; and

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

SECTION 1. That the Director of the Department of Public Service be and is hereby authorized to execute those documents necessary to grant the following described encroachment easement; to-wit:

Encroachment Easement

0.0026 Acres (113.28 SF)

From Elevation 765.1' to 771.2' (NAVD 88)

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Half Section 16, Township 5, Range 22, Refugee Lands, and also being in the public right-of-way of E. Long Street (70'), adjacent to and south of a 3.85 acre tract as conveyed to Frederick F. Campbell in Instrument Number 201012200172997, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Commencing at the southeast corner of said 3.85 acre tract and being the intersection of the northerly right-of-way line of E. Long Street and the westerly right-of-way line of Nelson Road (60');

thence westerly, with the south line of said 3.85 acre tract and the northerly right-of-way line of E. Long Street, South 83° 10' 36" West, 130.22 feet to the **TRUE POINT OF BEGINNING** for the easement herein described;

thence southerly, leaving the northerly right-of-way line of E. Long Street and the south line of said 3.85 acre tract and crossing into the right-of-way of E. Long Street, the following (3) courses:

1. South 06° 49' 24" East, 5.75 feet;
2. South 83° 10' 36" West, 19.70 feet;
3. North 06° 49' 24" West, 5.75 feet to the northerly right-of-way line of E. Long Street and the south line of said 3.85 acre tract;

thence easterly, with the south line of said 3.85 acre tract and the northerly right-of-way line of E. Long Street, North 83° 10' 36" East, 19.70 feet to the **TRUE POINT OF BEGINNING**, containing 0.0026 acres (113.28 SF), more or less.

The above described area shall extend vertically from 2.0 feet below the existing ground at the building to a point 4.1 feet above the existing ground, which encompasses the proposed exterior steps. The vertical limits are specifically identified as being from elevation 765.1' to 771.2'. The basis of said vertical datum is the North American Vertical Datum of 1988 (NAVD88). The source bench mark is based on the vertical component of ODOT's VRS RTK Network, which is based on NAVD88 as determined by the National Geodetic Survey (NGS).

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

Legislation Number: 1642-2012

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

APPLICANT: Eleventh Avenue Properties Ltd; c/o Donald T. Plank, Atty; Plank Law Firm; 145 East Rich Street; Columbus, Ohio 43215.

PROPOSED USE: To construct up to 17 dwelling units on one parcel with reduced development standards.

UNIVERSITY AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant is applying for a Council variance to construct up to 17 dwelling units for a density of 32.7 units per acre. The site currently consists of five single-unit dwellings and one two-unit dwellings for a density of 13.46 units per acre. The applicant must seek a Council variance because the R-2F only allows one and two-unit dwellings at a maximum density of 14.5 dwelling units per acre. Given that the existing structures will be demolished, Staff finds no hardship to

warrant the use of the Council Variance. Staff still maintains that the zoning map should reflect what the development actually is and that this is more like a development in the AR-1 district than the R-2F district. That being said, the development would replace six buildings in various stages of dilapidation, most of which lack off-street parking. The new development would meet the parking requirements of the Zoning Code, thereby improving the parking situation and would replace 6 dilapidated buildings with a several new structures.

To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District Use; 3312.21, Landscaping and screening; 3321.05(B) (2), Vision clearance; 3332.19, Fronting on a public street; 3332.21, Building lines; 3332.27, Rear yard; 3372.541, Landscaped area and treatment; 3372.542, Maximum lot coverage and 3372.544, Maximum floor area of the Columbus City Codes for property located at **2482 NEIL AVENUE (43201)**, to allow up to 17 dwelling units on one parcel in the R-2F, Residential District with reduced development standards. (Council Variance # CV10-032)

WHEREAS, by application No. CV10-032, the owner of property at **2482 NEIL AVENUE (43202)**, is requesting a Council variance to permit one (1) two-unit dwelling, two (2) four-unit dwellings and one (1) seven unit dwelling on the same parcel in the R-2F, Residential District with reduced development standards; and

WHEREAS, Section 3332.037, R-2F, Residential District Use, permits up to two dwelling units in a building, while the applicant proposes to permit one (1) two-unit dwelling, two (2) four-unit dwellings and one (1) seven unit dwelling on the same parcel; and

WHEREAS, Section 3312.21, Landscaping and screening, requires interior tree planting for parking lots with ten (10) or more parking spaces, while the applicants will provide trees and landscaping along the perimeter of the parking lot; and

WHEREAS, Section 3321.05(B)(2), Vision clearance, requires that a thirty (30) foot clear vision triangle shall be maintained on each residential lot adjacent to a street intersection, while the applicant proposes to encroach with porch columns five (5) feet into the clear vision triangle at the intersection of West Tompkins Avenue and Neil Avenue as shown on the Site Plan; and

WHEREAS, Section 3332.19, Fronting on a public street, requires a principal building to have frontage on a public street, while the applicant proposes the southern two family dwelling to front on Bucks Alley; and

WHEREAS, Section 3332.21, Building lines, requires a minimum setback of 10 feet, while the applicant proposes to allow a four (4) foot setback for the building at the corner of Neil Avenue and West Tompkins Avenue as depicted on the site plan; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than twenty-five percent (25%) of the total lot area, while the applicant proposes a multi-building development and the rear yard cannot be accurately calculated, so for purposes of Section 3332.27, Rear Yard is reduced to zero (0) percent but development is conditioned upon the submitted site plan; and

WHEREAS, Section 3372.541, Landscaped area and treatment, requires at least ten percent (10%) of the lot area behind the most rear portion of the buildings to be planted and maintained with grass and/or other live

vegetation, while the applicant proposes a landscaped area that of 3.2% in this area; and

WHEREAS, Section 3372.542, Maximum lot coverage, requires that a building or combination of buildings shall cover no more than twenty-five percent (25%) of the lot area, while the applicant proposes forty percent (40%) lot coverage; and

WHEREAS, Section 3372.544, Maximum floor area, requires a maximum calculated floor area ratio (F.A.R) of not greater than 0.40, while the applicant proposes to a floor area ratio of 0.59; and

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

WHEREAS, the University Area Commission recommends approval; and

WHEREAS, the City Departments recommend approval because the development would replace six buildings in various stages of dilapidation, most of which lack off-street parking. The new development would provide meet the parking requirements of the Zoning Code improving the parking situation; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **2482 NEIL AVENUE (43202)**, in using said property as desired; now, therefore:

**DESCRIPTION OF A 0.616 ACRE TRACT
LYING SOUTH OF TOMPKINS STREET
AND EAST OF NEIL AVENUE**

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Lots 1 and 18 of North Columbus Addition, of record in Plat Book 1, Page 54, and being all of the tracts of land conveyed to Mark E. and Jacqueline A. Devine, of record in Official Records 8466F03, 8466E20, and 28202J06, the tract conveyed to Garland Group III, Ltd., of record in Instrument Number 200504140069822, the tract conveyed to Garland Properties, Ltd, of record in Instrument Number 200908110117870, and the tract conveyed to North Village Ltd., of record in Instrument Number 201004020039738, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning at a 3/4 inch iron pin found at the intersection of the southerly right-of-way line of Tompkins Street (60 feet wide) and the easterly right-of-way line of Neil Avenue (60 feet wide), being the northwesterly corner of said Lot 18;

Thence North 78° 36' 25" East, a distance of 125.84 feet, (passing 3/4" iron pins found at distances of 48.28 and 90.81 feet) along the southerly right-of-way line of said Tompkins Street, and the northerly line of said Lot 18, to a 3/4" iron pin found at the northwesterly corner of the tract conveyed to Garland Group III, Ltd., of record in Instrument Number 200504140069824;

Thence along the westerly line of said Garland Group III, Ltd. tract, and across said Lots 18 and 1, the

following courses:

South 11° 10' 18" East, a distance of 83.90 feet, to an iron pin set;

South 78° 58' 57" West, a distance of 3.00 feet, to an iron pin set;

South 11° 10' 18" East, a distance of 40.00 feet, to an iron pin set;

North 78° 58' 57" East, a distance of 3.00 feet, to a 3/4" iron pin capped "Myers" found;

Thence South 11° 10' 18" East, a distance of 107.97 feet, along the westerly line of said Garland Group III, Ltd. tract, and the westerly line of the tract conveyed to BG NO H TWO, LTD., of record in Instrument Number 200911100162178, to a 3/4" iron pin found in the northerly right-of-way line of Bucks Alley (15 feet wide), being the southerly line of said Lot 1;

Thence North 86° 12' 12" West, a distance of 129.55 feet, along the northerly line of said Bucks Alley, and the southerly line of said Lot 1, to a 3/4" iron pin found at the intersection of the northerly right-of-way line of said Bucks Alley and the easterly right-of-way line of said Neil Avenue, being the southwesterly corner of said Lot 1;

Thence North 11° 22' 10" West, a distance of 197.93 feet, along said easterly right-of-way line, and the westerly line of said Lots 1 and 18, to the Point of Beginning, containing 0.616 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the Ohio State Plane Coordinate System, South Zone (NAD83), with a bearing of North 78° 36' 25" East for the southerly right-of-way line of Tompkins Street.

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 Use; 3312.21, Landscaping and screening; 3321.05(B) (2), Vision clearance; 3332.19, Fronting on a public street; 3332.21, Building lines; 3332.27, Rear yard; 3372.541, Landscaped area and treatment; 3372.542, Maximum lot coverage and 3372.544, Maximum floor area, of the Columbus City Codes for property located at **2482 NEIL AVENUE (43202)**, insofar as said section prohibit seventeen dwelling units consisting of one (1) two-unit dwelling, two (2) four-unit dwellings and one (1) seven unit dwelling on the same parcel and required parking without required interior parking lot islands and trees, with porch columns encroaching 5 feet into the 30 foot clear vision triangle at the corner of West Tompkins and Neil Avenues, with one two-unit dwelling fronting on an Alley instead of a public street, with a building line reduced to as little as 4 feet where 10 feet would be required per the site plan, with a rear yard of 0% while 25% is required, with 3.2% of the lot area being landscaped and located behind the rear most portion of the principal building where 10% is required, with buildings covering 40% of the parcel while 25% is the maximum coverage and with a floor area ration of 0.59. where 0.40 is the maximum allowed, said property being more particularly described as follows:

Situate in the State of Ohio, County of Franklin, and in the City of Columbus, and being as described as follows:

Lot Number 5 & 6, John W. Constan's Addition, an addition in Franklin County, Ohio, according to the map or plat of record in Plat Book 3, Page 58, of Franklin County, Ohio.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for one (1) two-unit dwelling, two (2) four-unit dwellings and one (1) seven unit dwelling on the same parcel, or those uses permitted in the R-2F, Residential District.

Section 3. That this ordinance is further conditioned on the applicant obtaining approval of exterior building elevations by the University Area Review Board (UARB) prior to submittal for building permit.

Section 4. That this ordinance is further conditioned on the applicant providing Street trees (2" caliper) along both West Tompkins Street and Neil Avenue at the rate of 35 feet +/- on center, exclusive of required clear vision areas. Street tree type and planting location to be determined by the City Forester. There is an existing 8 inch +/- caliper maple tree in the West Tompkins Avenue right of way toward the east side of 55 West Tompkins Avenue (PID: 010-027467) which is to remain and will be used in determining planting locations for the additional street trees to be planted.

Section 5. That this ordinance is further conditioned on the Applicant providing a landscaping easement for the 40' x 3' area of the east property line in conjunction with the final site compliance plan review and a uniform five (5) foot wide landscaping strip along the east side of the parking lot.

Section 6. That this ordinance is further conditioned on the that each pair of stacked parking spaces, being one interior parking space blocked by a second parking space behind the interior space, be assigned to the same dwelling unit. On the final site compliance plan, applicant will note which spaces are assigned to which unit and shall comply with the requested assignment of spaces.

Section 7. That this ordinance is further conditioned on the site being developed in conformance with the plan titled "2482 Neil Avenue" (Sheet 1 of 1) dated and signed June 7, 2012 by Donald Plank, Attorney for Applicant, as the site development plan for the site. The site 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 site plan shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his or her designee upon submission of the appropriate data regarding the proposed adjustment.

Section 8. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed use.

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1643-2012

Drafting Date: 7/11/2012

Version: 3

Current Status: Passed

Matter Type: Ordinance

Rezoning Application Z12-010

APPLICANT: Hidden Creek Landscaping Inc.; c/o Clayton D. Hall, Attorney; 2041 Riverside Drive, Suite

202; Columbus, OH 43221.

PROPOSED USE: Landscaping contractor's yard and wholesale/**retail** nursery.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on April 12, 2012.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested L-M, Limited Manufacturing District will allow a landscaping contractor office and storage, and a wholesale/**retail** nursery. The site is located within the planning area of the *Trabue/Roberts Area Plan* (2011), which recommends light industrial uses for this location. The limitation text contains appropriate use restrictions, screening, and lighting controls consistent with the adjacent L-M-2, Limited Manufacturing District. The request is consistent with the zoning and development patterns of the area, and with the land use recommendations of the *Trabue/Roberts Area Plan*.

To rezone **3936 SCIOTO DARBY CREEK ROAD (43026)**, being 7.98± acres located on the north side of Scioto Darby Creek Road, 980± feet west of Scioto Darby Executive Court, From: R-1, Residential and C-4, Commercial Districts, To: L-M, Limited Manufacturing District **and to declare an emergency** (Rezoning # Z12-010).

WHEREAS, application #Z12-010 is on file with the Building and Zoning Services Department requesting rezoning of 7.98± acres from R-1, Residential and C-4, Commercial Districts, 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 contains appropriate use restrictions, screening, and lighting controls consistent with the adjacent L-M-2, Limited Manufacturing District. The request is consistent with the zoning and development patterns of the area, and with the land use recommendations of the *Trabue/Roberts Area Plan* area, and

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

3936 SCIOTO DARBY CREEK ROAD (43026), being 7.98± acres located on the north side of Scioto Darby Creek Road, 980± feet west of Scioto Darby Executive Court, and being more particularly described as follows:

Tract 1

Parcel No. 560-162437

Situated in the State of Ohio, County of Franklin and City of Columbus;
Being a part of Survey #547 Virginia Military District, and being more particularly described as follows:
Beginning at a point in the centerline of Mill Road N. 73 deg. 37' E. 520.14 feet to the west line of Survey #547; thence on a line parallel to said survey line N. 9 deg. 30' W. 881.27 feet to an iron pipe, (passing an iron pipe at 30.22 feet); thence N. 72 deg. 14' E. 882.94 feet to the centerline of Mill Road, (passing an iron pipe at 851.72 feet); thence with the centerline of said road, S. 73 deg. 37' W. 100 feet to the place of beginning, and containing 1.98 acres, more or less.

To Rezone From: C-4, Commercial District

To: L-M, Limited Manufacturing District

Tract 2

Parcel No. 560-162428

Situated in the State of Ohio, County of Franklin and City of Columbus:
Being parcel number seven (7) of Allen L. McDowell's parcel plat on Fuller Mill Road, and being part of Survey 547, Virginia Military District, and being more particularly described as follows:
Being at a point in the centerline of Mill Road N. 73 deg. 37' E. 620.24 feet from the west line of survey #547; thence on a line parallel to said survey line N. 9 deg. 30' W. 881.94 feet to an iron pipe (passing an iron pipe at 30.22 feet); thence N. 73 deg. 14' E. 100.08 feet to an iron pipe; thence on a line parallel to said survey line S. 9 deg. 30' E. 882.61 feet to the centerline of Mill Road, (passing an iron pipe at 852.39 feet); thence with the centerline of said road, S. 73 deg. 37' W. 100 feet to the of beginning, and containing 1.98 acres, more or less.

Parcel No. 560-162431

Situated in the State of Ohio, County of Franklin and City of Columbus:
Being a part of Survey #547 Virginia Military District, and being more particularly described as follows:
Beginning at a point in the centerline of Mill Road N. 73 deg. 37' E. 420.14 feet from the west line of survey #547; thence on a line parallel to said Survey line N. 90 deg. 30' W. 880.61 feet to an iron pipe, passing an iron pipe at 30.22 feet); thence N. 73 deg. 14' E 100.08 feet to an iron pipe; thence on a line parallel to said survey line S. 9 deg. 30' E. 881.27 feet to the centerline of said Mill Road, (passing an iron pipe at 851.05 feet); thence with the centerline of said road, S. 73 deg. 37' W. 100 feet to the place of beginning, and containing 2.01 acres, more or less.

Parcel No. 560-162435

Situated in the State of Ohio, County of Franklin and City of Columbus:
Being a part of Survey #547 Virginia Military District, and being more particularly described as follows:
Beginning at a point in the centerline of Mill Road N. 73 deg. 37' E. 320.14 feet from the west line of Survey #547; thence on a line parallel to said Survey line N. 9 deg. 30' W. 879.94 feet to an iron pipe, (passing an iron pipe at 30.22 feet); thence N. 73 deg. 14' E. 100.08 feet to an iron pipe; thence on a line parallel to said Survey line S. 9 deg. 30' E. 880.61 feet to the center line of said Mill Road, (passing an iron pipe at 830.39 feet); thence with the centerline of said Road S. 73 deg. 37'W. 100 feet to the place of beginning and containing 2.01 acres, more or less.

To Rezone From: R-1, Residential 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 Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map and shall register a copy of the approved L-M, Limited Manufacturing District and Application among the records of the Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LIMITATION TEXT**," signed by Clayton D. Hall, Attorney for the Applicant, dated July 10, 2012, and reading as follows:

LIMITATION TEXT

L-M, Limited Manufacturing District

7.98 ± Acres

Existing District: R-1, Residential and C-4, Commercial

Proposed District: L-M, Limited Manufacturing

Property Address: 3936 Scioto Darby Creek Road

Owner: Sara Ramsey; 3920 Scioto Darby Creek Road; Hilliard, Ohio 43026

Applicant: Hidden Creek Landscaping, Inc.; c/o Clayton D. Hall; The Law Offices of Clayton D. Hall, LLC; 2041 Riverside Drive, Suite 202; Columbus, Ohio 43221; clayton@law-cdh.com

Application Number: Z12-010

Date: July 10, 2012

I. INTRODUCTION

The subject site ("Site") consists of four (4) parcels of land consisting of a total of 7.98 ± acres situated on the north side of Scioto Darby Creek Road, east of I-270 on the west side of the city. The Site is currently bounded on the north and east by adjacent parcels zoned R-1 and on the west by an adjacent parcel zoned L-M2. On the south side of Scioto Darby Creek Road is a large parcel zoned M-1, owned by Columbus and Southern Ohio Electric Company, with an adjacent M-2 tract to the east. Further to the east are landscaping and other businesses operating under C-4 and M-2 zoning districts. The area is predominantly zoned as commercial or manufacturing with some large-lot single-family residential parcels throughout the area.

Applicant proposes to rezone the Site from C-4 (560-162437-00) and R-1 (560-162435-00, 560-162431-00 and 560-162428-00), to allow light manufacturing and related uses for a landscaping company. The property is currently improved with two (2) existing single-family residences which shall remain as legal non-conforming uses following rezoning, until such time as the applicants make use of the structures.

II. PERMITTED USES

The Subject Site is to be used as an office, parking and equipment storage area for a contractor business as

permitted by Sections 3363.01(A) and 3363.02(a). Property contains a dwelling unit for a resident security person as allowed by Columbus City Code Section 3363.01(B)(1). Property may also be used for a wholesale nursery as permitted by Section 3363.02(d) and open storage pursuant to the limitations and distance requirements listed in Section 3363.41 of the Columbus Zoning Code. **The Subject Site may also be used as a retail Nursery (Garden Center) with a display area of planting or landscape stock including greenhouses. Gross square footage of buildings for the Garden Center use may be up to 12,500 square feet.** All other uses are prohibited.

III. DEVELOPMENT STANDARDS

A. 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 Department of Public Service.
2. Applicant commits that upon redevelopment of the parcel to the west or redevelopment to the east, a cross access easement shall be provided for a shared access configuration. Applicant will additionally commit a right of way dedication of 50 feet from the centerline along Scioto Darby Creek Road as required by C.C.C. Section 4309.17.

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

1. The applicant shall maintain a 30-foot no-build zone/no disturb zone as measured from the rear property line, extending the entire length of the rear/north property line, to buffer the site from residential property owners to the north for as long as that property is zoned residential. The property along that line is moderately to heavily buffered with natural brush, trees and a stream. Applicant shall install and/or maintain buffering consisting of 6-foot decorative wall or fence and/or landscaping from the rear corner of the property and running the length of the property where the natural foliage is insufficient to buffer the site from the residential property owners to the north.
2. The applicant shall also maintain a 30-foot no-build/no disturb zone along the east property line for as long as that property is zoned residential. A portion of the property along the east line is moderately to heavily buffered with natural brush, trees and a stream. Applicant shall install and/or maintain buffering consisting of 6-foot decorative wall or fence and/or landscaping from the rear corner or the existing building and running the length of the east property line where the natural foliage is insufficient to buffer the site from the residential property owners to the east.

C. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments

1. Except for decorative lighting, all light poles shall be metal and such poles shall be the same color. Light poles in parking areas shall not exceed 18 feet in height.
2. Any future wiring or utility installation within the Site shall be underground when appropriate.
3. There shall be no outdoor public address system, outdoor call system, or other outdoor audible system permitted on the Site except that a paging system shall be allowed for the purposes of paging employees only.

D. Graphics and Signage Commitments

All signage and graphics shall conform to Article 15, Title 33 of the Columbus City Code as it applies to M, Manufacturing classification. Any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

E. Miscellaneous Commitments

Applicant shall provide a monetary contribution to the City of Columbus pursuant to the Parkland Dedication requirements of C.C.C. §3318.13, calculated at \$400 per acre or fraction thereof. Payment shall be made at the time of rezoning clearance approval.

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: 1651-2012

Drafting Date: 7/10/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Fire Division needs to purchase medical supplies for use in daily emergency services operations. This legislation authorizes the Finance and Management Director to issue purchase orders for EMS medical supplies from existing Universal Term Contracts established by the Purchasing Office for such purposes with BoundTree Medical LLC, in the total amount of \$350,000.00, and Midwest Medical Supply Co LLC in the amount of \$200,000.00. EMS medical supplies include, but are not limited to, bandages, IVs, pharmaceuticals, splints, etc.

Bid Information: Universal Term Contracts exist for these purchases: BoundTree ~ FL005232 exp 6/30/2015 / Midwest ~ FL005233 exp 6/30/2015

Contract Compliance: BoundTree Medical LLC #311739487 exp 5/10/2013 / Midwest Medical Supply Co LLC #431741196 exp 4/25/2014

Emergency Designation: Emergency action is requested, as funds are needed to keep medical supplies stocked at adequate levels.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$550,000.00 from the General Fund operating budget to purchase medical supplies for the Division of Fire. The Fire Division budgeted \$1,200,000.00 in the 2012 General Fund Budget for EMS medical supplies and pharmaceuticals; approximately \$452,499.00 has been encumbered/spent thus far in 2012. Approximately \$992,651.45 was spent in 2011 for EMS medical supplies and pharmaceuticals; the division spent approximately \$1,147,578 for EMS supplies in 2010 and \$968,258 in 2009.

To authorize and direct the Finance and Management Director to issue purchase orders for EMS medical supplies from existing Universal Term Contracts established for such purposes with BoundTree Medical LLC, and Midwest Medical Supply Co LLC, to authorize the expenditure of \$550,000.00 from the General Fund; and to declare an emergency. (\$550,000.00)

WHEREAS, the Fire Division needs to purchase emergency medical supplies; and

WHEREAS, Universal Term Contracts established by the Purchasing Office exist for these purchases; 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 purchase said emergency medical supplies to maintain adequate levels of such supplies 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 purchase orders for the purchase of medical supplies in accordance with the existing Universal Term Contracts established by the Purchasing Office with BoundTree Medical LLC, and Midwest Medical Supply Co LLC.

SECTION 2. That the expenditure of \$550,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Fire Division's General Fund Budget, Fund 010, Division of Fire No. 30-04, Object Level One 02, Object Level Three 2207, OCA 301531 as follows:

BoundTree - Medical Supplies Contract # FL005232 exp 6/30/2015 ~ \$350,000.00

Midwest Medical Supply Co LLC - Medical Supplies Contract # FL005233 exp 6/30/2015 ~ \$200,000.00

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

Legislation Number: 1652-2012

Drafting Date: 7/11/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes an additional appropriation of \$536,788.00 from the unappropriated balance of the Federal, State and Mandatory Law Enforcement Contraband/Seizure Funds for the Division of Police. Funds were received from seized and forfeited property and are used solely for law enforcement purposes as specified in Ordinance 1850-85. These funds are used to purchase various services, supplies, and equipment.

BID INFORMATION: N/A

CONTRACT COMPLIANCE NUMBER: N/A

EMERGENCY DESIGNATION: Emergency legislation is requested in order to provide immediate funding for maintenance contracts, to procure needed supplies and equipment, and to conduct training.

FISCAL IMPACT: This ordinance authorizes an additional appropriation of \$536,788.00 in the Federal, State and Mandatory Law Enforcement Contraband/Seizure Funds for the Division of Police. A total of \$938,586.72 has already been appropriated in 2012, over \$400,000 of which was for a settlement of a claim.

To authorize an additional appropriation of \$536,788.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase equipment, supplies, and services; and to declare an emergency. (\$536,788.00)

WHEREAS, monies were received from seized and forfeited property; and

WHEREAS, funds received from these forfeitures must be solely used for law enforcement purposes as specified in Ordinance #1850-85; and

WHEREAS, an emergency exists in the usual daily operations of the Public Safety Department, Division of Police, in that it is immediately necessary to appropriate funds in the Law Enforcement Contraband Seizure Fund in order to purchase supplies, services, and equipment for the Division of Police for the preservation of public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That from the unappropriated monies in the Law Enforcement Contraband Seizure Fund, Fund No. 219, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012 the sum of \$536,788.00 is appropriated to the Division of Police, #30-03, as follows:

STATE SEIZURE

OBJ LEVEL 1	OBJ LEVEL 3	OCA	Sub-Fund	AMOUNT
02	2215	301838	002	50,000.00
03	3330	301838	002	15,000.00
03	3331	301838	002	15,000.00
03	3337	301838	002	50,000.00
TOTAL				\$ 130,000.00

MANDATORY DRUG FINES

OBJ LEVEL 1	OBJ LEVEL 3	OCA	SUB-FUND	AMOUNT
03	3372	300459	020	27,500.00

FEDERAL SEIZURE

<u>OBJ LEVEL 1</u>	<u>OBJ LEVEL 3</u>	<u>OCA</u>	<u>SUB-FUND</u>	<u>AMOUNT</u>
02	2193	300988	016	125,000.00
02	2224	300988	016	13,900.00
03	3331	300988	016	22,000.00
03	3358	300988	016	88,388.00
03	3372	300988	016	71,000.00
03	3411	300988	016	5,000.00
06	6649	300988	016	40,000.00
06	6651	300988	016	14,000.00

TOTAL

\$379,288.00

SECTION 2. That the monies appropriated in the foregoing Section 1 shall be paid upon order of the Public Safety Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 3. That all funds necessary to carry out the purpose of this fund in 2012 are hereby deemed appropriated in an amount not to exceed the available cash balance in the fund.

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: 1662-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: By authority of ORC Section 5709.82, the City is required to pay affected school districts 50 percent (50%) of the municipal income tax revenue attributable to tax abated projects where the annual 'new employee' payroll for a project is one million dollars or more, in a given tax year, during the abatement. This municipal income tax revenue sharing with affected school districts applies to all property tax abatements approved by the legislative authority after July 1, 1994 and is based on the 'new employee' wages paid in a tax year, during the years of tax exemption, and also on the wages of the construction workers. For tax year 2011, the City of Columbus has a total of nineteen (19) projects requiring revenue sharing and the total amount of revenue to be shared is \$1,822,426.10. The nineteen (19) projects are located in three different school districts with the revenue share subtotals as follows: \$1,628,269.76 to Columbus City School District for 17 projects; \$47,952.84 to Hilliard City School District for 1 project; and \$146,203.50 to the Olentangy Local School District for 1 project.

Emergency action is requested in order to expedite payment to the three school districts to compensate them for property tax revenues forgone due to tax abatements.

FISCAL IMPACT: The 2012 General Fund budget (citywide account) includes funding for these payments. A transfer equal to 25 percent (25%) of the payment will be transferred from the Special Income Tax Fund. The transfer amount of \$455,606.53 has been factored into the current special income tax analysis and resultant capital capacity.

To authorize and direct the City Auditor to transfer \$1,822,426.10 within the General Fund; to authorize and direct the City Auditor to appropriate and transfer \$455,606.53 in cash from the Special Income Tax Fund to the General Fund; to authorize and direct the payment of \$1,628,269.76 to the Columbus City School District, \$47,952.84 to the Hilliard City School District, and \$146,203.50 to the Olentangy Local School District for income tax revenue sharing totaling \$1,822,426.10; to authorize the expenditure of \$1,822,426.10 from the General Fund; and to declare an emergency.(\$1,822,426.10)

WHEREAS, the Ohio Revised Code Section 5709.82 requires the City to pay affected school districts fifty percent (50%) of municipal income tax revenue attributable to tax abated projects where 'new employee' payroll for a project is one million dollars or more in a tax year, during the years of tax exemption; and

WHEREAS, the City of Columbus is subject to the income tax revenue sharing provisions of Ohio Revised Code 5709.82; and

WHEREAS, the City of Columbus has a total of nineteen (19) tax abated projects subject to the income tax revenue sharing provisions and these projects are located in three school districts as follows: Seventeen (17) projects in the Columbus City School District, one (1) project in the Hilliard City School District, and one (1) project in the Olentangy Local School District; and

WHEREAS, it is necessary at this time to authorize payment of \$1,628,269.76 to the Columbus City School District, \$47,952.84 to the Hilliard City School District, and \$146,203.50 to the Olentangy Local School District; and

WHEREAS, the matter herein constitutes an emergency in that it is immediately necessary to authorize payment to the Columbus City School District, the Hilliard City School District, and the Olentangy Local School District in order to expedite payment to the three school districts to compensate them for property tax revenues forgone due to tax abatements, thereby preserving the public health, peace, prosperity, safety and welfare; **NOW, THEREFORE**,

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

Section 1. That the City Auditor is hereby authorized and directed to transfer \$1,822,426.10 within the General Fund, Fund No. 010 from the Department of Finance & Management, Department/Division 45-01, Object Level One 10, Object Level Three 5501, OCA 904508 to the Department of Development, Economic Development Division, Division No. 44-02, Object Level One 05, Object Level Three 5513, OCA 440314.

Section 2. That the sum of \$455,606.53 is hereby appropriated from the un-appropriated balance of the special income tax fund, fund 430, and from all monies estimated to come into said fund from any and all sources and un-appropriated for any other purpose during the fiscal year ending December 31, 2012 to the City Auditor Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5501.

Section 3. That the City Auditor is hereby authorized to transfer \$455,606.53 in cash only to the General Fund, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5513, OCA 440314.

Section 4. That the City Auditor, for the purposes of income tax revenue sharing, is hereby authorized to make payment to the Columbus City School District in the amount of \$1,628,269.76, to the Hilliard City School District in the amount of \$47,952.84, and to the Olentangy Local School District in the amount of \$146,203.50.

Section 5. That the payment totaling \$1,822,426.10 is hereby authorized from the General Fund, Fund 010, Department of Development, Economic Development Division No. 44-02, Object Level Three 5513, OCA Code 440314.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, the

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

Legislation Number: 1663-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: Resolution 0088X-2007, adopted June 4, 2007, supported the continuation of the Columbus Downtown Office Incentive Program (DOI) as one of the development tools needed to implement the Downtown Business Plan. This legislation authorizes the payments to employers who have met the requirements of their Downtown Office Incentive Program agreement.

For tax year 2011, the City of Columbus had a total of eleven (11) active DOI projects for which employers have met the requirements of their DOI agreements and thus are eligible to receive their payments for 2011. The total dollar amount to be disbursed for these eleven (11) 2011 DOI payments is \$1,050,418.80. The eleven (11) projects with the DOI payment subtotals are as follows: \$11,652.28 to Brady, Ware & Shoenfeld; \$1,574.23 to CoverMyMeds, LLC; \$6,021.79 to Engauge; \$3,038.01 to GSP/OH Inc.; \$278,924.58 to Momentive Specialty Chemicals, Inc.; \$29,322.56 to Motorists Insurance Group; \$25,354.77 to Ohio Credit Union League & Affiliate; \$350,000.00 to OhioHealth Corporation; \$24,335.51 to Plante & Moran and Affiliates (Agreement #2); \$235,862.57 to Resource Interactive; and \$84,332.50 to SBC Advertising.

Emergency action is necessary to make payments in accordance with the Downtown Office Incentive Program agreements.

FISCAL IMPACT: This ordinance authorizes and directs the City Auditor to transfer \$262,604.70 from the Special Income Tax Fund to the General Fund and authorizes the transfer of \$1,050,418.80 within the General Fund. The transfer amount of \$262,604.70 has been factored into the current special income tax analysis and resultant capital capacity. The remaining amount of the payment was included in the 2011 General Fund Budget.

To authorize and direct the City Auditor to transfer \$1,050,418.80 within the General Fund; to authorize and direct the City Auditor to appropriate and transfer \$262,604.70 in cash from the Special Income Tax Fund to the General Fund; to authorize and direct the City Auditor to make payments totaling \$1,050,418.80 in accordance with the Downtown Office Incentive Program agreements; to authorize the expenditure of \$1,050,418.80 from the General Fund; and to declare an emergency. (\$1,050,418.80)

WHEREAS, Resolution 0088X-2007, adopted June 4, 2007, supported the continuation of the Downtown Office Incentive Program as one of the development tools needed to implement the Downtown Business Plan; and

WHEREAS, it is necessary to authorize payments to employers who have met the requirements under their Downtown Office Incentive Program agreement; and

WHEREAS, the City of Columbus had a total of eleven (11) active DOI projects for which employers have met the requirements of their DOI agreements and thus are eligible to receive their payments for 2011 and the total dollar amount to be disbursed for these eleven (11) 2011 DOI payments is \$1,050,418.80; and

WHEREAS, it is necessary at this time to authorize payment of \$11,652.28 to Brady, Ware & Shoenfeld; \$1,574.23 to CoverMyMeds, LLC; \$6,021.79 to Engauge; \$3,038.01 to GSP/OH Inc.; \$278,924.58 to Momentive Specialty Chemicals, Inc., \$29,322.56 to Motorists Insurance Group; \$25,354.77 to Ohio Credit Union League & Affiliate; \$350,000.00 to OhioHealth Corporation; \$24,335.51 to Plante & Moran and Affiliates (Agreement #2); \$235,862.57 to Resource Interactive; and \$84,332.50 to SBC Advertising; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to make payments in accordance with the Downtown Office Incentive Program agreements, all for the preservation of the public health, property, safety; and welfare; **NOW, THEREFORE**,

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

Section 1. That the City Auditor be and is hereby authorized and directed to transfer \$1,050,418.80 within the General Fund, Fund No. 010 from the Department of Finance & Management, Department/Division 45-01, Object Level One 10, Object Level Three 5501, OCA 904508 to the Department of Development, Economic Development Division, Division No. 44-02, Object Level One 05, Object Level Three 5513, OCA 442020.

Section 2. That the sum of \$262,604.70 is hereby appropriated from the un-appropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and un-appropriated for any other purpose during the fiscal year ending December 31, 2012 to the City Auditor Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5501.

Section 3. That the City Auditor is hereby authorized to transfer \$262,604.70 in cash only to the General Fund, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5513, OCA 442020.

Section 4. That the City Auditor is hereby authorized and directed to make payments in accordance with the Downtown Office Incentive Program agreements as follows: \$11,652.28 to Brady, Ware & Shoenfeld; \$1,574.23 to CoverMyMeds, LLC; \$6,021.79 to Engauge; \$3,038.01 to GSP/OH Inc.; \$278,924.58 to Momentive Specialty Chemicals, Inc., \$29,322.56 to Motorists Insurance Group; \$25,354.77 to Ohio Credit Union League & Affiliate; \$350,000.00 to OhioHealth Corporation; \$24,335.51 to Plante & Moran and Affiliates (Agreement #2); \$235,862.57 to Resource Interactive; and \$84,332.50 to SBC Advertising.

Section 5. That the expenditure of \$1,050,418.80, or so much as may be necessary, be and is hereby authorized from the Development Department, Department 44-02, General Fund, Fund 010, OCA Code 442020, DOI Payments From Non-Tax Revenues, Object Level Three 5513.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1664-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the payments to employers who have met the requirements of their Jobs Growth Incentive Program (JGI) agreement and are eligible for payment for the 2011 reporting (tax) year. For tax year 2011, the City of Columbus had a total of twenty-two (22) active JGI projects for which employers have met the requirements of their JGI agreements and thus are eligible to receive their payments for 2011. The total dollar amount to be disbursed for these twenty-two (22) 2011 JGI payments is \$3,261,570.63. The twenty-two (22) projects with the JGI payment subtotals are as follows: \$10,038.65 to Advanced Engineering Consultants Ltd.; \$4,721.99 to Castor Connection, Inc.; \$11,312.02 to ComResource, Inc.; \$170,968.43 to Express LLC; \$96,425.12 to Grange Mutual Casualty Company; \$4,033.55 to Health Care DataWorks, Inc.; \$61,010.63 to Information Control Corporation; \$11,605.82 to Joseph T. Ryerson & Son, Inc.; \$1,098,433.74 to JPMorgan Chase & Co., \$81,900.08 to La Senza, Inc., \$50,845.80 to Limbach Company LLC; \$71,785.65 to Mission Essential Personnel; \$1,506,313.83 to Nationwide Children's Hospital; \$13,146.83 to Navigator Management Partners, LLC; \$28,962.17 to Ohio Valley Cable Services, Inc.; \$968.45 to Pactiv Corporation; \$29,216.81 to Red Roof Inns, Inc.; \$3,164.86 to Syscom Advanced Materials; and \$6,716.20 to Zyvex Performance Materials, LLC.

Emergency action is necessary to make payments in accordance with the Jobs Growth Incentive Program agreements.

FISCAL IMPACT: The 2012 General Fund budget (citywide account) includes funding for these payments. A transfer equal to 25 percent (25%) of the payments will be transferred from the Special Income Tax Fund. The transfer amount of \$815,392.66 has been factored into the current special income tax analysis and resultant capital capacity.

To authorize and direct the City Auditor to transfer \$3,261,570.63 within the General Fund; to authorize and direct the City Auditor to appropriate and transfer \$815,392.66 in cash from the Special Income Tax Fund to the General Fund; to authorize and direct the City Auditor to make payments totaling \$3,261,570.63 in accordance with the Jobs Growth Incentive Program agreements; to authorize the expenditure of \$3,261,570.63 from the General Fund; and to declare an emergency. (\$3,261,570.63)

WHEREAS, the Columbus Jobs Growth Incentive Program is one of the development tools utilized by the City of Columbus to encourage new job creation; and

WHEREAS, it is necessary to authorize payments to employers who have met the requirements under their Jobs Growth Incentive Program agreement; and

WHEREAS, the City of Columbus had a total of twenty-two (22) active JGI projects for which employers have met the requirements of their JGI agreements and thus are eligible to receive their payments for 2011 and the total dollar amount to be disbursed for these twenty-two (22) 2011 JGI payments is \$3,261,570.63; and

WHEREAS, it is necessary at this time to authorize payment of \$10,038.65 to Advanced Engineering

Consultants Ltd.; \$4,721.99 to Castor Connection, Inc.; \$11,312.02 to ComResource, Inc.; \$170,968.43 to Express LLC; \$96,425.12 to Grange Mutual Casualty Company; \$4,033.55 to Health Care DataWorks, Inc.; \$61,010.63 to Information Control Corporation; \$11,605.82 to Joseph T. Ryerson & Son, Inc.; \$1,098,433.74 to JPMorgan Chase & Co., \$81,900.08 to La Senza, Inc., \$50,845.80 to Limbach Company LLC; \$71,785.65 to Mission Essential Personnel; \$1,506,313.83 to Nationwide Children's Hospital; \$13,146.83 to Navigator Management Partners, LLC; \$28,962.17 to Ohio Valley Cable Services, Inc.; \$968.45 to Pactiv Corporation; \$29,216.81 to Red Roof Inns, Inc.; \$3,164.86 to Syscom Advanced Materials; and \$6,716.20 to Zyvex Performance Materials, LLC; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to make payments in accordance with the Jobs Growth Incentive Program agreements, all for the preservation of the public health, property, safety; and welfare; **NOW, THEREFORE**,

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

Section 1. That the City Auditor be and is hereby authorized and directed to transfer \$3,261,570.63 within the General Fund, Fund No. 010 from the Department of Finance & Management, Department/Division 45-01, Object Level One 10, Object Level Three 5501, OCA 904508 to the Department of Development, Economic Development Division, Division No. 44-02, Object Level One 05, Object Level Three 5513, OCA 440314.

Section 2. That the sum of \$815,392.66 is hereby appropriated from the un-appropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and un-appropriated for any other purpose during the fiscal year ending December 31, 2012 to the City Auditor Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5501.

Section 3. That the City Auditor is hereby authorized to transfer \$815,392.66 in cash only to the General Fund, Economic Development Division, Division 44-02, Object Level One 05, Object Level Three 5513, OCA 440314.

Section 4. That the City Auditor is hereby authorized and directed to make payments in accordance with the Jobs Growth Incentive Program agreements as follows: \$10,038.65 to Advanced Engineering Consultants Ltd.; \$4,721.99 to Castor Connection, Inc.; \$11,312.02 to ComResource, Inc.; \$170,968.43 to Express LLC; \$96,425.12 to Grange Mutual Casualty Company; \$4,033.55 to Health Care DataWorks, Inc.; \$61,010.63 to Information Control Corporation; \$11,605.82 to Joseph T. Ryerson & Son, Inc.; \$1,098,433.74 to JPMorgan Chase & Co., \$81,900.08 to La Senza, Inc., \$50,845.80 to Limbach Company LLC; \$71,785.65 to Mission Essential Personnel; \$1,506,313.83 to Nationwide Children's Hospital; \$13,146.83 to Navigator Management Partners, LLC; \$28,962.17 to Ohio Valley Cable Services, Inc.; \$968.45 to Pactiv Corporation; \$29,216.81 to Red Roof Inns, Inc.; \$3,164.86 to Syscom Advanced Materials; and \$6,716.20 to Zyvex Performance Materials, LLC.

Section 5. That the expenditure of \$3,261,570.63, or so much as may be necessary, be and is hereby authorized from the Development Department, Department 44-02, General Fund, Fund 010, OCA Code 440314, Object Level Three 5513.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the

same.

Legislation Number: 1665-2012

Drafting Date: 7/12/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: The need exists to enter into a Job Creation Tax Credit with MSC Industrial Direct Co., Inc., and its' subsidiaries Sid Tool Co., Inc. and MSC Contract Management. The Ohio Tax Credit Legislation (Section 718.15 of the Ohio Revised Code) authorizing such agreements became effective January 14, 1993 and requires the City to enter a Council-approved agreement between the City and a participating company.

MSC Industrial Direct Co., Inc. and its subsidiaries are one of the largest direct marketers and distributors in the United States. The company distributes its broad range of metalworking, maintenance, repair and operational supplies to industrial customers throughout the US. MSC Industrial Direct Co., Inc. employs one of the largest sales forces in the industry - distributing nearly 600,000 industrial products from approximately 3,000 suppliers to 325,000 customers. Customers are reached through a combination of 107 branch sales offices, 1,101 sales people, close to 18 million direct-mail catalogs, the Internet and numerous B2B eCommerce portals.

The project involves the new construction of a 400,000 square foot regional distribution center on Alkire Road for subsidiary Sid Tool Co., Inc. The company will invest \$55.5 million in new building construction, machinery, equipment, furniture and fixtures. A total of 300 permanent full-time positions will be created as a result of the project over a five year period. MSC Contract Management provides employee management services for the company operations.

Emergency action is required to accommodate construction time schedules.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into a Job Creation Tax Credit Agreement of sixty-five percent (65%) for a period of eight (8) years with MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Management in consideration of the company's investment of \$55.5 million for new building construction, machinery, equipment, furniture and fixtures that will create 300 new permanent full-time positions; and to declare an emergency.

WHEREAS, pursuant to Section 122.17 of the Ohio Revised Code, the State of Ohio is authorized to establish the Tax Credit Authority and to execute agreements with taxpayers of the State of Ohio for the purpose of granting these tax payers job creation tax credits against their corporate franchise tax or income tax, which tax credits are provided to create new jobs in the State of Ohio; and

WHEREAS, pursuant to Section 718.15 of the Ohio Revised Code (the "City Act") a municipal corporation is authorized to grant local income tax credits to taxpayers who have received tax credits from the State; and

WHEREAS, contingent on the City granting a Job Creation Tax Credit for the construction and equipping of a new operation, the creation of 300 new permanent full-time positions with a total annual payroll of \$8.3

million, MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management will make a fixed-asset investment of approximately \$55.5 million including: \$27.5 million for new building construction, \$26.7 million in new machinery and equipment; and \$1.3 million in furniture and fixtures and to increase job opportunities and strengthen the economy of the city; and

WHEREAS, receiving these tax credits from the State and the City is a critical factor in MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management's decision to go forward with the project in Columbus; 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, the Department of Development has received completed applications for a Job Creation Tax Credit; and

WHEREAS, MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management have indicated that a Job Creation Tax Credit is crucial to its decision to locate the aforementioned 400,000 square foot distribution facility in Columbus; and

WHEREAS, the City of Columbus desires to facilitate MSC Industrial Direct Co., Inc., and its' subsidiaries Sid Tool Co., Inc. and MSC Contract Management's future growth at the project site; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into a Job Creation Tax Credit Agreement with MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management to accommodate construction time schedules, all for the preservation of public, health, peace, property and safety, **NOW THEREFORE**,

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

Section 1. That the City hereby finds and determines that the project will (1) create jobs in the State and City; (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax credits is a critical factor in the decision by MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management to go forward with the project.

Section 2. That the City Council hereby finds and determines that the project meets all the requirements of the City Act.

Section 3. That the Director of the Department of Development is hereby authorized and directed to enter into and execute a Job Creation Tax Credit of sixty-five percent (65%) of the amount of personal income tax withheld on 300 new employees for a term of eight (8) years, with MSC Industrial Direct Co., Inc., and its' subsidiaries Sid Tool Co., Inc. and MSC Contract Management.

Section 4. That the City of Columbus Job Creation Tax Credit Agreement is signed by MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

Section 5. That for reasons stated in the preamble hereto, which is hereby made a part hereof, the ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage

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

Legislation Number: 1666-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

The Board of Health has a need to make funds available to contract with the Council on Healthy Mothers and Babies. The Council on Healthy Mothers and Babies will provide health education/promotional services, support the Local Health System Action Plan, hold public forums, meetings, committees, prenatal care committees, and link pregnant women with appropriate providers through Pregnancy Care Connection (centralized first PNC appointment scheduling system). The contract period is June 1, 2012 through May 31, 2013. This contract will total an amount not to exceed \$34,049.00. The Federal ID number is 421546970.

Emergency action is required to ensure the continued operation of the Healthy Start Program.

FISCAL IMPACT: This contract is entirely funded by a grant from the U.S. Department of Health and Human Services. The program does not generate revenue or require a City match. The monies are budgeted in the 2012 Health Department Grants Fund.

To authorize the Board of Health to enter into a contract with the Council on Healthy Mothers and Babies to provide health education/promotion for the Healthy Start grant program; to authorize the expenditure of \$34,049.00 from the Health Department Grants Fund, to pay the cost thereof; and to declare an emergency. (\$34,049.00)

WHEREAS, proposals were formally submitted through the RFP process for health education/promotion services for the Healthy Start grant program; and,

WHEREAS, the bid from Council on Healthy Mothers and Babies, a local non-profit organization, was determined to be the lowest responsive, responsible bidder; and,

WHEREAS, an emergency exists in the usual daily operations of Columbus Public Health in that it is immediately necessary to enter into a contract with the Council on Healthy Mothers and Babies 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 Council on Healthy Mothers and Babies for health education/promotion services for the Healthy Start grant program for the period of June 1, 2012 though May 31, 2013.

SECTION 2. That to pay the costs of said contract, the expenditure of \$34,049.00 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Division 50-01, Grant No. 501228, OCA Code 501228, Object Level One 03, Object Level Three 3337.

SECTION 3. That this contract is awarded in accordance with Sections 329.11 of the Columbus City Code.

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared 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: 1668-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The need exists to enter into an Enterprise Zone Agreement with MSC Industrial Direct Co., Inc., and its subsidiaries Sid Tool Co., Inc. and MSC Contract Management. The Ohio Enterprise Zone law O.R.C. Section 5709.62 (3) requires the City to enter into a Council-approved agreement between the City and participating companies.

MSC Industrial Direct Co., Inc. and its subsidiaries are one of the largest direct marketers and distributors in the United States. The company distributes its broad range of metalworking, maintenance, repair and operational supplies to industrial customers throughout the US. MSC Industrial Direct Co., Inc. employs one of the largest sales forces in the industry - distributing nearly 600,000 industrial products from approximately 3,000 suppliers to 325,000 customers. Customers are reached through a combination of 107 branch sales offices, 1,101 sales people, close to 18 million direct-mail catalogs, the Internet and numerous B2B eCommerce portals.

The project involves the new construction of a 400,000 square foot regional distribution center on Alkire Road for subsidiary Sid Tool Co., Inc. The company will invest \$55.5 million in new building construction, machinery, equipment, furniture and fixtures. A total of 300 permanent full-time positions will be created as a result of the project over a five year period. MSC Contract Management provides employee management services for the company operations.

The Department of Development recommends a 75%/10-year Enterprise Zone tax abatement on real property improvements. This proposal is consistent with the Columbus Tax Incentive Policy under Central City projects. The South-Western City School District has been advised of this project.

Emergency action is required to accommodate construction time schedules.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into an Enterprise Zone Agreement with MSC Industrial Direct Co., Inc., and its subsidiaries Sid Tool Co., Inc. and MSC Contract Management for a tax abatement of seventy-five percent (75%) for a period of ten (10) years on real property improvements in consideration of a proposed total investment of \$55.5 million in new building construction, machinery, equipment, furniture and fixtures that will create a total of 300 permanent full-time positions over a five year period; and to declare an emergency.

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation, Ordinance Number 779-85, dated April 22, 1985; and subsequently amended the Zone by Ordinance Nos. 2722-85 in 1986; 2080-89 in 1989; 1949-92, 2609-92 and 2249-92 in 1992; 1079-94 and 1228-94 in 1994;

2196-95 and 2817-95 in 1995; 533-99 in 1999; 1785-00 in 2000; 1464-02 in 2002; 225-03 in 2003; 0032-2012 in 2012; and

WHEREAS, the Director of the Development Department of the State of Ohio determined that the Columbus Enterprise Zone as amended by the aforementioned Ordinances continued to contain the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code and recertified said Zone in 1986, December 20, 1989, September 28, 1992, October 22, 1992, December 17, 1992, May 31, 1994, June 24, 1994, June 16, 1995, October 5, 1995, December 19, 1995, April 1, 1999, September 25, 2000, January 27, 2003, August 19, 2003, and most recently on April 3, 2012 as an "urban jobs and enterprise zone" under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management proposes to construct a 400,000 square foot regional distribution center on Alkire Road for operation by Sid Tool Co., Inc.; and

WHEREAS, MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management will make a total capital investment of \$55.5 million at the proposed site, with \$27.5 million toward building construction, \$26.7 million toward machinery and equipment, and \$1.3 million in furniture and fixtures; and

WHEREAS, MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management will create 300 full-time permanent jobs with an annual payroll of \$8.3 million in five years; and

WHEREAS, the City is encouraging this project because of plans to redevelop urban commercial property in the central city; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to enter into an Enterprise Zone Agreement with MSC Industrial Direct Co., Inc., and its subsidiaries Sid Tool Co., Inc. and MSC Contract Management to accommodate construction time schedules, all for the preservation of public, health, peace, property and safety, **NOW THEREFORE**,

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

Section 1. That City hereby finds and determines that the project will (1) retain jobs in the State and City (2) the project is economically sound and will benefit the people of the State and City by increasing opportunities for employment and strengthening the economy of the State and City; and (3) receiving the aforementioned tax abatement is a critical factor in the decision by MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management to go forward with the project expansion.

Section 2. That the City Council hereby finds and determines that the project meets all the requirements of the City Act.

Section 3. That the Director of Development is hereby authorized and directed to enter into and execute an Enterprise Zone Agreement with MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management to provide therewith an exemption of seventy-five percent (75%) on real property improvements for a term of ten (10) taxable years in association with the project's proposed investment of approximately \$55.5 million, including \$27.5 million for building construction, \$26.7 million for machinery and equipment, and \$1.3 million for furniture and fixtures and the creation of 300 new permanent full-time positions with an annual payroll of approximately \$8.3 million.

Section 4. That the City of Columbus Enterprise Zone Agreement is signed by MSC Industrial Direct Co., Inc., Sid Tool Co., Inc. and MSC Contract Management within ninety (90) days of passage of this ordinance, or this ordinance and the abatements and credits authorized herein are null and void.

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

Legislation Number: 1671-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Rezoning Application Z12-020

APPLICANT: Connie J. Klema, Atty; 145 East Rich Street; 2nd Floor; Columbus, Ohio 43215.

PROPOSED USE: Multi-unit residential development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on June 14, 2012.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The proposed L-ARLD, Limited Apartment Residential District continues the existing L-ARLD zoning and multi-unit dwelling land use pattern already established to the north and east. The limitation text limits the number of dwelling units to 228 dwelling units for a density of 15.9 units per acre, less than the maximum of 17.4 units per acre. The applicant also commits to providing street trees and lighting limitations. The proposal is consistent with zoning and development patterns of the area.

To rezone **5049 EDWARDS FARM ROAD (43221)**, being 14.3± acres located on the west side of Edwards Farm Road, 500± feet south of Bourbon Street, **From:** R, Rural District, **To:** L-ARLD, Limited Apartment Residential District (Rezoning # Z12-020).

WHEREAS, application #Z12-020 is on file with the Building and Zoning Services Department requesting rezoning of 14.3± acres from R, Rural District, to L-ARLD, Limited Apartment Residential District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposed L-ARLD, Limited Apartment Residential District continues the existing L-ARLD zoning and multi-unit dwelling land use pattern already established to the north and east. The limitation text limits the number of dwelling units to 228 dwelling units for a density of 15.9 units per acre, less than the maximum of 17.4 units per acre. The applicant also commits to providing street trees and lighting limitations. The proposal is

consistent with 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:

being 14.3± acres located on the west side of Edwards Farm Road 500± feet south of Bourbon Street, and being more particularly described as follows:

LEGAL DESCRIPTION

14.283 ACRES

Situated in the State of Ohio, Franklin County, Norwich Township, being a part of Virginia Military Survey No. 2418 and No. 4854, and being a part of the 87.92 acre tract conveyed to Clyde M. Vaughn by deed of record in O.R. 15751 B16; of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning for reference at a railroad spike found in the centerline of Hayden Run Road, said spike being the Northeast corner of the said original 87.92 acre tract;

Thence South 09 degrees, 40 minutes, 02 seconds East, 2432.49 feet, along the East line of said 87.92 acre tract to a 3/4" iron pin found, said pin being at a corner of said 87.92 acre tract, also being on the line between VMS #2418 and VMS #4854;

Thence South 79 degrees, 01 minutes, 49 seconds West, 100.03 feet, along an existing fence line, to a 5/8 inch rebar set on the line between the City of Columbus and Norwich Township, also being the true point of beginning of the tract of land herein intended to be described;

Thence South 09 degrees, 40 minutes, 02 seconds East, 716.03 feet, across said 87.92 acre tract and along said line between the City of Columbus and Norwich Township, to a 5/8 inch rebar set in the South line of said 87.92 acre tract;

Thence South 66 degrees 57 minutes, 36 seconds West, 784.48 feet, along the South line of said 87.92 acre tract, to a 5/8 inch rebar set on the East right-of-way line of Interstate 270, also being the southwest corner of said 87.92 acre tract;

Thence North 11 degrees, 36 minutes, 49 seconds West, 879.94 feet, along the West line of said 87.92 acre tract, and the East right-of-way line of I-270, to a 5/8 inch rebar set;

Thence North 79 degrees, 01 minutes, 49 seconds, East 793.30 feet, along an existing fence line, to the point of beginning, containing 14.283 acres of land, more or less.

The bearings shown above are based on the centerline of Interstate 270 as being North 11 degrees, 36 minutes, 49 seconds, West as shown on ODOT drawing FRA-270-3.47N.

To Rezone From: from R, Rural District

To: L-ARLD, Limited Apartment Residential District

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

SECTION 3. That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map and shall register a copy of the approved L-ARLD, Limited Apartment Residential District and Application among the records of the

Department of Building and Zoning Services as required by Section 3370.03 of the Columbus City Codes; said text titled, "**LIMITATION TEXT**," signed by Connie J. Klema, Applicant, dated April 2, 2012, and reading as follows:

LIMITATION TEXT

PROPOSED DISTRICT: L-ARLD

PROPERTY ADDRESS: 5049 Edwards Farms Rd.

OWNER: Delta River Ltd.

APPLICANT: Connie J. Klema, Attorney

DATE OF TEXT: April 2, 2012

APPLICATION NUMBER: Z12-020

1. INTRODUCTION: The site is located south of Hayden Run Road between Edwards Farms Road on the east and Interstate 270 on the west. The site is currently zoned Residential-R. The applicant is seeking rezoning of the property to the L-ARLD zoning district to develop 228 residential units. The apartment buildings shall be a combination of two (2) and three (3) story buildings with parking accommodated by surface parking and detached garages. The development may include a clubhouse, pool, and other such recreational areas/facilities for residents of the site.

2. PERMITTED USES: Those uses permitted in Section 3333.02, ARLD of the Columbus City Code.

3. DEVELOPMENT STANDARDS: Unless otherwise indicated the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

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

1. The maximum number of dwelling units shall be 228.
2. There shall be a minimum building setback from I-270 right-of-way of fifty feet (50').

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

1. The developer shall install ornamental trees 40 feet on center within the twenty-five foot (25') perimeter yard along Edwards Farms Road.
2. The developer shall install a mixture of shade, ornamental, and/or evergreen trees 40 feet on center within the twenty-five foot (25') perimeter yard along the south and north property lines.

C. Building Design and Exterior Treatment Commitments.

Buildings will be finished on the exteriors with a mixture or single application of brick, stone veneer, wood, cement wood siding, and/or beaded vinyl siding.

D. Graphics and/or Signage Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code and any variance to those requirements will be submitted to the Columbus Graphics Commission for

consideration.

E. Lighting and other Environmental Commitments.

1. External lighting, with the exception of entry lighting required by the Building Code, shall be cut-off type fixtures (down lighting) and shall not be higher than eighteen feet (18') provided, however, that the clubhouse building, rental office, display/signage areas, and landscaping may be up-lighted from a ground source.
2. All external outdoor lighting fixtures shall be from the same or similar manufacturer's type to insure compatibility.

F. Miscellaneous Commitments.

1. The Parkland Dedication shall be in compliance with the requirements of the City Columbus Recreation and Parks Department and shall require that (i) all new sidewalks installed within the site be connected in a network and a minimum of five feet in width, and (ii) that pedestrian signage or other safe pedestrian means (such as texture pavement, striping) be installed at the entrance of the development.
2. The access point for the development on Edwards Farms Road shall be aligned with the access point serving the existing development known as Brittany Place Condominium on the east side of Edwards Farms Road.

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

Legislation Number: 1672-2012

Drafting Date: 7/12/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance transfers \$200,000 from SIT Fund 430 to Neighborhood Initiative Fund 018, appropriates those funds, and authorizes and directs the Director of the Community Relations Commission to enter into contract with the Friends of the Community Relations Commission, a not-for-profit organization, to distribute those funds, and with the Coalition for a Nonviolent Columbus, a not-for-profit organization, to administer and monitor those funds. The funds shall be used for a competitive grant program that provides funding for not-for-profit neighborhood organizations to purchase graffiti abatement equipment and materials and to install community murals to avoid graffiti.

The competitive grant program will be available to any recognized community organization, such as an area commission, civic association, neighborhood business association or other recognized not-for-profit organization. Such organization shall be incorporated with the State of Ohio, located in the City of Columbus, and in possession of a valid IRS not-for-profit designation. Total funding shall not exceed \$5,000 per organization per calendar year.

These grants are intended to provide financial support for one-time costs, other than operating expenses, for neighborhood led initiatives that address graffiti in neighborhoods within the corporate limits of the City of Columbus. Funding may be utilized for the purchase of materials and/or equipment for graffiti removal by the grantee; and for the purchase of materials and/or equipment to install a community mural by the grantee to

proactively dissuade graffiti crimes. Grantee shall be solely liable for soliciting and receiving any necessary legal waivers or approvals to implement the aforementioned activities, and shall hold the city harmless for any damages resulting from said activities.

The Columbus City Council, or its designee, will liaise with the relevant contractors and will approve the final grant recipients, and those decisions shall be final.

As part of these contracts, guidelines for the disbursement of funds, for the submittal of applications and for routine reporting may be developed by the contractors, in consultation with Columbus City Council, or its designee.

FISCAL IMPACT: Funds are available in the Special Income Tax Fund to transfer to the Neighborhood Initiative Fund.

To authorize and direct the Director of the Community Relations Commission to enter contract for services to administer, distribute, and monitor a competitive graffiti grant program; to authorize the expenditure of \$200,000 from the Neighborhood Initiative Fund and to declare an emergency.

WHEREAS, Graffiti is a blight on Columbus neighborhoods devaluing property, attracting crime, and menacing those in the neighborhood impacted by graffiti crime; and

WHEREAS, Recognized neighborhood groups, such as area commissions, civic associations and business associations, play a critical, proactive role in abating and avoiding graffiti in their neighborhoods; and

WHEREAS, This ordinance creates a competitive grant program that provides funding for not-for-profit neighborhood organizations to purchase graffiti abatement equipment and materials and to install community murals to avoid graffiti; and

WHEREAS, This ordinance transfers \$200,000 from SIT Fund 430 to Neighborhood Initiative Fund 018, appropriates those funds, and authorizes and directs the Director of the Community Relations Commission to enter into contract for the aforementioned purposes; and

WHEREAS, Friends of the Community Relations Commission is a non-profit organization working to open doors in Columbus neighborhoods to address issues of ethnic, racial and cultural diversity; and

WHEREAS, The Friend of the Community Relations Commission has agreed to contract with the Community Relations Commission to distribute competitive grant funds provided by Columbus City Council to eligible not-for-profit neighborhood organizations; and

WHEREAS, The Coalition for a Nonviolent Columbus is a non-profit organization was established to engage and encourage residents to become involved in their neighborhoods' success, act as a forum for studying and applying best practice theories and serve as an initial review and recommendation board for neighborhood seed grants; and

WHEREAS, The Coalition for a Nonviolent Columbus has agreed to contract with the Community Relations Commission to administer and monitor competitive grant funds provided by Columbus City Council to eligible not-for-profit neighborhood organizations; and

WHEREAS, An emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to effect the transfer and appropriation of funds and to authorize and direct the Director of the Community Relations Commission to enter into contracts to administer, distribute and monitor those funds for a competitive grant program that provides funding for not-for-profit neighborhood organizations to purchase graffiti abatement equipment and materials, and to install community murals to avoid graffiti; **NOW THEREFORE**

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

SECTION 1. The City Auditor be and hereby is authorized to appropriate \$200,000, or so much thereof as necessary, in the Special Income Tax (SIT) Fund 430, Community Relations Div 4002 OCA 430402, OL3 5501.

SECTION 2. The City Auditor be and hereby is authorized to transfer \$200,000, or so much thereof as necessary, as follows:

FROM: Special Income Tax (SIT) Fund 430, Community Relations Div 4002, OCA 430402, OL3 5501

TO: Neighborhood Initiative Fund 018 Community Relations Commission Div 4002, OCA 400218, OL3 0886

SECTION 3. That the City Auditor be and hereby is authorized to appropriate \$200,000, or so much thereof as necessary, in the Neighborhood Initiative Fund 018 Community Relations Commission Div 4002, OCA 400218, OL3 3336.

SECTION 4. That for the purpose stated in Section 1, the expenditure of \$200,000.00, or so much thereof as necessary, be and is hereby authorized to be expended from the Community Relations Commission No Div 4002, OCA 400218, OL3 3336.

SECTION 5. That the Director of the Community Relations Commission be and hereby is authorized to enter into contract with Friends of the Community Relations Commission, a not-for-profit organization, to distribute and with the Coalition for a Nonviolent Columbus, a not-for-profit organization, to administer and monitor funds for a competitive grant program that provides funding for not-for-profit neighborhood organizations to purchase graffiti abatement equipment and materials, and to install community murals to avoid graffiti for the purpose of increasing the quality of life in Columbus neighborhoods. As part of those contracts, guidelines for the disbursement of funds, for the submittal of applications and for routine reporting may be promulgated by the contracted non-profit, in consultation with Columbus City Council, or its designee.

SECTION 6. That the Director of the Community Relations Commission be and hereby is authorized and directed to include in the contracts with the Coalition for a Nonviolent Columbus and the Friends of the Community Relations Commission, as appropriate, the following provisions: A grantee shall provide to the contractor an itemized receipt for any purchases within 30 days of purchase and failure to do so may be grounds for forfeiture of the full amount of the grant. A grantee shall provide at the same time the location where the items will be permanently stored, unless in use, and shall notify contractor of any permanent changes in said location. A grantee shall comply with any further reporting requirements. A grantee may be ineligible to receive funding from this grant program for a period of three (3) years if the grantee fails to comply with the requirements of this contract. Funding shall be limited to organization incorporated with the State of Ohio, located in the City of Columbus, and in possession of a valid IRS not-for-profit designation. A

grantee shall be solely liable for soliciting and receiving any necessary legal waivers or approvals to implement the aforementioned activities, and shall hold the city harmless for any damages resulting from said activities. Total funding per organization shall not exceed \$5,000 per calendar year.

SECTION 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1677-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

The Ohio Power Company, an Ohio corporation ("O.P.C."), requested that the City of Columbus, Ohio ("City"), grant it a perpetual, non-exclusive easement in, on, over, under, across and through real property located in the vicinity of Morse Road and Stylger Road, more fully described within the body of this legislation. The easement will be used for the purpose of providing electricity to City owned property commonly known as the HAP Cremean Water Treatment Plant. After investigation by the Department of Public Utilities, it determined that the electrical service provided by the electrical lines will benefit the City and should be granted in exchange for O.P.C.'s release of five (5) outdated easements, identified in the body of the legislation, to the City. The following legislation authorizes the Director of the Department of Public Utilities to execute those instruments necessary to grant the requested easement.

Fiscal Impact: N/A

Emergency Justification: Emergency action is requested so not to delay the benefit to the City, which will result from the installation of the electric power lines.

To authorize the Director of the Department of Public Utilities to execute a Quitclaim Deed of Easement in order to grant a perpetual, non-exclusive easement to the Ohio Power Company, an Ohio corporation, for the purposes of providing electrical services to that City owned property, commonly known as the HAP Cremean Water Treatment Plant and to declare an emergency

WHEREAS, the Ohio Power Company, an Ohio corporation ("O.P.C."), has requested that the City of Columbus, Ohio ("City"), grant to it a perpetual, non-exclusive easement in, on, over, under, across and through real property located in the vicinity of Morse Road and Stylger Road, more fully described within the body of this legislation; and

WHEREAS, the easement will be used for the purpose of providing electricity to City owned property commonly known as the HAP Cremean Water Treatment Plant; and

WHEREAS, in exchange for the City's easement, O.P.C. shall release the following five (5) easements; D.B. 1225, Pg. 57; D.B. 3721, Pg. 336; D.B. 1706, Pg. 411; D.B. 2867, Pg. 121; & O.R.V. 21102, Pg. H13, in the Recorder's Office, Franklin County, Ohio; and

WHEREAS, after investigation by the Department of Public Utilities, it determined that the electrical service

provided by the electrical lines will benefit the City and should be granted at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the Department Public Utilities, because it is immediately necessary to authorize the Director to execute the Quitclaim Deed of Easement, prepared and approved by the Columbus City Attorney, Division of Real Estate, in order to grant an easement to the Ohio Power Company so not to delay the resulting benefit to the City, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That the Director of the Department of Public Utilities be and hereby is authorized to execute a Quitclaim Deed of Easement, prepared by the Columbus City Attorney, Division of Real Estate, necessary to grant a perpetual, non-exclusive easement in, on, under, across, and through the following described real property:

0.512 ACRE & 0.163 ACRE EASEMENT AREA

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Blendon Township (Quarter Township 4, Township 2 North, Range 17 West), United States Military Lands, and being two 20 foot wide strips of land lying in the Hap Cremean Water Treatment Plant Property owned by the City of Columbus, Ohio, by deeds of record in Deed Book 1729, Page 204, Deed Book 1799, Page 78, Deed Book 2282, Page 360, Deed Book 2821, Page 649, and Deed Book 2840, Page 448 (all references to the Recorder's Office, Franklin County, Ohio) and containing 148.044 acres (per Franklin County Auditor), said two (2) 20 foot wide strips of land being further described as follows:

20' WIDE EASEMENT № 1 - 0.512 ACRE

Commencing for reference at an iron pin found in the westerly property line of the said 148.044 acre tract and being at the northeast corner of a 0.37 acre property conveyed in said Deed Book 2840, page 448;

Thence crossing thru the said 148.044 acre tract, S 20°02'32" W a distance of 42.10 feet to the True Place of Beginning;

Thence crossing thru the said 148.044 acre tract the next three courses and distances:

1. S 85°39'40" E, a distance of 313.01 feet to a point;
2. S 86°23'09" E, a distance of 625.40 feet to a point;
3. S 84°40'09" E, a distance of 136.94 feet to the southerly line of an existing 100 foot wide easement conveyed to The Columbus Southern Power Company by Deed of Record in Instrument Number 200204230101701;

Thence along the said southerly line, S 65°37'08"E, a distance of 74.73 feet to a point;

Thence crossing thru the said 148.044 acre tract the next five courses and distances:

1. N 80°30'18" W, a distance of 60.50 feet to a point;
2. N 84°40'09" W, a distance of 146.94 feet to a point;
3. N 86°23'09" W, a distance of 625.23 feet to a point;
4. N 85°39'40" W, a distance of 324.63 feet to a point;
5. N 34°14'16" E, a distance of 23.07 feet to the True Place of Beginning and containing 0.512 acres, more or less.

20' WIDE EASEMENT № 2 - 0.163 ACRE

Commencing for reference at an iron pin found in the westerly property line of said 148.044 acre tract and being at the northeast corner of a 0.37 acre property conveyed in said Deed Book 2840, page 448;

Thence crossing thru the said 148.044 acre tract, S 84°48'48" E, a distance of 1898.16 feet to a northerly corner of the said 100 foot wide easement conveyed to The Columbus Southern Power Company by Deed of Record in Instrument Number 200204230101701;

Thence along the northerly line of said 100 foot wide easement, S 37°09'32" E, a distance of 60.61 feet to the True Place of Beginning;

Thence crossing thru the said 148.044 acre tract, S 54°35'19" E, a distance of 203.25 feet to a point;

Thence crossing thru the said 148.044 acre tract, N 88°27'58" E, a distance of 173.29 feet to a the centerline of the Big Walnut Creek and also being the easterly property line of the said 148.044 acre tract;

Thence along the said centerline of the Big Walnut Creek and the said easterly property line, S 21°15'41" E, a distance of 21.25 feet to a point;

Thence leaving the said of the Big Walnut Creek and the said easterly property line and crossing thru the said 148.044 acre tract, S 88°27'58" W, a distance of 187.14 feet to a point;

Thence crossing thru the said 148.044 acre tract, N 54°35'19" W, a distance of 146.23 feet to a the northerly line of the said 100 foot wide easement;

Thence along the northerly line of the said 100 foot wide easement, N 37°09'32"W, a distance of 66.77 feet to the True Place of Beginning and containing 0.163 acres, more or less.

Being based on a survey for the City of Columbus by Dynotec, Inc. This description was prepared and reviewed on April 25, 2012 by Robert A. Bosworth, Registered Surveyor #7750.

Basis of bearings is The Ohio State Plane Coordinate System, South Zone, NAD83 (CORS). This property is contained in Auditor's Parcel № 600-150029.

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

Legislation Number: 1686-2012

Drafting Date: 7/12/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Council Variance Application: CV12-019

APPLICANT: RPMD LLC c/o David L. Hodge, Atty.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

PROPOSED USE: To permit a hostel in the ARLD, Apartment Residential District with reduced development standards.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The applicant proposes to operate a hostel in an existing building that has served as a dormitory and rooming house in the past. Hostel is not defined in the Zoning Code but could fit the definition of rooming house or apartment hotel, neither of which are allowed in the ARLD, Apartment Residential District. Therefore a Council Variance is needed to allow this use. *The Olde Towne Quarter Economic Development Strategy* (2010), recommends Medium-High Density Mixed Residential use for this site. Staff supports this use since it is consistent with the aforementioned study, is

similar to past uses and the proposal would also result in the preservation of a noteworthy building.

To grant a Variance from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at **738 BRYDEN ROAD (43205)**, to permit a hostel with reduced development standards in the ARLD, Apartment Residential District. (Council Variance #CV12-019)

WHEREAS, by application No. CV12-019, the owner of property at **738 BRYDEN ROAD (43205)**, is requesting a Council variance to allow a hostel in the ARLD, Apartment Residential District; and

WHEREAS, Section 3333.02, AR-12, ARLD and AR-1 apartment residential district use, prohibits a hostel, while the applicant proposes to allow a hostel on the site; and

WHEREAS, Section 3333.23, Minimum side yard permitted, requires a minimum side yard of five (5) feet, while the applicant proposes to allow a masonry enclosure within two feet (2) feet of the west property line; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, the Historic Resources Commission recommends approval; and

WHEREAS, City Departments recommend approval because the applicant proposes to operate a hostel in an existing building that has served as a dormitory and rooming house in the past. Hostel is not defined in the Zoning Code but could fit the definition of rooming house or apartment hotel, neither of which are allowed in the ARLD, Apartment Residential District. Therefore a Council Variance is needed to allow this use. *The Olde Towne Quarter Economic Development Strategy* (2010), recommends Medium-High Density Mixed Residential use for this site. Staff supports this use since it is consistent with the aforementioned study, is similar to past uses and the proposal would also result in the preservation of a noteworthy building.

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 **738 BRYDEN ROAD (43205)**, in using said property as desired; now, therefore:

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

SECTION 1. Variances from the provisions of Sections 3333.02, AR-12, ARLD and AR-1, apartment residential district use and 3333.23, Minimum side yard permitted, of the Columbus City Codes, for the property located at **738 BRYDEN ROAD (43205)**, insofar as said sections prohibit a hostel with a minimum north side yard of two (2) feet, said property being more particularly described as follows:

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

Being Lot Number One (1) of BENJAMIN MONETT'S BRYDEN ROAD SUBDIVISION of Part of Lot No. 2 of James Bryden's and others Sub. of part of Half Section 24, Township 5, Range 22, Refugee lands, as the same is numbered and delineated upon the recorded plat of said Benjamin Monett's Bryden Road Subdivision, of record in Plat Book 7, pages 92 and 93, Recorder's Office, Franklin County, Ohio.

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

Being Eight (8) feet off the entire east end of the following described tract:

Being a part of Lot No. 2 of James Bryden et al Subdivision of part of Half Section No. 24, Township No. 5, Range 22, Refugee Lands and bounded and described as follows:

Beginning at the northeast corner of Bryden Road and Parsons Avenue; thence eastwardly on the north line of Bryden Road to the southwest corner of Lot No. 1 of Benjamin Monett's Bryden Road Subdivision, as the same appears of record in Plat Book No. 7, page 92 Recorder's Office, Franklin County, Ohio; thence northerly on the west line of said Lot No. 1, 128.54 feet to the southeast corner of a parcel of land marked Reserve on said Monett's Bryden Road Subdivision; thence westerly on the south line of said Reserve 391 feet to the southwest corner of said Reserve; thence southerly on the east line of Parsons Avenue to the place of beginning. Said premises being further known and described as the family residence and lot marked "Homestead" on the plat annexed to the Will of George M. Parsons, deceased; said Will and plat being of record in Will Record "Q" page 39 of the Will Records of Franklin County, Ohio.

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

Being Eight (8) feet off the entire east end of the following described tract:

Being the parcel of ground known and described as the "Reserve" of Benjamin Monett's Bryden Road Subdivision of part of Lot No. 2 of James Bryden et al Subdivision of part of Half Section 24, Township 5, Range 22, Refugee Lands, as the said Reserve is described and delineated upon the recorded plat of said Benjamin Monett's Bryden Road Subdivision of record in Plat Book 7, pages 92 and 93, Recorder's Office, Franklin County, Ohio. Said Reserve being all that parcel of ground which is bounded on the north by the alley running easterly and westerly between Bryden Road and Gustavus Lane, on the East by Lot No. 1 of said Monett's Bryden Road Subdivision; on the south by the premises known and described as the family residence and lot marked "Homestead" on the plat annexed to the Will of George M. Parsons, deceased, late of Franklin County, Ohio, said will and plat being of record in Vol. "Q", pages 39 et seq. of the Will Records of said Franklin County and the West by Parsons Avenue and which is 8.20 feet, more or less, in width measured on the east line of Parsons Avenue, and 21.45 feet, more or less, in width measured on the west line of said Lot No. 1 of said Monett's Bryden Road Subdivision.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a hostel, or those uses permitted in the ARLD, Apartment Residential District.

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

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

Legislation Number: 1689-2012

Drafting Date: 7/13/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

City Council created the Neighborhood Initiatives Fund to assist programs and social service agencies that provide a wide range of programming designed to protect neighborhoods, strengthen educational opportunities, and improve the quality of life for Columbus residents, while leveraging outside dollars to supplement City financial contributions.

Among the items included in the Neighborhood Initiatives Fund, is funding in the amount of \$60,000 to provide the Department of Finance and Management sufficient money to allow for an additional grant writer within the Financial Management Division. This position will focus on identifying and pursuing grant-related funding in order to further City Council's mission to assist area programs and social service agencies that help protect neighborhoods, strengthen educational opportunities, and improve the overall quality of life for Columbus residents.

City Council amended the 2012 budget in order to provide for this position within the Department of Finance and Management. This ordinance transfers these funds to allow the Department of Finance and Management to accomplish this goal.

FISCAL IMPACT:

This legislation authorizes the transfer of funds from the Neighborhood Initiatives Fund to the General Fund, per the intent of City Council.

To authorize the appropriation of \$60,000.00 within the Neighborhood Initiatives Fund; to authorize the transfer of \$60,000.00 from the Neighborhood Initiatives Fund to the General Fund; to authorize the appropriation of \$60,000.00 within Department of Finance and Management General Fund for a Grant Writer; and to declare an emergency. (\$60,000.00)

WHEREAS, City Council included in the Neighborhood Initiatives Fund monies for a grant writing position to be hired in the Department of Finance and Management, Financial Management Division; and

WHEREAS, funds must be appropriated and transferred from the Neighborhood Initiatives Fund to the General fund to keep accurate financial records and accomplish this goal; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to make the above noted appropriation and transfer to maintain accurate financial records, 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 from the unappropriated monies in the Neighborhood Initiatives Fund, Fund No. 018, and

from all monies estimated to come into said Fund from any and all sources for the period ending December 31, 2012, the sum of \$60,000.00 is hereby appropriated to the City Council, Division No. 20-01, Object Level One - 10, Object Level Three -5501, OCA 200018.

Section 2. That the City Auditor be and is hereby authorized and directed to transfer \$60,000 from the Neighborhood Initiatives Fund to the General Fund, as follows:

From: Neighborhood Initiatives Fund, Fund No. 018, City Council, Dept. No. 20-01, OCA 200018, Object Level One - 10, Object Level Three - 5501

To: General Fund, Fund No. 010, Department of Finance and Management, Financial Management Division, Dept. No. 45-01, OCA 450015, Object Level One - 01, Object Level Three -1000

Section 3. That from the unappropriated monies in the General Fund, Fund No. 010, and from all monies estimated to come into said Fund from any and all sources for the period ending December 31, 2012, the sum of \$60,000 is hereby appropriated to the Department of Finance and Management, Financial Management Division, Dept. No. 45-01, Object Level One - 01, Object Level Three - 1000, OCA 450015.

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: 1691-2012

Drafting Date: 7/13/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: Columbus Public Health has been awarded additional grant funds from the Ohio Department of Health for the STD Prevention grant program in the amount of \$13,000.00. Supplemental funds in the amount of \$10,000.0 are being made available to Columbus Public Health to continue a social marketing campaign and outreach to those target populations experiencing the most disease burden. The funds will assist Columbus Public Health in tailoring messages to fit the targeted populations and encourage screening. An integrated media campaign utilizing various mediums (print, online, radio, etc.) will be used. Supplemental funds in the amount of \$3,000.00 are being made available to implement the Gonococcal Isolate Surveillance Project (GISP), which will monitor trends and antimicrobial susceptibilities of strains of N. Gonorrhoea in the U.S. and establish a rational basis for the selection of Gonococcal therapies. The purpose of this legislation is to accept and appropriate these additional funds for the STD Prevention Program for the period ending December 31, 2012.

The STD Prevention program enables Columbus Public Health to identify and prevent sexually transmitted diseases through gonorrhea culture screening, syphilis elimination, gonococcal isolate surveillance, and partner services. Additionally, Columbus Public Health assures the quality of medical and laboratory services, surveillance, partner services, and data management. All activities are conducted with special emphasis on populations at high risk such as correction facilities, organizations focusing on adolescents, and managed care settings.

This ordinance is submitted as an emergency so as to allow the financial transaction to be posted in the City's

accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

FISCAL IMPACT: The STD Prevention Program is entirely funded by the Ohio Department of Health. This program does not generate revenue nor require a City match.

To authorize and direct the Board of Health to accept supplemental grant funds from the Ohio Department of Health for the STD Prevention Grant in the amount of \$13,000.00, to authorize the appropriation of \$13,000.00 from the Health Department Grants Fund, and to declare an emergency. (\$13,000.00)

WHEREAS, \$13,000.00 in additional grant funds have been made available through the Ohio Department of Health for the STD Prevention grant program for the period of January 1, 2012 through December 31, 2012; and,

WHEREAS, it is necessary to accept and appropriate these funds from the Ohio Department of Health for the continued support of the STD Prevention Program; and,

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

WHEREAS, an emergency exists in the usual daily operation of Columbus Public Health in that it is immediately necessary to accept these grant funds from the Ohio Department of Health and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety and welfare, and to avoid any delay in the provision of service; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept additional grant awards totaling \$13,000.00 from the Ohio Department of Health for the STD Prevention grant program for the period of January 1, 2012 through December 31, 2012.

SECTION 2. That from the unappropriated monies in the fund known as the Health Department Grants Fund, Fund No. 251, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the twelve months ending December 31, 2011, the sum of \$13,000.00 is hereby appropriated to the Department of Health, Department No. 50-01, as follows:

OCA: 501209; Grant: 501209; Obj Level One: 02; Amount: \$ 3,000.00

OCA: 501209; Grant: 501209; Obj Level One: 03; Amount: \$10,000.00

SECTION 3. That the monies appropriated in the foregoing Section 2 shall be paid upon the order of the Health Commissioner and that no order shall be drawn or money paid except upon 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: 1697-2012

Drafting Date: 7/13/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: For the option to purchase Office Supplies and Office Papers (Recycled) for all City agencies. The term of the proposed option contract is through July 31, 2014. The contracts may be extended for one (1) additional year, subject to mutual agreement by both parties. The Purchasing Office opened formal bids on May 24, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 Solicitation SA004377; 135 bids were solicited (MBE:5; FBE:2); Seven (7) bids were received (MBE:0; FBE:1). The contract(s) will provide City agencies with the ability to purchase general offices supplies of high standard and quality. Agencies will also have the availability to purchase recycled office papers to be used in a variety of office and mass production equipment. These office papers contain a minimum of 30% or more post consumer fiber content.

The Purchasing Office is recommending a split award of contracts to the lowest, responsive, responsible and best bidder as follows [Staples Contract & Commercial, Inc. for Office Supplies and a split award between Bulldog Office Products, Inc., Office Max North America, Inc. and Sterling Paper for Recycled Office Papers]:

Bulldog Office Products, Inc. - (FBE): CC#251292273 (expires: 11/30/2012)

Office Max North America, Inc.: CC# 341573735 (expires: 8/4/2013)

Staples Contract & Commercial, Inc.: CC# 043390816 (expires: 5/9/2013)

Sterling Paper: CC#: 314317038 (expires: 2/22/2014)

Total Estimated Annual Expenditure: \$900,000.00

These companies are not debarred according to the Federal Excluded Parties Listing or the State Auditor's Findings For Recovery Database.

This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed. The evaluation of the bids took longer than expected to complete.

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.

To authorize the Finance and Management Director to enter into four Universal Term Contracts for the option to purchase Office Supplies and Office Papers (Recycled) with Bulldog Office Products, Inc., Office Max North America, Inc., Staples Contract & Commercial, Inc. and Sterling Paper; to authorize the expenditure of four (4) dollars to establish the contract from the Mail, Print Services and UTC Fund; and to declare an emergency. (\$4.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on May 24, 2012 and selected the lowest, responsive, responsible and best bids. Seven (7) bids were received; 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 to provide for the option to purchase Office Supplies and Office Papers (Recycled) for all City agencies; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to enter into four (4) contracts for an option to purchase Office Supplies and Office Papers (Recycled) to ensure uninterrupted supply of materials, thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

SECTION 1. That the Finance and Management Director be and is hereby authorized and directed to enter into the following contracts for an option to purchase Office Supplies and Office Papers (Recycled) through July 31, 2014 with the option to extend for one (1) additional year in accordance with Solicitation SA004377.

The Purchasing Office is recommending award of a contract to the lowest, responsive, responsible and best bidder as follows:

Category 1: Office Supplies: Award made to Staples Contract & Commercial, Inc. (\$1.00).

Category 2: Office Papers (Recycled): Award made to:

Bulldog Office Products: Items 10-10B, 11-11B, 12-12B, 13-13B, 14-14B, 15-15B, 16-16B, 17, 17A, 18 - 18B (\$1.00);

Office Max North America, Inc.: Items 1-1B, 2-2B, 3-3B, 4B, 5-5B, 6-6B, and 7-7B (\$1.00);

Sterling Paper: Items 4, 4A, 8, 8A, 9 and 9A (1.00).

No award was made on Item 8B, 9B, and 17B.

SECTION 2. That the expenditure of \$4.00 is hereby authorized from Mail, Print Services and UTC Fund, Organization Level 1: 45-01, Fund: 05-517, Object Level 3: 2201, 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: 1702-2012

Drafting Date: 7/16/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: One parcel currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of the real property. This legislation authorizes the Director of Development to transfer one parcel located at 1659 E. Greenway Avenue (010-019071) to Rodney B. Johnson, who will rehabilitate the existing single family dwelling and maintain the structure as a rental property. The parcel will be transferred by deed recorded in the Official Records of the Franklin County Recorder's Office.

FISCAL IMPACT: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

EMERGENCY JUSTIFICATION: Emergency action is requested to expedite the transfer to reduce further deterioration of the structure and to immediately commence rehabilitation.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (1659 East Greenway Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

WHEREAS, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

WHEREAS, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.03 meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

WHEREAS, the properties will be sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

WHEREAS, under 5722.07, "fair market value" means the appraised value of the nonproductive land made with reference to any redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may otherwise be applicable to such land; and

WHEREAS, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for the real property; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate to expedite the transfer in order to reduce further deterioration of the structure and to immediately commence rehabilitation, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now therefore**,

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

Section 1. That the Director of the Department of Development is hereby authorized to execute any and all necessary agreements and deeds to convey title to the following parcel of real estate to Rodney B. Johnson:

PARCEL NUMBER: 010-019071

ADDRESS: 1659 East Greenway Avenue, Columbus, Ohio 43203

PRICE: \$5,500 plus a \$38.00 recording fee

USE: Single-family rental unit

SITUATED IN THE CITY OF COLUMBUS, COUNTY OF FRANKLIN, STATE OF OHIO, AND DESCRIBED AS FOLLOWS:

BEING LOT NUMBER EIGHT (8) OF WOODLAND PLACE ADDITION TO THE CITY OF COLUMBUS, AS THE SAME IS NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 4, PAGE 296, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

Section 2. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

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

Legislation Number: 1706-2012

Drafting Date: 7/17/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: City Council Ordinance 0582-2012, passed on March 28, 2012 authorized the Director of Finance and Management to execute those documents necessary to purchase that real property known as 4250 Groves Road from Mikuria K. Tegegne and Alemitu Ayana, husband and wife, subject to a number of purchase contingencies including, but not limited to, the satisfactory completion of Environmental Site Assessments (Phase I ESA and Phase II, if necessary). Upon completion of the City's due diligence activities it was determined that a portion of the property is encumbered by an unfavorable access easement. Therefore, it is

in the City's best interest to buy that portion of the parcel not encumbered by the unfavorable access easement. The exact size of the portion to be purchased will be determined by survey and is estimated to be approximately 5+ acres.

This legislation amends Ordinance 0582-2012 and authorizes the Director of Finance and Management to execute those documents necessary to purchase from Mikuria K. Tegegne and Alemitu Ayana, husband and wife, that portion of the real property determined to be in the City's best interest, and to expend up to \$165,000.00, for all costs associated with said acquisition. Purchase contingencies include, but are not limited to, the satisfactory completion of Site Assessments and ALTA Survey.

Fiscal Impact: Funding for this project was established by Ordinance 0582-2012 on AC033420.

Emergency Justification: Emergency action is requested to allow for the immediate execution of the purchase agreement by the City so that the acquisition can proceed in agreement with the closing transaction deadlines and other terms of the purchase contract.

To amend Ordinance 0582-2012 to authorize the Director of the Department of Finance and Management to execute those documents necessary to purchase from Mikuria K. Tegegne and Alemitu Ayana, husband and wife, that portion of real property known as 4250 Groves Road determined to be in the City's best interest; and to declare an emergency. (\$0.00)

WHEREAS, Ordinance 0582-2012 authorized the City, through its Director of Finance and Management, to enter into a purchase contract with Mikuria K. Tegegne and Alemitu Ayana, husband and wife, for the purchase of that real property located at 4250 Groves Road, Columbus, Ohio, and known as Franklin County Tax Parcel ID 010-259793; and

WHEREAS, it is necessary to amend Ordinance 0582-2012, to authorize Director of Finance and Management to enter into a purchase contract with Mikuria K. Tegegne and Alemitu Ayana, husband and wife, for the purchase of that portion of the real property located at 4250 Groves Road, Columbus, Ohio, and known as Franklin County Tax Parcel ID 010-259793 determined to be in the City's best interest; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Real Estate Management, in that it is immediately necessary to authorize the Finance and Management Director to enter into contract for the purchase of the real property located at 4250 Groves Road, Columbus, Ohio, or portion thereof, as determined to be in the City's best interest, therefore:

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

SECTION 1. That Ordinance 0582-2012, Section 1, be amended to read that the Director of the Department of Finance and Management be, and hereby is, authorized to execute those documents approved by the Department of Law, Division of Real Estate necessary for the purchase of that real property or portion thereof known as 4250 Groves Rd, Columbus, Ohio, Franklin County Tax Parcel ID 010-259793 determined to be in the City's best interest.

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

Legislation Number: 1709-2012

Drafting Date: 7/17/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The City of Columbus Division of Police (CPD), in collaboration with the Columbus City School District (CCS), was awarded FY2009 Secure Our Schools (SOS) grant funding from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) (Ordinance 0924-2010, passed 07/14/2010). The Secure Our Schools (SOS) Project focuses on improving the security in schools and on school grounds. CPD and CCS seek to improve the safety of the school building environment by expanding video surveillance technology into the District Schools. The collaborative application for enhancements to the current school camera security system includes the purchase of digital video recorders and interior and exterior cameras.

The City solicited a formal bid request for the purchase of the camera security system. Bids for digital video recorders and cameras were received at the end of April and beginning of May 2012. Bid prices for this equipment were much lower than anticipated. The grantor approved a budget modification to allow the Division of Police to purchase additional quantities of equipment based on the lower pricing. The Purchasing Office then negotiated with the lowest, most responsive bidders for the additional quantities in order to make full use of the grant funding. In order to procure the additional quantities, a bid waiver is necessary for these additional quantities. The bid waiver does not apply to the majority of the items being purchased, as these were solicited in the competitive bid. This ordinance authorizes the Director of Finance and Management to enter into the necessary contracts under provisions of Section 329.27 of Columbus City Codes, 1959, for the purchase of security equipment at a higher quantity than stated in the original bid.

BID INFORMATION: A formal bid process was completed for the purchase of a camera security system for the Columbus City School District. A bid waiver is necessary because the numbers of DVR and Camera Equipment to purchase has been increased to take advantage of available grant funds. The bid waiver applies only to the additional quantities. Based on the increased quantities on the cameras, the suppliers are providing lower pricing than originally quoted.

A formal bid was posted, SA004340, on April 23, 2012, for the purchase of Dedicated Micros digital video recorders (DVR's). There were 80 companies contacted (4 MBR, 1 M1A and 1 F1) with 9 responses (1 MBR and 1 F1).

Violeta, Inc. (MAJ) - \$148,986.00 - was the lowest, responsive, responsible and best bidder for the original bid quantities and has agreed to supply the additional DVR's at the same unit price.

Contract Compliance No: 20-0624164 Expires 05/07/2014

A formal bid was posted, SA004341, on May 2, 2012, for the purchase of Interior and Exterior Dome (CCTV) Security Cameras. There were 164 companies contacted (3 MBR, 4 M1A and 1 F1) with 27 responses (1 MBR and 1 F1).

Violeta, Inc. (MAJ) - \$52,065.00 - was the lowest, responsive, responsible and best bidder for the original bid quantities and has agreed to supply the Exterior Cameras slightly under the original bid amount based on the increased quantity.

Perlmutter Purchasing Power (MAJ) - \$88,481.50 - was the lowest, responsive, responsible and best bidder for the original bid quantities and has agreed to supply the Interior Cameras slightly under the original bid amount

based on the increased quantity.

Contract Compliance No: 49-5507798, Expires 5/14/2014

The listed companies are not debarred according to the Federal Excluded Parties Listing or the State of Ohio Auditor's Finding For Recovery Database.

EMERGENCY DESIGNATION: Emergency legislation is needed because the acquisition and payment of this equipment must be completed within the award period, set to expire on February 28, 2013.

FISCAL IMPACT: Currently, there is an appropriation of \$292,250.00 in the General Government Grant Fund for the Secure Our Schools (SOS - 2009) Grant Project. The federal award amount reimbursable through the COPS office is \$146,125.00. The required 50% cash match amount is \$146,125.00 and will be provided by the Columbus City School District to the City of Columbus Department of Public Safety, Division of Police to meet the grant match requirement. All grant expenditures will be reimbursed by COPS grant and the cash match from the Columbus City School District.

To authorize and direct the City of Columbus Director of Finance and Management to enter into contracts with Violeta, Inc. for the purchase of DVR's and Exterior Cameras for the Columbus Division of Police and with Perlmutter Purchasing Power for the purchase of Interior Cameras for the Columbus Division of Police; to waive provisions of competitive bidding under Section 329 of Columbus City Code, 1959; to authorize the expenditure of \$289,532.50 from the General Government Grant Funds; and to declare an emergency (\$289,532.50)

WHEREAS, the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) has awarded a FY2009 Secure Our Schools Grant for a collaborative SOS project submitted by the City of Columbus and Columbus City Schools in the amount of \$146,125.00; and

WHEREAS, the City of Columbus Division of Police and Columbus City Schools seek to improve the safety of the school building environment by expanding video surveillance technology into the Columbus Public School District Schools; and

WHEREAS, The Columbus City Schools District will provide the required 50% cash match amount of \$146,125.00 to the City of Columbus Division of Police for grant project expenditures and all personnel and/or funding necessary to install, maintain and upgrade the video system expansion; and

WHEREAS, formal bid responses SA004340 and SA004341 for the purchase of DVR's and Internal and External Camera Equipment came in at a much lower cost than anticipated, so the numbers of equipment to purchase have been increased to take advantage of available grant funds; and

WHEREAS, it is necessary to waive the provisions of competitive bidding under Section 329.27 of Columbus City Code, 1959, due to the increase in quantities of cameras and equipment being purchased, and

WHEREAS, an emergency exists in the daily operation of the City of Columbus Public Safety Department, Division of Police, in that it is immediately necessary to authorize and direct the City of Columbus Director of Finance and Management to enter into the necessary contracts to purchase security equipment prior to the grant period end date, and to waive competitive bidding provisions of Columbus City Code Section 329.27 for

the immediate preservation of the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the Director of Finance and Management be and is hereby authorized and directed to enter into contracts with Violeta, Inc. for the purchase of DVR's and Exterior Camera Equipment, and with Perlmutter Purchasing Power for the purchase of Interior Camera Equipment for the Columbus Division of Police for the expansion of video surveillance technology into the Columbus City School District Schools.

SECTION 2. That the Director of Finance and Management be and is hereby authorized and directed to waive provisions of competitive bidding under Section 329.27 of Columbus City Code, 1959; and

SECTION 3. That formal bid responses came in at a much lower cost than anticipated, so the numbers of equipment to purchase have been increased in order to take advantage of available FY2009 Secure Our Schools (SOS) Grant funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS).

SECTION 4. That the expenditure of \$289,532.50, or so much thereof as may be needed, of which \$201,051.00 shall be expended with Violeta, Inc. and \$88,481.50 shall be expended with Perlmutter Purchasing Power, be and the same is hereby authorized as follows:

DIV	FUND	OBJ LEVEL(1)	OBJ LEVEL (3)	OCACD	GRANT	AMOUNT
30-03	220	02	2206	339048	339048	289,532.50

SECTION 5. That the monies authorized in the foregoing Section 4 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 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: 1713-2012

Drafting Date: 7/17/2012

Current Status: Passed

Version: 2

Matter Type: Ordinance

This ordinance revises the definition of local bidder in the procurement code. It also updates the manner in which the local bidder credit is applied in the construction bidding process via amendments to sections 329.08 and 329.09. In summary, the revisions are as follows:

- Updates local bidder definition by changing definition to principal place of business.
- Revisions in 329.08 and 329.09
 - o For bids up to \$20,000-

- § provides local credit of 5% for local businesses within Columbus corporate limits
- § provides local credit of 2.5% for local businesses within Franklin County, outside Columbus corporate limits
- o For bids exceeding \$20,000-
 - § provides local credit of 1% for local businesses within Columbus corporate limits, capped at total credit of \$50,000
 - § provides local credit of .5% for local businesses within Franklin County, outside Columbus corporate limits, capped at \$25,000

Fiscal Impact: There is no direct fiscal impact associated with passage of this ordinance.

To amend sections 329.04, 329.08 and 329.09 of Chapter 329 of Columbus City Codes, 1959, by revising the local bidder definition and the manner in which it is applied in the construction procurement code.

WHEREAS, revisions to the local bidder definition are desired; and

WHEREAS, revisions to the manner in which the local bidder credit is applied in the construction bidding process is also desired; and

WHEREAS, this ordinance authorizes changes to sections of the procurement code that will provide for both aforementioned revisions; and

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

SECTION 1. That existing chapter 329 be amended as follows:

Refer to attachment: ord329amend1713-2012

SECTION 2. That the Director of Finance and Management is hereby directed to exercise his authority pursuant to City Code Section 329.03 to develop such forms as may be required to obtain from bidders claiming local bidder status such specific, objective and verifiable information that is deemed necessary to establish that status consistent with the definitions as amended by this ordinance.

SECTION 23. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Legislation Number: 1715-2012

Drafting Date: 7/18/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This ordinance is being submitted to set forth the municipal services and zoning conditions the City of Columbus will provide upon annexation of a territory located in Franklin Township. This

ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. If the petition is approved by the County Commissioners, a second City ordinance accepting the annexation will be necessary to complete the process. The time frames specified in the ORC require that this legislation be filed as emergency.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the City, annexation of land also has the potential to create revenue to the City.

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN12-014) of 8.5 ± acres in Franklin Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Franklin Township was duly filed on behalf of Jim Lincoln/Unique Leasing, Inc. on July 17, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on August 21, 2012; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority adopt an ordinance stating zoning buffering conditions; and

WHEREAS, the parcel is located within the boundaries of the Greater Hilltop Plan Amendment, which recommends light industrial uses;

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code, all for the preservation of the public peace, property, health safety and welfare; **now, therefore,**

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

Section 1. That the City of Columbus will provide the following municipal services for 8.5 ± acres in Franklin Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate

level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

Sanitation: Single family homes would qualify for city provided 90-gallon front curb refuse collection service. Any other development would require compliance with Title 13 requirements; Commercial/business uses are required to provide their own refuse collection.

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: The site is served by an existing 36" water main in Fisher Road.

Sanitary Sewer: Records indicate this property is tributary to the Upper Scioto Area Northwest Sanitary Sub-trunk Sewer system. There is a 27-inch sub-trunk sewer situated in an easement on the north side of Fisher Road approximately 470 feet west of the northwest property line being annexed. Mainline extension would be required. There is also a potential 8-inch sewer situated within the southerly Fisher Road right of way that is approximately 650 feet east of the northeastern property line being annexed. Mainline extension would be required from this sewer along with investigation of capacity and the tributary area by the engineer involved in designing the system to ensure adequate sewer service. Mainline extension requires formal plan submittal and approval through One Stop Shop and is to be done at the expense of the private developer/owner.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development. All sanitary and storm sewers required shall be constructed privately by the owners and developers at their own cost and expense with no cost to the City.

Section 2. If this 8.5 ± acre site is annexed, and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Franklin Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Franklin Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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: 1716-2012

Drafting Date: 7/18/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND:

Ordinance 2156-2011, passed December 5, 2011, created the Weinland Park - University/ Area F Community Reinvestment Area (CRA). Following its review of the city's Petition for Area Certification for the new CRA, the Ohio Department of Development requested that language providing eligibility for new construction rental for a broader area within the CRA be added. After careful consideration of the issue, the eligibility for new construction rental has been provided for the entire CRA.

Emergency action is being requested so that this correction can take effect as soon as possible in order to coincide with the original ordinance's initial implementation.

FISCAL IMPACT:

No funding is required for this legislation.

To amend Ordinance 2156-2011, passed December 5, 2011, amending and extending the Weinland Park-University Area F Community Reinvestment Area for the purpose of revising the area of eligibility for new construction rental abatement; and to declare an emergency.

WHEREAS, Ordinance 2156-2011, passed December 5, 2011, amended the Weinland Park- University Area F Community Reinvestment Area (CRA); and

WHEREAS, following its review of the City's Petition for Area Certification the State's Department of Development requested that language providing eligibility for new construction rental for a broader area within the CRA be added be added to the ordinance; and

WHEREAS, emergency action is being requested so that this correction can take effect as soon as possible in order to coincide with the original ordinance's initial implementation thereby preserving the public health, safety, and welfare; **now, therefore**,

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

Section 1. That Section 2 of Ordinance 2156-2011 is hereby amended to read as follows.

Section 2. Pursuant to ORC Section 3735.66, The CRA established by the Original CRA Ordinance is hereby reaffirmed in the following described areas in Exhibit 2:

DESCRIPTION OF PROPERTY

Weinland - Park University/ Area F

The following real estate situated in the City of Columbus, County of Franklin and State of Ohio.

All residentially-zoned properties within the following boundaries:

Weinland Park - University/ Area F is hereby established in the following described area:

North: Bounded by Hudson Street (including by the rear property lines on the north side of Hudson).

South: Bounded by East Avenue (including rear property lines on the south side of East Fifth Avenue).

West: Bounded by Pearl Alley, east of High Street (including rear property lines on the west side of Pearl Alley).

East: Interstate 71.

Only residentially zoned properties or residentially-used conversion properties consistent with the applicable zoning regulations and variances thereto within the designated CRA will be eligible for exemptions under this Program.

This Ordinance and the Original CRA Ordinance will provide an exemption from real property tax on the increased valuation on previously commercial buildings that are converted to owner-occupied housing units, on single-family homes, on multi-family owner occupied housing, on existing residential rental properties, on existing multi-family housing units within the established boundaries and on construction of new rental housing located **within the established boundaries**.

Section 2. That Section 3 of the ordinance is hereby amended to read as follows:

Section 3. Section 3 of the Original CRA Ordinance is hereby deleted, Exhibit 5 is hereby added to the Original CRA Ordinance as Exhibit C and Section 4 of the Original CRA Ordinance is hereby amended and restated in its entirety as follows:

All properties identified in Exhibit 2 as being within the designated Weinland Park - University/ Area F Community Reinvestment Area are eligible for this abatement if they meet the criteria stated in Section 4 of this Ordinance: including vacant residentially-zoned parcels; owner occupied residential properties; commercial properties being converted to housing units; existing residential rental properties; or new rental housing located **within the established boundaries**. Pursuant to ORC Section 3735.66, it is hereby stipulated that all of the foregoing uses are classified as residential uses for purposes of ORC Sections 3735.65 to 3735.70 and for purposes of the exemptions authorized thereunder.

A tax exemption on the increase in the assessed valuation, resulting from improvements as described herein, shall be granted upon proper application by the property owner and approval by the designated Housing Officer.

Abatement terms and percentages are as follows:

- (a) One hundred percent (100%) for ten (10) years for the remodeling of:

- owner-occupied dwellings containing not more than two housing units and upon which the remodeling cost is at least twenty percent (20%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$2500.00 as described in ORC Section 3735.67.;
- rental housing, containing not more than two housing units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$2500.00 as described in ORC Section 3735.67.
- conversion of rental housing to owner-occupied housing, containing not more than two units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$2500.00 as described in ORC Section 3735.67.
- conversion of previously commercial buildings to owner-occupied housing units containing not more than two units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$2500.00 as described in ORC Section 3735.67.

(b) One hundred percent (100%) for twelve (12) years for the remodeling of:

- owner-occupied dwellings containing more than two housing units and upon which the remodeling cost is at least twenty percent (20%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$5000.00 as described in ORC Section 3735.67.
- rental housing, containing more than two housing units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$5000.00 as described in ORC Section 3735.67.
- conversion of rental housing to owner-occupied housing, containing more than two units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$5000.00 as described in ORC Section 3735.67.
- conversion of previously commercial buildings to owner-occupied housing units containing more than two units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of

remodeling is at least \$5000.00 as described in ORC Section 3735.67.

(c) One hundred percent (100%) for fifteen (15) years for newly built:

- construction of new owner-occupied dwellings.
- construction of new owner-occupied dwellings containing two or more housing units.
- construction of new rental housing.

The Housing Officer may require a pre-application to insure the compatibility with neighborhood plans and to insure the maintenance of existing streetscape lines, style, scale setbacks and landscaping features compatible with neighborhood.

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 passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1720-2012

Drafting Date: 7/18/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND

This ordinance authorizes the Director of Public Service to purchase the clocks located at 30 N. High Street, Columbus Ohio 43215 and 333 W. Broad Street, Columbus, Ohio 43215 for \$1.00 (One Dollar) each; authorizes the City Auditor to appropriate and transfer \$50,002.00 within the general permanent improvement fund and to authorize and direct the Director of Public Service to enter into a reimbursement agreement with the Capital Crossroads Special Improvement District for the restoration, relocation and long term maintenance of the clocks.

FISCAL IMPACT: Funds are available for this transfer within the unallocated balance of the general permanent improvement fund.

EMERGENCY: This legislation is being submitted as an emergency measure in that it is immediately necessary to the transfer funds within the general permanent improvement fund in order to undertake the restoration and relocation of the clocks before the current construction season has ended and the weather prohibits installation.

To authorize the City Auditor to appropriate and transfer \$50,002.00 within the General Permanent Improvement Fund; to authorize the Director of Public Service to purchase two sidewalk clocks for \$2.00; to amend the 2012 C.I.B.; to authorize and direct the Director of Public Service to enter into a reimbursement agreement in an amount not to exceed \$50,000.00 with the Capital Crossroads Special Improvement District for the restoration, relocation and long term maintenance of the clocks currently located at 30 N. High Street and 333 W. Broad Street; to authorize the expenditure of \$50,002.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$50,002.00)

WHEREAS, The Downtown Residents Association of Columbus and the Capital Crossroads Special Improvement District have been working diligently to restore the remaining historic street clocks in Columbus, preserving an important part of the City's history and further improving the streetscape of the Downtown area; and

WHEREAS, this ordinance authorizes the Director of Public Service to purchase the clocks located at 30 N. High Street, Columbus Ohio 43215 and 333 W. Broad Street, Columbus, Ohio 43215 for \$1.00 (One Dollar) each; and

WHEREAS, this ordinance appropriates and transfers \$50,000.00 within the general permanent improvement fund and authorizes and directs the Director of Public Service to enter into a reimbursement agreement with the Capital Crossroads Special Improvements District; and

WHEREAS, funds for the aforementioned application are available within the unallocated balance of the general permanent improvement fund; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to effect the transfer of funds within the general permanent improvement fund in order to undertake the restoration and relocation of the clocks before the current construction season has ended and the weather prohibits installation; Now Therefore

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

SECTION 1. That the City Auditor is hereby authorized to appropriate \$50,002.00 within the unallocated balance of the General Permanent Improvement Fund ,748, Dept. No 45-01, Project 748999-100000, OCA 643114, Object Level 3- 3000.

SECTION 2. That the 2012 Capital Improvement Budget, authorized by ordinance 0368-2012 be amended as follows to provide sufficient authority for this project:

Fund / Project / Project Name / Current C.I.B. / Change / C.I.B. as amendend
748 / 748999-100000 / Unallocated Balance / \$746,326.00 / (\$50,002.00) / \$696,324.00
748 / 590002-100000 / Downtown Clock Project / \$0.00 / \$50,002.00 / \$50,002.00

SECTION 3. That funds need to be transferred within the General Permanent Improvement Fund, Fund 748 as follows:

From:

Dept. No 45-01, Project: 748999-100000, OCA 643114, Obj LVL One-03; Object Level 3- 3000: Amount \$50,002.00

To:

Dept 59-01: Project : 590002-100000, OCA 748002 : Obj Lvl One-03; Object Level Three 3375, Amount \$50,000.00

Dept 59-01: Project : 590002-100000, OCA 748002 : Obj Lvl One-06; Object Level Three 6621, Amount \$2.00

SECTION 4. That the Director of Public Service be and hereby authorized to purchase the clocks located at

30 N. High Street, Columbus Ohio 43215 and 333 W. Broad Street, Columbus, Ohio 43215 for \$1.00 (One Dollar) each.

SECTION 5. That the Director of the Department of Public Service be and is hereby authorized to enter into a reimbursement agreement with the Capital Crossroads Special Improvement District for the restoration, relocation and long term maintenance of the clocks currently located at 30 N. High Street and 333 W. Broad Street.

SECTION 6. For the purpose as stated in Section 2 and Section 3 above, the expenditure of \$2.00, or so much thereof as may be needed for the purchase of the clocks is hereby authorized from Dept/Div: 59-11, Fund 748, OCA 748002 , Project 590002-100000 , Object Level One- 06, Object Level Three- 6621 and the expenditure of \$50,000.00, or so much thereof as may be needed for the restoration, relocation and long term maintenance needs of the clocks is hereby authorized from Dept/Div: 59-11, Fund 748, OCA 748002 , Project 590002-100000, Object Level One- 03, Object Level Three- 3375.

SECTION 7. That the City Auditor is authorized to make the necessary transfer between funds, and such funds are hereby appropriated, to carry out the purposes of this ordinance.

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: 1721-2012

Drafting Date: 7/18/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

The City owns a building located at 1393 E. Broad Street that currently houses the Near East Neighborhood Pride Center and three non-profit corporation tenants. The leases for the three non-profit tenants, AARP Foundation, Central Ohio Minority Business Association (COMBA), and Grandparents Living Theatre, dba Senior Repertory of Ohio Theater Company (SRO), will expire on September 30, 2012. These organizations desire to remain in the building and the City wishes to enter into new lease agreements with these existing non-profit tenants. This ordinance authorizes the Director of the Department of Finance and Management to execute those documents necessary to enter into new lease agreements with the three existing tenants.

Fiscal impact: Passage of this ordinance will allow the City to continue to receive monthly rental of \$3,901 for deposit into the "General Permanent Improvement Fund," Project #590701, Fund #748, to offset building operating expenses.

To authorize the Director of the Department of Finance and Management to enter into lease agreements with AARP Foundation, Central Ohio Minority Business Association, and Grandparents Living Theatre, dba Senior Repertory of Ohio Theater Company, for that City-owned property at 1393 East Broad Street.

WHEREAS, the City of Columbus, Ohio owns certain real property commonly known as 1393 East Broad Street; and

WHEREAS, the City of Columbus desires to enter into lease agreements with AARP Foundation (1,242 square feet), Central Ohio Minority Business Association (2,135 square feet), and Grandparents Living

Theatre, dba Senior Repertory of Ohio Theater Company (574 square feet) for office space in this building; now therefore,

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

Section 1. That the Director of the Department of Finance and Management be, and hereby is, authorized to execute those documents, as approved by the Department of Law, Division of Real Estate, necessary to enter into one (1) year lease agreements, each containing a renewal provision. for the rental of real property located at 1393 E. Broad Street by and between the City of Columbus AARP Foundation, Central Ohio Minority Business Association, and Grandparents Living Theatre, dba Senior Repertory of Ohio Theater Company at a rental rate of not less than \$12 per rentable square foot:

Section 2. That the terms and conditions of these leases shall be in a form approved by the Department of Law, Division of Real Estate, and shall include the following terms:

- a) The lease shall have an initial term of one (1) year commencing October 1, 2012 and terminating on September 30, 2013.
- b) The lease payments shall be based on the rate of \$12.00 per rentable square foot.
- d) The lease will contain renewal option(s) and a Landlord termination provision.
- e) Such other terms and conditions as are required and/or approved by the Department of Law, Division of Real Estate

Section 3. That rent payments shall be deposited in the "General Permanent Improvement Fund," Project #590701, Fund #748, to offset building operating expenses to cover expenses related to maintenance and/or repair of the building and its components.

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

Legislation Number: 1723-2012

Drafting Date: 7/18/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

Ordinance 0479-2011, passed April 4, 2011, created the Fifth by Northwest Community Reinvestment Area (CRA). Subsequent to this ordinance, parcels within the boundaries of this area have been annexed to the City of Columbus from Clinton Township and wish to participate in the program.

Emergency action is being requested so that this correction can take effect as soon as possible in order to coincide with the original ordinance's initial implementation.

FISCAL IMPACT:

No funding is required for this legislation.

To amend Ordinance 0479-2011, passed April 4, 2011, amending Fifth by Northwest Community Reinvestment Area for the purpose of adding parcels within the boundaries of the area that have been recently annexed to the City of Columbus from Clinton Township and wish to participate in the program; and to declare

an emergency.

WHEREAS, Ordinance 0479-2011, passed April 4, 2011, created the Fifth by Northwest Community Reinvestment Area (CRA); and

WHEREAS, following the passage of Ordinance 0479-2011, parcels with the boundaries of this area were annexed to the City of Columbus from Clinton Township with ordinances 0065-2012 and 0066-2012; and

WHEREAS, the owners of these parcels wish to participate in the benefits available from the CRA; and

WHEREAS, emergency action is being requested so that these parcels can be added to the CRA thereby preserving the public health, safety, and welfare; **now, therefore**,

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

Section 1. That Section 2 of Ordinance 0479-2011 is hereby amended to read as follows.

Section 2. Pursuant to ORC Section 3735.66, The Fifth by Northwest Community Reinvestment Area boundary is hereby established in the following described area:

North: Bounded by Kinnear Road (including rear property lines on the North side of Kinnear Road)

South: Bounded by W. Third Avenue (including rear property lines on the South side of W. Third Avenue)

West: Bounded by North Star Road (including rear property lines on the West side of North Star Road)

East: Bounded by Olentangy River Road (including rear property lines on the East side of Olentangy River Road)

The Community Reinvestment Area is approximately depicted as the area on the maps in Exhibit B, attached to this Ordinance; on the list of parcel numbers marked Exhibit C and by this reference incorporated herein specifically including parcels 130-000541 which is being renamed as 420-291127, 130-000837 which is being renamed as 420-291128, 130-001395 which is being renamed as 420-291129, 130-001400 which is being renamed as 420-291130, 130-003526 which is being renamed as 420-291133, 130-002451 which is being renamed as 420-291131, 130-005582 which is being renamed 420-291134 and 130-002455 which is being renamed as 420-291132 which were annexed with ordinance 0065-2012 and 130-001384 which is being renamed as 420-291123, 130-002452 which is being renamed as 420-291124, 130-005580 which is being renamed 420-291126 and 130-02453 which is being renamed as 420-291125 which were annexed by ordinance 0066-2012, both of which passed on February 1, 2012.

Only residential properties consistent with the applicable zoning regulations and variances thereto within the designated Community Reinvestment Area will be eligible for exemptions under this Program.

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

Legislation Number: 1724-2012

Drafting Date: 7/18/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with Daimler Group for the construction of the John R. Maloney Health and Wellness Center to be located at 1905 Parsons Avenue.

Under this project a 21,000 square foot single story building will be constructed. The building occupants and services provided will be Columbus Neighborhood Health Center, Inc. for (Family Practice, OB/GYN and Internal Medicine); The Ohio State University Medical Center for (Allied Health for Physical, Occupational, Respiratory Therapy, Clinical Dietetics services; a Moms 2 Be program; Specialty Physicians; and Behavioral Health Care); Columbus Public Health (WIC Program); and North Community Counseling Centers (Behavior Health care).

This project will be a LEED (Leadership in Energy and Environmental Design) Silver Certified building, in compliance with the Mayor's Get Green Columbus initiative. LEED is administered by the United States Green Building Council, and is the nationally accepted benchmark for the design, construction, and operation of high performance green buildings. LEED components in this project will include high efficient lighting, energy efficient windows that also allow more natural light into the building, energy efficient HVAC systems, the use of recycled buildings materials and LEED certified insulation for energy efficiency.

Formal bids were solicited and eight companies submitted bids on June 27, 2012 as follows (0 FBE, 0 MBE):

Daimler Group, Inc.	\$7,583,182.00
Robertson Construction Service, Inc.	\$7,593,100.00
RW Setterlin Building Company	\$7,838,700.00
LW Associates	\$7,950,031.00
Gutknecht Construction Company	\$8,122,600.00
Charter Hill Construction Company	\$8,180,050.00
Elford, Inc.	\$8,275,999.00
Thomas & Marker Construction Company	\$8,554,100.00

When bids were received, Daimler did not specify a price for a specific alternate (#3). However, when given the opportunity to clarify its bid, Daimler indicated that its total price was correct and that all base and all specified alternates (#1 through #6) would be performed for this total price. With this clarification, Finance and Management is satisfied that their bid is the overall lowest, most responsive and responsible bid and recommends Daimler Group, Inc. for award. This ordinance waives the competitive bidding process of the Columbus due to the ambiguity in the bid specifications as to whether a failure to bid on all alternates would render a bid nonresponsive.

Emergency action is requested so that work may begin as quickly as possible to improve health services on the south side of the City.

Daimler Group, Inc. Contract Compliance No. 31-1058348, expiration date July 9, 2014.

Fiscal Impact: The cost of this contract is \$7,583,182.00. The current unencumbered balance in the Safety Voted Bond Fund is \$7,535,000.00. Funds are contingent on the July 2012 Bond Sale. An additional \$48,182.00 will be transferred between projects within the Gov'l SuperB.A.B.'s (Build America Bonds) Fund .

To authorize the Director of Finance and Management on behalf of the Office of Construction Management to enter into a contract with Daimler Group, Inc. for the construction of the John R. Maloney Health and

Wellness Center, to authorize the expenditure of \$7,583,182.00 from the Safety Voted Bond Fund and the Gov'l SuperB.A.B.'s (Build America Bonds) Fund; to waive the competitive bidding provisions of the Columbus City Codes, 1959; and to declare an emergency. (\$7,583,182.00)

WHEREAS, the City of Columbus desires to construct the John R. Maloney Health and Wellness Center to be located at 1905 Parsons Avenue to better meet the current and future needs of the residents of Columbus; and

WHEREAS, formal bids were solicited and eight companies responded; and

WHEREAS, this ordinance waives the competitive bidding process of the Columbus City Codes due to the ambiguity in the bid specifications as to whether a failure to bid on all alternates would render a bid nonresponsive; 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 the Daimler Group, Inc., for the construction of the John R. Maloney Health and Wellness Center to be located at 1905 Parsons Avenue, so that work may begin as quickly as possible to improve health services on the south side of the City, now, therefore:

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

SECTION 1. That the 2012 Capital Improvement Budget be amended as follows:

Project Name | Project No. | Fund | Current Authority | Revised Authority | Difference

Roof Renovation Program (Unvoted Carryover) 570030-100002 Fund 707	\$51,250	\$3,068	(\$48,182)
Southside Health Project (Unvoted Carryover) 570030-100110 Fund 707	\$0	\$48,182	\$48,182
Southside Health Project (Voted 2008) 570030-100002 Fund 706	\$7,550,000	\$0	(\$7,550,000)
Southside Health Project (Voted 2008) 570030-100110 Fund 701	\$0	\$7,550,000	\$7,550,000

SECTION 2. That the City Auditor is hereby authorized to transfer funds within the Gov'l SuperB.A.B.'s (Build America Bonds) Fund as follows:

FROM:

Dept./Div.: 45-27 | Fund: 707 | Project Number: 570030-100002 | Project Name - Roof Renovation Program | OCA: 773002 | Amount: \$48,182.00

TO:

Dept./Div.: 45-27 | Fund: 707 | Project Number: 570030-100110 | Project Name: Southside Health Project | OCA: 707110 | Amount: \$48,182.00

SECTION 3. That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Daimler Group, Inc. for the construction of the John R. Maloney Health and Wellness Center.

SECTION 4. That the expenditure of \$7,583,182.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 5, be and is hereby authorized and approved as follows:

Division: 45-50
Fund: 701
Project: 570030-100110
OCA Code: 730110

Object Level: 06
Object Level 3: 6620
Amount: \$7,535,000.00
Division: 45-27
Fund: 707
Project: 570030-100110
OCA Code: 707110
Object Level: 06
Object Level 3: 6620
Amount: \$48,182.00

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 City Council finds it in the best interest of the City of Columbus to waive requirements of competitive bidding for the construction of the John R. Maloney Health and Wellness Center, and does hereby waive the provisions of the Columbus City codes.

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: 1726-2012

Drafting Date: 7/18/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

The purpose of this legislation is to update and modernize the Peddler code for the regulation of commercial sales promoters, peddlers, solicitors and canvassers. This legislation will change the name of the code chapter to Commercial Sales License, which better reflects regulating sales on private property and in the public right-of-way. It will also ensure public safety by providing detailed operating restrictions, proper personal identification and require that sales do not obstruct the right-of-way.

To amend Chapter 523 in the Columbus City Codes pertaining to commercial sales licenses.

WHEREAS, there is a need to amend Chapter 523 in the Columbus City Codes for the purpose of modernizing and updating the regulation of commercial sales promoters, peddlers, solicitors and canvassers; and

WHEREAS, these amendments are necessary for increased public safety and a more vibrant city; and

WHEREAS, this ordinance establishes language and authorizes the amendment of Chapter 523 of the Columbus City Codes for the above-described purpose; now, therefore

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

SECTION 1. That Chapter 523 of the Columbus City Codes be and is hereby amended to read as follows:

Chapter 523 - ~~PEDDLERS~~ COMMERCIAL SALES LICENSE

Sections:

- 523.01 - Definitions.
- 523.02 - License required.
- 523.03 - Exemptions.
- 523.04 - License application.
- 523.05 - Application investigation.
- 523.06 - License issuance, fees, terms.
- 523.07 - License refusal.
- 523.08 - License suspension, revocation.
- 523.09 - License appeals.
- 523.10 - Transfer of license, identification card.
- 523.11 - Display of identification card.
- 523.12 - Street, road, and alley ~~and general~~ operations.
- 523.13 - Sidewalk operations.
- 523.14 - Prohibited acts, hours of operation.
- 523.15 - Obstruction of public right-of-way.
- 523.16 - Enforcement.
- 523.17 - Severability clause.
- 523.99 - Criminal penalties.

523.01 - Definitions.

For the purpose of this chapter the words and phrases defined in the sections hereunder shall have the meanings therein respectively ascribed to them, unless a different meaning is clearly indicated by the context.

- (a) ~~"Peddler" means any individual who "operates". "Peddler" does not include any individual who "operates" in the capacity of a volunteer.~~ "Commercial sales promoter" shall mean any corporation, partnership, unincorporated association, organization, business or trade of any kind that causes or permits any employee, agent, volunteer, independent contractor or sub-contractor thereof, to engage in peddling, soliciting or canvassing.
- (b) ~~"Peddler promoter" means any corporation, partnership, unincorporated association, individual or organization of any kind, that causes or permits any employee, agent, or independent contractor of such corporation, partnership, unincorporated association, individual or organization, to "operate" as a "peddler".~~ "Peddler or Solicitor or Canvasser" shall mean and include any person, either as principal or agent, volunteer, independent contractor or sub-contractor, who goes from place to place, selling or offering to sell, barter, or carry for sale or barter, or exposing therefore, upon any street, road, alley, doorway, sidewalk, vacant lot(s) or other tracts of land, any goods, wares, merchandise, samples, food or drink for human consumption, services or other commodity, carried by hand, from portable stands, tables, containers, display stands or any other materials brought to the location, to the consuming public whether or not the material is actually delivered at the time of sale.
- (c) ~~"Operates" or "operations" means the act of selling, bartering, offering for sale, exposing for sale at~~

~~retail or wholesale, any goods, wares, merchandise, chattels, vegetables, fruits, foodstuff of any other description, any drink or other substance for human consumption, or any commodity or service or other article upon any street, road, alley, doorway, sidewalk, or upon vacant lots or other tracts of land, or from place to place, or house to house within the corporate limits of this city. "Peddling or Soliciting or Canvassing" is the activity described in 523.01(b).~~

- (d) ~~"Section" means license section, department of public safety, and as is further defined in Columbus C.C Sections 501.02 and 501.03~~ "Consumer goods or services" shall mean goods or services purchased, leased or rented primarily for personal, family or household purposes.
- (e) "Goods or Wares or Merchandise" shall mean tangible commodities such as products or materials that are intended to satisfy the want or need of a consumer or any skill or service that one seeks to sell.
- (f) "Services" is the duty or labor to be rendered by one person to another.
- (g) "Consumer services" shall mean any kind of services offered to the public.-
- (h) "Place to place" shall mean, progressing from one (1) street address to another street address to peddle, solicit or canvass.
- (e) (i) "Special event" means any activity or gathering or assemblage of people upon the public right-of-way for which a block party permit or street closure permit has been issued by the eCity of Columbus.
- (j) "Business" shall mean dealings or transactions of an economic nature or enterprise or persons engaged in an occupation, business or industry.
- (k) "Trade" shall mean the business or work in which one engages regularly.
- (l) "License Section" the License Section of the Division of Support Services under the Department of Public Safety and is further defined in Columbus City Code Sections 501.02 and 501.03.

523.02 - License required.

- (a) ~~No peddler shall operate in this city without first having procured from the license section, a valid "peddlers" license. No person shall engage in the act of peddling, soliciting, or canvassing as defined in Section 523.01 within the City of Columbus without first obtaining a commercial sales license to peddle, solicit, or canvass in accordance with the provisions of this Chapter.~~
- (b) ~~No peddler promoter shall cause or permit any peddler to operate in this city, without first having procured from the section, a valid "peddler promoter" license. No corporation, partnership, unincorporated association, organization, or business of any kind, shall cause or permit any employee, agent, volunteer, independent contractor, or subcontractor thereof, to engage in the act of peddling, soliciting, or canvassing as defined in License Section 523.01 within the City of Columbus without first obtaining a commercial sales promoter's license in accordance with the provisions of this Chapter.~~

523.03 - Exemptions.

- ~~(a) This chapter shall not apply to:~~
- ~~(1) Individuals or organizations selling by sample only;~~
 - ~~(2) Agricultural articles or products sold, battered, offered or exposed for sale by their producer;~~
 - ~~(3) Owners or their agents who sell, barter, offer or expose for sale products of their own raising;~~
 - ~~(4) Individuals who sell handiwork where the item as a whole is produced by that individual's single effort, nor to the agents of such individuals;~~
 - ~~(5) Peddler promoters who are registered with the holder of a block party permit to operate within the perimeter of a special event, or who hold a valid show, circus, or carnival license issued by the city;~~
 - ~~(6) Peddlers who operate for a registered peddler promoter within the perimeters of a special event, or the holder of a valid show, circus, or carnival license issued by the city.~~
- ~~(b) The following organizations and their representatives shall also be exempt from this chapter if all profits from sales go to such organization:-~~
- ~~(1) Any organization holding a valid charitable solicitations permit as provided in Columbus C.C. Chapter 525-~~
 - ~~(2) Any bona fide, publicly recognized evangelical, missionary or religious organization;~~
 - ~~(3) Any college, university or school accredited by a regional accrediting association or approved by the Ohio Department of Education;~~
 - ~~(4) Any bona fide, publicly recognized, national or regional scouting organization.~~
- ~~(c) The license supervisor may require individuals or organizations claiming any exemption to appear in order to present evidence in support of such claimed exemption.~~

The following types of organizations and individuals selling goods, wares, merchandise, food or drink for human consumption, services or any other commodity on their behalf are not required to obtain a commercial sales promoter license under this section:

- (a) State and local governmental departments, agencies and subdivisions, including public schools;
 - (b) State accredited private schools and academies;
 - (c) Civic, patriotic, religious and political groups, recreational, fraternal or cultural organizations;
 - (d) Special events as defined in Section 523.01(i);
 - (e) Any organization's bona fide officer or employee that holds a valid charitable solicitation license pursuant to CCC 525.03;
 - (f) A person who does not go place to place and who sell items they grow, raise or manufacture on private property. However, this person must be able to prove, preferably in writing, that they have permission from the property owner to sell.
- Any license officer or law enforcement officer may require individuals or organizations claiming any exemption to present evidence in support of such claimed exemption. The above organizations or individuals shall otherwise comply with all applicable requirements of Columbus City Code 525 and any state or federal regulations.

523.04 - License application.

Application for peddler or peddler promoter licenses shall be made on forms provided by the section and in addition to the general licensing requirements contained in Columbus C.C. Chapter 501, shall be made under oath and shall contain the following information and material: In addition to other provisions of this chapter and in addition to the general licensing requirements contained in Columbus City Code 501; each applicant for a commercial sales or commercial sales promoter license shall file an application on forms provided by the License Section. Applications shall be made under oath and shall contain the following information and or

material:

(a) ~~Peddler.~~ Commercial Sales.

- (1) Name, address, telephone number, date of birth, social security number;
- (2) Business name (~~D.B.A.~~) or DBA, address and telephone number, if different from above;
- (3) ~~Name, address, telephone number of company or corporation if different from business name;~~
Proof of Ohio Department of Taxation Itinerant Vendors License if required;
- (4) ~~Proof of obtaining filing number from the Ohio Department of Taxation, if applicable;~~ Any change in information required to be submitted by this chapter must be provided by application within ten (10) calendar days of any such change;
- (5) Any other information required or requested by the section.

(b) ~~Peddler~~ Commercial sales promoter.

- (1) Name, address, telephone number, date of birth, social security number;
- (2) Business name (~~D.B.A.~~) or DBA, address, and telephone number if different from above;
- (3) ~~Name, address, telephone number of company or corporation if different from business name;~~
Proof of Ohio Department of Taxation Itinerant Vendors License if required;
- (4) ~~In the case of a company or corporation, the name, address, date of birth, social security number of a person authorized by such company or corporation, to act in licensing matters;~~ Any change in information required to be submitted by this chapter must be provided by application within ten (10) calendar days of any such change;
- (5) ~~Proof of obtaining filing number from the Ohio Department of Taxation, if applicable;~~
- (6)(5) Any other information required or requested by the section.

(c) ~~At the time of application applicants shall furnish two current photographs suitable for the identification card.~~ In the case where any person applies for a commercial sales promoter license on behalf of any corporation, partnership, unincorporated association, organization, business or trade, such person shall provide the following:

- (1) Name, address, telephone number, date of birth, social security number;
- (2) Business name, address and telephone number;
- (3) Proof of Ohio Department of Taxation Itinerant Vendors License under the business name if required;
- (4) A letter on business letterhead authorizing the act of licensing matters;
- (5) Any change in information required to be submitted by this chapter must be provided by application within ten (10) calendar days of any such change;
- (6) Any other information required or requested by the section.

523.05 - Application investigation.

The License Section shall examine all applications filed under this chapter and shall make, or cause to be made, any further investigation as is deemed necessary in order to perform duties prescribed by this chapter, as well as by Chapter 501 of the Columbus City Codes, 1959.

~~Upon request, applicants shall make available to the Section any or all of such applicant's books, records and papers, within a reasonable time, before a license is granted or while a license is in effect.~~

523.06 - License issuance, fees, terms.

- (a) Licenses required by this chapter may be issued to applicants who:
 - (1) Have filed a complete application as required by Section 523.04 of this chapter; and
 - (2) Are found to be in total ~~conformance~~ compliance with all other applicable city, state and

- federal laws including having all other required licenses and permits; and
- (3) Have made payment of the proper license fees. ~~The annual license fees shall be as follows:~~
- ~~(a) Peddlers license Fifty dollars (\$50.00);~~
 - ~~(b) Peddler promoter license One hundred dollars (\$100.00);~~
 - ~~(c) Each license issued under this chapter shall expire on the date one year from the date of issue.~~
- (b) Yearly licenses issued under this chapter shall expire on the date one (1) year from the date of issue.
- (1) Commercial sales license: One hundred fifty dollars \$150.00
 - (2) Commercial sales promoter: Three hundred dollars \$300.00
- (c) Tri-annually licenses may be issued for the following periods and not to exceed four (4) months:
- (1) Jan - April, May - August, September - December
 - (2) Commercial sales tri-annually: Seventy-five dollars \$75.00
- (d) An applicant may submit an application for a license no earlier than thirty (30) days in advance of the period during which a license is renewable.

523.07 - License refusal.

The section may refuse to issue licenses required by this chapter if any of the following is found to be true:

- ~~(a) The applicant had made a false statement as to any matter in the application;~~
- ~~(b) The applicant or his prospective employer has knowingly violated any provision of this chapter within the last three (3) years;~~
- ~~(c) The applicant is under fourteen years of age;~~
- ~~(d) The applicant has not complied with all applicable regulations of this or any other city agency, as well as those of the state and federal governments;~~
- ~~(e) Any other reason for which a license may be refused as provided in Chapter 501 of the Columbus City Codes, 1959.~~

As provided under Chapter 501.05 the license section may refuse to issue licenses required by this chapter to any person:

- (a) Who has made any false statement on the application; or
- (b) Who is under the age of eighteen (18) years of age; or
- (c) Who has not complied with all applicable provisions of this Chapter; or
- (d) Convicted of a felony, misdemeanor or code violation involving a sex offense, traffic in controlled substances, or any offense of violence as defined in Columbus City Code 2301.01, such conviction being entered within the seven (7) years preceding the date of application; or
- (e) Whom a judgment based upon, fraud, deceit, misrepresentation, or has been convicted of a theft offense as defined in Columbus City Code 2313.01 within seven (7) years preceding the date of application; or
- (f) Who has been denied a license under this chapter within the immediate past year; unless the applicant can and does show to the satisfaction of the license section that the reasons for such earlier denial no longer exist; or
- (g) For any other reason for which a license may be refused under Chapter 501 of the Columbus City Codes, 1959.

523.08 - License suspension, revocation.

Licenses issued under this chapter may be suspended or revoked by the license supervisor for one or more of the following reasons:

- (a) ~~Peddlers~~ Commercial sales.

- (1) Fraud, misrepresentation of bribery in securing a license or during the course of business; or
- (2) Violation of any provision of this chapter or Chapter 573; or
- (3) Failure to display the identification card as is required in Section 523.11 of this chapter; or
- (4) Failure to notify the section of a change of address within ten (10) days of such change; or
- (5) Failure to have valid permits or licenses required by the Columbus health department or any other city, state or federal agency; or
- (6) Conviction of any criminal or traffic offense while operating, or conviction of any criminal offense involving theft or fraud; or
- (7) For any of the reasons which could have been grounds for refusing to issue the original license; or
- (8) Knowingly operating or working for any unlicensed ~~peddler~~ commercial sales promoter; or
- (9) Knowingly operating from or with any unlicensed pushcart as defined in Section 573.01 of Chapter 573, Columbus City Codes, 1959.

(b) ~~Peddler~~ Commercial sales promoter.

- (1) Fraud, misrepresentation or bribery in securing a license or during the course of business; or
- (2) Violation of any provision of this chapter or Chapter 573; or
- (3) Failure to notify the section of a change of address within ten (10) days of such change; or
- (4) Knowingly allowing employees to operate without having valid permits or licenses required by the Columbus health department or any other city, state or federal agency; or
- (5) Conviction of any criminal offense involving theft or fraud; or
- (6) For any of the reasons which could have been grounds for refusing to issue the original license; or
- (7) Knowingly causing, ~~or~~ permitting or allowing any employee, agent, ~~or~~ volunteer, independent contractor or other person subcontractor thereof to operate without a ~~peddler commercial sales~~ license; or
- (8) Knowingly causing, ~~or~~ permitting or allowing a ~~peddler commercial sales licensee~~ or other person to operate from or with an unlicensed pushcart as defined in Section 573.01 of Chapter 573, Columbus City Codes, 1959.

(c) Upon the suspension or revocation of any license issued under this chapter, such license shall immediately be removed from public view and shall be returned to the section within seven (7) days of such suspension or revocation, unless a stay is granted as provided in Chapter 505 of the Columbus City Codes, 1959.

523.09 - License appeals.

Any individual or organization who has been refused a license or renewal of a license under this chapter or has had a license issued under this chapter suspended or revoked, may appeal such decision as provided by Chapter 505 of the Columbus City Codes, 1959.

523.10 - Transfer of license, identification card.

No license or identification card issued under this chapter shall be assigned or transferred by the named licensee to any other individual or organization.

523.11 - Display of identification card.

~~Each peddler shall conspicuously wear on the outside of their clothing, at all times while operating, the identification card furnished with such peddler license.~~ All persons licensed under this chapter shall display their identification card in a prominent manner so it is visible to the public while conducting activities

permitted by this chapter and, shall be subject to inspection, upon demand, by any license officer, law enforcement officer or by any person engaged in business with the peddler, solicitor or canvasser.

523.12 - Street, road, and alley ~~and general~~ operations.

Peddlers, solicitors or canvassers shall not:

- ~~(a) Sell, barter, offer or expose for sale any goods or service to occupants of vehicles which may be located upon any street, road or alley, whether such vehicle is stopped or moving unless such vehicle is legally parked; and~~
- ~~(b) Operate from any motor or animal propelled vehicle or tricycle as defined in Chapter 573 of the Columbus City Codes, 1959, upon any street, road or alley, unless all applicable traffic regulations are obeyed, including parking or standing regulations if such vehicle is stopped or parked;~~
- ~~(c) Operate from or with any hand propelled vehicle or cart except a tricycle as defined in Chapter 573 of the Columbus City Codes, 1959, upon any street, road or alley which is open to all other vehicular traffic;~~
- ~~(d) Display, use, advertise or store any merchandise or services from, in or on any telephone or other utility pole, tree, planter, trash container, parking meter, or any sidewalk fixtures;~~
- ~~(e) Display, use, advertise or store merchandise or services from, in or on any box, bucket, cooler, tub or other container unless attached or carried on a pushcart licensed under Chapter 573 of the Columbus City Codes, 1959, or from any table, chair, bench, cabinet or other furniture of any kind, or from any rack, dolly, wheelbarrow, grocery cart, baby carriage, stroller, easel, hand cart or blanket, except on private or public property which is not a street, road, alley or sidewalk and when the owner of such property has given the peddler express written permission to do so. Peddlers shall exhibit such written permission upon request by any city license or law enforcement officer; and~~
- ~~(f) Peddlers shall be responsible for keeping the area within twenty five (25) feet of their operation free and clear of any litter caused by such operation. When two (2) or more peddlers occupy overlapping areas of litter control, they shall be jointly responsible for the overlapping area;~~
- ~~(g) No person shall operate upon a service road or upon the public property alongside a service road.~~

- (a) Sell, offer for sale, barter, or carry for sale or barter, or offer for sale any goods, wares, merchandise, food or drink for human consumption, confectionery, services or other commodity upon a street, road, alley or service road or the public property (except as stated in Section 523.13 in regards to sidewalks) alongside a street, road, alley or service road.
- (b) Park any vehicles, pushcarts or concession trailers of any type, for the purpose of selling, offering to sell, barter, or expose for sale any goods, wares, merchandise, food or drink for human consumption, confectionery, services or other commodity, on-street metered parking spaces.

523.13 - Sidewalk operations.

- ~~(a) Peddlers shall not operate on a sidewalk:
 - ~~(1) Within twenty (20) feet of an intersection with a street, road or alley; or~~
 - ~~(2) Within ten (10) feet of a pedestrian crosswalk or intersecting sidewalk; or~~
 - ~~(3) Within ten (10) feet of a taxicab stand, sidewalk elevator or tunnel; or~~
 - ~~(4) So as to obstruct any loading zone, fire hydrant, telephone booth, traffic control box, fire alarm, parking meter, any other sidewalk fixture, a legally parked vehicle, or bus stop; or~~
 - ~~(5) So as to obstruct the display windows or doorways of any merchant without such merchant's permission.~~~~

- ~~(b) Peddlers shall not sell, barter, offer, store or expose for sale any items on any sidewalk except from a pushcart licensed under Chapter 573 of the Columbus City Codes, or unless the items to be sold or bartered or the materials used to provide a service are continuously carried physically by the peddler. A peddler physically carrying items for sale or barter or the materials used to provide a service may set such items or materials on the ground when actively engaged in making a sale or providing a service.~~

~~Peddlers confined to wheelchairs or who have a physical disability which makes it impractical to physically carry items for sale or barter continuously may sell or barter such items from a maximum of two containers not larger than twelve (12) inches in diameter which rest on the ground.~~

No person licensed as a peddler, solicitor or canvasser shall sell, offer to sell, barter, or carry for sale or barter or expose for sale upon any sidewalk or any other city owned property except from a licensed pushcart under Chapter 573 of the Columbus City Codes or when in accordance with all the following provisions:

- (a) Merchandise shall be continuously carried physically by a licensed peddler, solicitor or canvasser.
- (1) Peddlers, solicitors or canvassers shall not stand or remain stationary unless actively engaged in making a sale.
 - (2) Merchandise may be placed on the ground when actively engaged in making a sale.
- (b) Peddlers, solicitors or canvassers confined to a wheelchair or who have a physical disability, which makes it impractical to physically carry merchandise for sale or barter continuously, may have two containers not larger than twelve (12) inches and may be placed on the ground next to the wheelchair.
- (c) Peddlers, solicitors or canvassers:
- (1) Shall maintain a distance of five (5) feet of sidewalk space from the sidewalk curb;
 - (2) Shall maintain a distance of twenty (20) feet from an intersection with a street, road or alley;
 - (3) Shall maintain a distance of ten (10) feet from a pedestrian crosswalk or intersecting sidewalk;
 - (4) Shall maintain a distance of ten (10) feet from a taxi stand, sidewalk elevator, tunnel or mailbox;
 - (5) Shall maintain a distance of ten (10) feet from a fire hydrant;
 - (6) Shall not obstruct in any way a loading zone, telephone booth, traffic control box, fire alarm box, parking meter, any sidewalk fixture or furniture, bus stop or a legally parked vehicle;
 - (7) Shall not obstruct any display windows or doorways of any merchant;
 - (8) Shall not use a power generator of any type or a power cord of any type;
 - (9) Shall not obstruct in any way or interfere with or prevent the free flow of pedestrian or vehicular traffic;
 - (10) Shall not obstruct in any way or interfere with public works or construction project;
 - (11) Shall during the period of selling keep the area within twenty-five (25) feet of that location free from all litter and debris arising, including the litter which arises from actions of customers in disposing of wrapping or packaging materials sold by the peddler, solicitor or canvasser. When two (2) or more peddlers, solicitors or canvassers occupy overlapping areas they shall each be jointly responsible for the overlapping areas;
 - (12) Shall not display or advertise any merchandise or services from any utility pole, sign, tree, planter, trash container, parking meter, bridge, newspaper stand, sidewalk fixtures or furniture, portable signs of any type, traffic control box, motor vehicle, bicycle or any other type of motorized conveyance, or any other criteria deemed reasonably inappropriate by a license officer or police officer, for the public health, welfare and safety;
 - (13) Shall not use or store merchandise or services from any box, bucket, cooler, tub, or any other container, table, chair, bench, cabinet or any other furniture of any kind, racks, dolly, wheelbarrow, grocery cart, baby carriage, stroller, easel, handcart or any other criteria deemed reasonably inappropriate by a license officer or police officer, for the public health, welfare and safety;

- (14) Shall not use any signage upon the public right-of-way of any street, road, alley, sidewalk or bikeway except within the boundaries of a special event.

523.14 - Prohibited acts, hours of operation.

~~Peddlers shall not:-~~

- ~~(a) Operate between the hours of 6:00 p.m. and 9:00 a.m., when operating door to door in areas zoned as residential.~~
- ~~(b) Operate in violation of Columbus City Code, Section 729.05(5) as it relates to hawking of merchandise.~~

In addition to other provisions of this chapter, no peddler, solicitor or canvasser shall:

- (a) Operate between the hours of 6:00 p.m. and 9:00 a.m. when engaged in peddling, soliciting or canvassing door-to-door in areas zoned as residential;
- (b) Enter a private residence under pretenses other than for peddling, soliciting or canvassing;
- (c) Fail, or refuse to leave peacefully private property immediately after the owner, occupant, landowner's agent or representative has requested to do so;
- (d) Enter upon the land of a private residence or multi-unit property to peddle, solicit or canvass when the owner or occupant thereof has displayed a "no peddling", "no soliciting" or "no canvassing" sign on such premises;
- (e) Peddle, solicit or canvass on a street or within an area which has been closed by the City of Columbus for a "special event" without the written permission from the event organizers;
- (f) Peddle, solicit or canvas in city parks, to the extent that these activities are regulated under Title 9, Chapter 919 of the Columbus City Codes;
- (g) Sell, offer for sale, barter, or carry for sale or barter or expose for sale any merchandise or services on private property unless express written permission has been granted by the property owner or agent authorized to do so. Written permission shall be furnished upon application or at the request of any license officer or police officer.

523.15 - Obstruction of public right-of-way.

In addition to other provisions of this chapter, ~~P~~peddlers, solicitors or canvassers shall not obstruct pedestrian or vehicular traffic upon any sidewalk, driveway, street, road, alley or other public right-of-way. Peddlers, solicitors or canvassers leaving less than five (5) feet of space available for pedestrian traffic on a sidewalk shall be considered obstruction of pedestrian traffic.

523.16 - Enforcement.

When any police or auxiliary police officer, license officer or other law enforcement officers authorized to enforce this chapter, find any peddler, solicitor or canvasser in violation of any portion of this chapter, the officer may lawfully order such peddler, solicitor or canvasser to cease operating until the violation is corrected.

If the peddler, solicitor or canvasser fails to obey the lawful order to cease within a reasonable time, the officer may make a written complaint to the license supervisor in addition to any other remedy provided by law. Absent extraordinary circumstances, a reasonable time shall normally be considered five (5) minutes.

Upon receipt of such complaint, the supervisor shall schedule a hearing. The peddler, solicitor or canvasser shall be notified either in person or by mail, directed to the last known address of the peddler, solicitor or canvasser, setting forth the date, time and place of such hearing and that private counsel may be present. The complaining officer shall also be present.

If, after a hearing, the supervisor determines that the peddler, solicitor or canvasser did fail to obey such lawful order, the supervisor may suspend or revoke the license of that peddler, solicitor or canvasser.

523.17 - Severability clause.

If any particular portion of this chapter is declared to be invalid by a court of competent jurisdiction, such declaration of invalidity shall be limited to that particular portion declared invalid. This declaration of invalidity shall not affect or impair the remainder of this chapter, and to this end, the provisions are severable.

523.99 - Criminal penalties.

- ~~(a) Whoever violates or fails to comply with C.C. 523.02(a) or (b) shall be deemed guilty of the following penalties:-~~
 - ~~(1) A first violation shall be deemed a misdemeanor of the fourth degree;~~
 - ~~(2) A second and subsequent violation shall be deemed a misdemeanor of the first degree;~~
- ~~(b) A violation of any other section of this chapter shall be as follows:~~
 - ~~(1) A first violation shall be deemed a minor misdemeanor;~~
 - ~~(2) A second violation within five (5) years of the first conviction shall be deemed a misdemeanor of the fourth degree;~~
 - ~~(3) A third violation within five (5) years of the first conviction shall be deemed a misdemeanor of the third degree; and~~
 - ~~(4) Fourth and subsequent violations within five (5) years of the first conviction shall be deemed misdemeanors of the first degree.~~
- (a) Whoever violates section 523.02 (a) of this chapter is guilty of failing to obtain a commercial sales license, a misdemeanor of the third degree. If the offender has a prior conviction for a violation of this chapter, a violation of this section is a misdemeanor of the second degree.
- (b) Whoever violates 523.02 (b) of this chapter is guilty of failing to obtain a commercial sales promoter license, a misdemeanor of the third degree. If the offender has a prior conviction for a violation of this chapter, a violation of this section is a misdemeanor of the second degree.
- (c) Whoever violates any other section of this chapter is guilty of a misdemeanor of the fourth degree. If the offender has a prior conviction for a violation of this chapter, a violation of any other section of this chapter is a misdemeanor of the third degree.
- (d) A person made not be found guilty of violating Columbus City Codes 523.02(a) or 523.02(b) if the person proves as an affirmative offense that the person falls within the exceptions delineated in Columbus City Code 523.03.

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

Legislation Number: 1727-2012

Drafting Date: 7/18/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into a

contract with Community Development for All People Corporation (CD4AP), a not-for-profit organization. This legislation authorizes up to \$250,000 from the general capital improvement fund to CD4AP for targeted distribution through the South Side Renaissance Home Repair Program. The funds provided by the contract will be used to undertake the Better Municipal Care for Veterans - Home Fund (BMCV-HF), which provides financial assistance to eligible homeowners for home improvements.

The Better Municipal Care for Veterans - Home Program represents City Council's commitment to serving the housing needs of our nation's heroes. Eligible homeowners are those homeowners who are a veteran or those homeowners with an eligible veteran who permanently resides in the household. Eligible veterans are those veterans who have presented a government record denoting his or her other than dishonorable discharge or release from active military, naval, or air service.

Community Development for All People is a faith-based, non-profit community development organization dedicated to creating a community that welcomes and cares for all people. Located in Columbus Ohio, the CD4AP works to improve the economic, social and spiritual quality of life for residents of the South side. CD4AP renovates homes on the Southside and makes them available at a reduced cost to low-income buyers. This improves home-ownership and strengthens our community. The South Side Renaissance Home Repair Program assist homeowners with exterior repairs while facilitating pride and responsible ownership.

Emergency action is necessary to allow CD4AP to begin the immediate implementation of the Better Municipal Care for Veterans - Home Fund portion of the South Side Renaissance Home Repair Program.

FISCAL IMPACT: Funds are contingent upon the 2012 summer bond sale.

To authorize the Director of the Department of Development to enter into a contract with Community Development for All People, a not-for-profit organization, to undertake the Better Municipal Care for Veterans - Home Fund program; to authorize the expenditure of up to \$250,000.00 from the 2012 capital improvements budget; and to declare an emergency. (\$250,000.00)

WHEREAS, City Council is committed to helping the veterans who protected the very freedoms we enjoy; and

WHEREAS, Veterans have sacrificed in service to our country and, in the process, have been out of the Columbus area for extended periods of time, creating unique challenges for veteran-owned homes; and

WHEREAS, Columbus is home to over 110,000 veterans, including men and women returning from ongoing missions overseas;

WHEREAS, As a result of its commitment to veterans, City Council established the Better Municipal Care for Veterans - Home Fund in the 2012 capital improvements budget; and

WHEREAS, Community Development for All People Corporation, through the South Side Renaissance Home Repair Program, is transforming the Southside through pride and responsible ownership; and

WHEREAS, The CD4AP program provides a unique opportunity to implement the Better Municipal Care for Veterans - Home Fund initiative in a targeted, impactful way; and

WHEREAS, An emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to enter into contract with Community Development for All People to allow the immediate implementation of the Better Municipal Care for Veterans - Home Fund initiative thereby avoiding causing delays in the South Side Renaissance Home Repair Program, thereby preserving the public health, peace, property, safety, and welfare; **NOW THEREFORE**

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

SECTION 1. That the Director of the Department of Development is hereby authorized to enter into a contract with Community Development for All People, a not-for-profit organization, to implement a portion of the Better Municipal Care for Veterans - Home Fund to provide targeted financial assistance to eligible homeowners through the South Side Renaissance Home Repair Program. For this purposes of this Section, eligible homeowners are those homeowners who are a veteran or those homeowners with an eligible veteran who permanently resides in the household; and eligible veterans are those veterans who have presented a government record denoting his or her other than dishonorable discharge or release from active military, naval, or air service.

SECTION 2. That for the purpose as stated in Section 1, the expenditure of \$250,000.00 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-10, Fund 782, Project No. 782001-100007, OCA 782107, Object Level One 06, Object Level Three 6616.

SECTION 3. That the expenditure of capital improvements budget funds from this authorization will be used to provide home repair services to correct substandard and deteriorating conditions of houses where the homeowner is either a veteran or has a veteran residing permanently in the household; and CD4AP may, at its sole discretion, waive any otherwise-applicable income restrictions implementing the BMCV-HF initiative.

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: 1728-2012

Drafting Date: 7/19/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the Finance and Management Director to enter into a contract for the option to purchase Miscellaneous Pharmaceuticals on an as needed basis for use by the Department of Public Safety, Division of Fire EMS personnel. These items are used to re-supply the emergency squad units throughout the city. Thirty four (34) items were bid and awards will be made based on the lowest bids on each item. The term of the proposed option contracts will be through June 30, 2015 with the option to extend these contracts for One (1) additional year. The Purchasing Office opened formal bids on June 21, 2012.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA004434). Thirty four (34) Bids were solicited (MBR:1). Five (5) Bids were received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidders by group, responsive bidders having bid all products in a group:

Bound Tree Medical, LLC CC#311739487 (expires 5-10-2013)

SBH Medical LTD CC#311763230 (expires 11-16-2013)

Remedy Repack, Inc CC#204037334 (expires 6-19-2014)

Total Estimated Annual Expenditure: \$350,000.00

These companies are not debarred according to the Federal Excluded Parties 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 the current contract is set to expires on August 31, 2012 and without emergency action the ability of the City to restock its' emergency medical vehicles will be reduced. The purchasing office could not present an ordinance earlier due to unforeseen delays evaluating bids received.

FISCAL IMPACT: Funding to establish these options contracts are budgeted in the Mail, Print Services and UTC Fund. The Department of Public Safety will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance and Management Director to enter into contracts for the option to purchase Pharmaceuticals on an as needed basis with Bound Tree Medical LL, SBH Medical LTD and Remedy Repack, 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)

WHEREAS, the Purchasing Office advertised and solicited formal bids May 29, 2012 and opened responses on June 21, 2012 and selected the lowest responsive, and responsible bidders by item; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the Department of Public Safety to obtain Pharmaceuticals on an as needed basis; and

WHEREAS, these contracts will be in effect for three (3) years to and including June 30, 2015, with the option to extend for One (1) additional year subject to mutual agreement of both parties; and

WHEREAS, an uninterrupted supply of these Pharmaceuticals is necessary to allow the Department of Public Safety to maintain their operations, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, in that it is immediately necessary to enter into contracts for the option to purchase Pharmaceuticals, to provide an uninterrupted supply of these items 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 the following contracts for the option to purchase Pharmaceuticals in accordance with Solicitation No. SA004434 for the term ending June 30, 2015 with the option to extend for One (1) additional year subject to mutual agreement of both parties as follows:

Bound Tree Medical LLC Items 4,13,14,18,19,20,21,22,23,26,30,32, 33 and 34: Amount \$1.00

SBH Medical LTD Items 2,3,5,7,8,10,24, and 27: Amount \$1.00

Remedy Repack, Inc Items 1,6,9,10,11,12,15,16,17,19,21,25,28,29, and 31: 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: 1733-2012

Drafting Date: 7/19/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with DLZ for a professional services contract (design and construction administration) for Compressed Natural Gas infrastructure for the City of Columbus at 2333 Morse Road.

This CNG station will be designed similar to the recently completed CNG station at 4211 Groves Rd. This station will provide rapid dispensing of compressed natural gas to the City's growing fleet of energy efficient CNG fueled vehicles. In addition to providing fuel to city owned vehicles this station will be designed for public access as well. As outlined in Mayor Coleman's Green Memo, CNG infrastructure needs to be put into place to support the growing number of city owned fleet vehicles that operate with compressed natural gas.

Included in this cost, DLZ Ohio, Inc. will provide a site assessment and a schematic drawing of a yet another city owned CNG facility to be constructed on the Columbus' west side. This assessment will include site assessment, sizing of existing natural gas piping in the area, and preliminary engineering of the facility. A contract modification will be necessary to fully fund the design of this west side facility; however, to keep momentum of the CNG initiative moving forward and to more fully and completely budget it is prudent to begin the initial design now.

Requests for Statements and Qualifications were available on April 2, 2012, and submitted on April 30, 2012. The City received three proposals (0 FBE, 1*MBE): *DLZ Ohio Inc., Adonai Building Company, and Kramer. The selection of the vendor for professional services is in accordance with the competitive bidding provisions of the Columbus City Code.

Emergency action is requested so that the necessary professional services may be accomplished without

delay, to better serve the needs of the City and to create operational efficiencies.

DLZ Ohio, Inc., Contract Compliance No. 31-1268980, expiration date February 22, 2013.

Fiscal Impact: The cost of this contract is \$487,560.00. This project is funded in the 2012 Capital Improvement Budget. However, bonds have yet to be sold for the project, thus necessitating a certification of \$487,560.00 against the Special Income Tax Fund. The Special Income Tax Fund will then subsequently be reimbursed for the funds certified for this purchase when the next bond sale is completed.

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with DLZ Ohio, Inc. with DLZ for a professional services contract (design and construction administration) for Compressed Natural Gas infrastructure for the City of Columbus at 2333 Morse Road; to authorize and direct the City Auditor to transfer \$487,560.00 from the Special Income Tax Fund to the Fleet Capital Improvement Fund; to authorize the City Auditor to appropriate and expend \$487,560.00 within the Fleet Capital Improvement Fund; to authorize the expenditure of \$487,560.00 from the Fleet Capital Fund; and to declare an emergency. (\$487,560.00)

WHEREAS, the Finance and Management Department, Office of Construction Management, desires to contract with a professional services company for the design of compressed natural gas infrastructure for the City of Columbus, at 2333 Morse Road; and

WHEREAS, the Finance and Management Department advertised Requests for Statement of Qualifications (RFSQ) on April 2, 2012; 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 contract with DLZ Ohio Inc., for professional services (design and construction administration) for Compressed Natural Gas infrastructure for the City of Columbus at 2333 Morse Road, so that the necessary professional services may be accomplished without delay, to better serve the needs of the City and to create operational efficiencies, now, therefore:

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

SECTION 1. That the Director Finance and Management is hereby authorized and directed to enter into a contract on behalf of the Office of Construction Management with DLZ for a professional services contract (design and construction administration) for Compressed Natural Gas infrastructure for the City of Columbus at 2333 Morse Road.

SECTION 2. That the sum of \$487,560.00, be and is appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Fleet Management Capital Fund 513, at such time is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

SECTION 4. That the amount of \$487,560.00 is hereby transferred and appropriated to the Fleet Management Capital Fund 513, Project Number 550006-100000, Object Level One 06, OCA Code 513006, Object Level Three Code 6603.

SECTION 5. That upon obtaining other funds for the purchase of that real property known as 2333 Morse Road, Columbus, Ohio, Franklin County Tax Parcel ID 010-007139, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3.

SECTION 6. That the City Auditor is authorized to establish the proper accounting project number and to make any accounting changes to review the funding any contract or contract modification associated with the expenditure of funds transferred under Section 2.

SECTION 7. That the City intends this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$375,000.00 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen (18) months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made as "placed in service" within the meaning of the Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 8. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 9. That the expenditure up to \$487,560.00, 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: 45-05

Fund/Subfund: 513-004

Project/Detail: 550006-100000

Project Name: Morse Road

OCA: 513006

Object Level 1:06

Object Level 3: 6603

Amount: \$487,560.00.00

SECTION 10: 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 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 10 days after its passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1734-2012

Drafting Date: 7/19/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: To address certain public health issues affecting residents on the Southside of Columbus, Columbus Public Health has developed the Southside Health and Wellness Navigation Project. The purpose of this Project is to use a holistic approach to help families who are not well connected to health and social

services, and are living in crisis mode.

A Maternal Infant Home Visiting Nurse Program will provide an assessment of the maternal infant home environment and provide the family with supportive follow up and linkage to health, education and services critical to getting a strong start to life (and reducing infant mortality and risks for child abuse). A Peer Advocate Program will provide prevention education services and connection to life skills training. It is expected that this coaching support will empower residents to improve their health and wellness.

The purpose of this ordinance is to appropriate \$83,000 for the Southside Health and Wellness Navigation Project. Funds are available within the City's General Fund for this effort. This ordinance authorizes the appropriation and transfer of \$83,000.00 from the General Fund to the Health Special Revenue Fund.

This ordinance is submitted as an emergency so as to allow this transfer to be completed and the Southside Health and Wellness Navigation Project to commence.

FISCAL IMPACT: \$83,000.00 is available for this project within the City's General Fund.

To authorize and direct the City Auditor to transfer \$83,000 of appropriation authority within the General Fund, from the Department of Development to the Department of Health; to authorize and direct the City Auditor to transfer these funds from the General Fund to the Health Special Revenue Fund; to authorize the appropriation of these funds to Columbus Public Health for the Southside Health and Wellness Navigation Project; and to declare an emergency. (\$83,000.00)

WHEREAS, Columbus Public Health has developed the Southside Health and Wellness Navigation Project to address certain public health issues affecting residents on the Southside of Columbus; and,

WHEREAS, the purpose of this Project is to use a holistic approach to help families who are not well connected to health and social services, and are living in crisis mode; and,

WHEREAS, monies are available in the City's General Fund, within the Department of Development budget to fund this new public health project; and,

WHEREAS, an emergency exists in the usual daily operation of Columbus Public Health in that it is immediately necessary to allow the transfer and appropriation of City monies to Columbus Public Health as soon as possible for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore,

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

SECTION 1. That the City Auditor be and is hereby authorized and directed to transfer appropriation authority within the General Fund totaling \$83,000 from the Department of Development, Division No. 44-01, Obj. Level One - 03, Obj. Level Three - 3337, OCA - 499038 to the Department of Health, Division No. 50-01, Obj. Level One - 10, Obj. Level Three - 5501, OCA - 900068.

SECTION 2. That the City Auditor be and is hereby authorized and directed to transfer \$83,000.00 from the General Fund to the Health Special Revenue Fund, as follows:

From: General Fund, Fund No. 010, Department of Health, Dept. No. 50, OCA 900068, Obj. Level One - 10, Obj. Level Three - 5501.

To: Health Special Revenue Fund, Fund No. 250, Health Department, Dept 50, OCA 500131, Obj. Level One - 80, Obj. Level Three - 0886.

SECTION 3. That from the unappropriated monies in the Health Special Revenue Fund, Fund No. 250, and from all monies estimated to come into said Fund from any and all sources for the period ending December 31, 2012, the sum of \$83,000.00 is hereby appropriated to the Health Department, Division No. 50-01, Obj. Level One - 01, Obj. Level Three - 1000, OCA: 500131.

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

SECTION 5. That the City Auditor is authorized to make any accounting changes necessary to ensure that the financial transactions authorized by this ordinance are properly accounted for and recorded accurately on the City's financial records.

SECTION 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1735-2012

Drafting Date: 7/19/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND:

Ordinance 1292-2012, passed June 18, 2012, created the Short North Community Reinvestment Area (CRA). Subsequent to the passage of this ordinance, an additional project that would benefit from the CRA came forward and the CRA has been expanded to include this project. In addition, it was determined that the payment of the forgone taxes in years 11-15 on new construction properties to the City rather than allowing the benefit to continue to the property owner was not advantageous for the goals of the CRA. Therefore, the CRA is being amended to allow for a full 15 year 100% abatement without payments to the City.

Emergency action is being requested so that this correction can take effect as soon as possible in order to coincide with the original ordinance's initial implementation.

FISCAL IMPACT:

No funding is required for this legislation.

To amend Ordinance 1292-2012, passed June 18, 2012, amending Short North Community Reinvestment Area for the purpose of expanding the CRA to accommodate an additional project and to permit a full 15 year 100% abatement on new construction projects within the CRA; and to declare an emergency.

WHEREAS, Ordinance 1292-2012, passed June 18, 2012, created the Short North Community Reinvestment Area (CRA); and

WHEREAS, following the passage of Ordinance 1292-2012, an additional project that would benefit from the CRA came forward and requested to participate in the benefits the CRA provides; and

WHEREAS, it was determined that the payment of forgone taxes to the City in years 11-15 of the abatement would not be advantageous for the goals of the CRA and that a full 15 year 100% abatement would better encourage desired development within the CRA; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Development in that it is immediately necessary to amend the CRA and to authorize real property tax exemptions as established in the Ohio Revised Code, to allow for multiple renovation and construction projects to be included in the CRA while under construction, thereby preserving the public health, property, peace, safety, and welfare; **NOW, THEREFORE**,

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

Section 1. That Section 1 of Ordinance is hereby amended to read as follows.

Section 1. The area depicted in Exhibit B (**as revised**) constitutes an area in which housing facilities or structures of historical significance are located.

Section 2. That Section 2 of the Ordinance is hereby amended to read as follows:

Section 2. Pursuant to ORC Section 3735.66, The Short North Community Reinvestment Area boundary is hereby established in the following described area:

North: Bounded by Fifth Avenue (between Neil Avenue and Fourth Street, excluding properties on the north side of Fifth Avenue)

West: Bounded by Neil Avenue (excluding properties on the west side of Neil Avenue)

South: Bounded by Buttles Avenue, (excluding rear property lines south of Buttles), continuing south along Park Street, east along Brickle Street (excluding the rear property lines on the south side of Brickle Street), continuing east along Brickle Street (including property lines south of Brickle Street) and then east intersecting with the south end of Hamlet Street and continuing east to Fourth Street.

East: Bounded by Fourth Street (excluding property lines east of Fourth Street)

The Community Reinvestment Area is approximately depicted as the area on the map marked Exhibit B (as revised), attached to this Ordinance; on the list of parcel numbers marked Exhibit C (as revised), and by this reference incorporated herein.

Only properties consistent with the applicable zoning regulations and variances thereto within the designated Community Reinvestment Area will be eligible for exemptions under this Program. For purposes of ORC Sections 3735.65 to 3735.70, rental housing, including without limitation rental housing located in a structure

containing multiple residential housing units, is classified as residential.

Section 3. That Section 5 of the Ordinance is hereby deleted and subsequent sections are renumbered accordingly.

Section 4 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: 1737-2012

Drafting Date: 7/19/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Central Ohio Building Company for installation of the salt brine making system at 1850 East 25th Avenue.

This project shall include, but is not limited to, installation of the brine making system at 1850 East 25th Avenue. The scope of work also includes replacing six overhead doors at 1850 East 25th Avenue.

Formal bids were solicited and one company submitted a bid on July 2, 2012 as follows (0 FBE, 0 MBE):

Central Ohio Building Company	\$329,470.00
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The Office of Construction Management recommends the bid award be made to the most responsive and responsible bidder, Central Ohio Building Company.

Emergency action is requested so the salt brine system is operational for use before the winter season.

Central Ohio Building Company Contract Compliance No. 31-0814382, expiration date February 28, 2014.

Fiscal Impact: Funding for this expenditure is budgeted within the 2012 Capital Improvement Budget and is contingent on the 2012 Bond Sale.

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Central Ohio Building Company for installation of the salt brine making system at 1850 East 25th Avenue; to authorize the expenditure of \$329,470.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$329,740.00)

WHEREAS, it is necessary for the installation of the salt brine making system at 1850 East 25th Avenue to occur; and

WHEREAS, formal bids were solicited and one company submitted a bid; 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 for installation of the salt brine making system at 1850 East 25th Avenue, so the salt brine system is operational for use before the winter season, 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 and directed to enter into a contract on behalf of the Office of Construction Management with Central Ohio Building Company for installation of the salt brine making system at 1850 East 25th Avenue.

SECTION 2. That the expenditure of up to \$329,470.00 or so much thereof as may be necessary in regards to the action authorized in SECTION 1, be and is hereby authorized and directed and approved as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount
704 / 530020-100000 / Street Equipment / 06-6651 / 591246 / \$329,470.00

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

Legislation Number: 1738-2012

Drafting Date: 7/19/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Thomas and Marker Construction Company for the Columbus Police Property Room, 724 Woodrow Avenue.

The original contract authorized by Ordinance No. 1938-2011 and passed November 23, 2011, authorized the renovation of Police Property Room, 724 Woodrow Avenue. This modification authorizes the installation of a wireless barcoding system for the Division of Police to label, categorize, and maintain a chain of custody for property that is submitted as evidence.

Thomas and Marker Construction Company has institutional knowledge of the project and performed the original renovations. It is practical and cost effective for the coordination and continuity of the project to use them for this modification. Therefore, it would not be in the best interest of the City to re-bid the renovations. Prices already established in the contract were used to determine the cost of this modification.

Emergency action is requested so that needed renovations may be accomplished as quickly as possible to meet the operational needs of the Division of Police, thereby providing necessary services to City residents.

Thomas & Marker Construction Co. Contract Compliance No. 34-4476858, expiration date February 23, 2014.

Fiscal Impact: The cost of the original contract was \$11,386,200.00. The cost of this modification is \$280,000.00, bringing the total cost to \$11,666,200.00. Monies for this expenditure will be included in the upcoming bond sale.

To amend the 2012 Capital Improvement Budget; to authorize the City Auditor to transfer \$280,000.00 between projects within the Safety Voted Bond Fund; to authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Thomas and Marker Construction Company for the Columbus Police Property Room, 724 Woodrow Avenue; to authorize the expenditure of \$280,000.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$280,000.00)

WHEREAS, it is necessary to amend the 2012 Capital Improvement Budget and to transfer cash between projects within the Safety Voted Bond Fund; and

WHEREAS, Ordinance No. 1938-2011 and passed November 23, 2011, authorized the renovation of Police Property Room, 724 Woodrow Avenue; and

WHEREAS, it is necessary to modify a contract for the installation of a wireless barcoding system for the Division of Police; and

WHEREAS, an emergency exists in the usual daily operations of the Finance and Management Department, Office of Construction Management in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with Thomas & Marker Construction Company for the renovation of the Columbus Police Property Room, so that needed renovations may be accomplished as quickly as possible to meet the operational needs of the Division of Police, thereby providing necessary services to City 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 2012 Capital Improvement Budget be amended as follows:

Fund 701

Project Name| Project No.|Current Authority|Revised Authority|Difference

Police Facility Renovation	330021-100000	(Voted 2008)	\$1,505,000 \$1,225,000	(\$280,000)
Police Property Room/Crime Lab	330033-100000	(Voted 2008)	\$0 \$280,000	\$280,000

SECTION 2. That the City Auditor is hereby authorized to transfer funds within the Safety Voted Bond Fund as follows:

FROM:

Dept./Div: 30-03|Fund: 701|Project Number: 330021-100000|Project Name - Police Facility Renovation|OCA: 713321|Amount: \$280,000.00

TO:

Dept./Div: 30-03|Fund: 701|Project Number: 330033-100000|Project Name - Police Property Room/Crime Lab|OCA: 701033|Amount: \$280,000.00

SECTION 3. That the Finance and Management Director is authorized to modify a contract on behalf of the Office of Construction Management with Thomas and Marker Construction Company for the Columbus Police Property Room, 724 Woodrow Avenue.

SECTION 4. That the expenditure of 280,000.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 3, be and is hereby authorized and approved as follows:

Dept./Div.: 30-03
Fund: 707
Project: 330033-100000
OCA Code: 701033
Object Level: 06
Object Level 3: 6620
Amount: \$280,000.00

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 its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1739-2012

Drafting Date: 7/19/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Schorr Architects, Inc. for professional architectural and engineering consulting services for various City renovation projects. This serves as a blanket contract for renovations to City building and building components.

The original contract was authorized by Ordinance No. 1201-2011, passed July 26, 2011, authorized the contract for professional architectural and engineering consulting services for various City renovation projects. This is a planned contract modification, and is necessary to include additional projects and resources that have been identified over time. Establishing a blanket contract is an efficient mechanism by which smaller renovation projects can be scoped and bid. Actual construction projects designed under this contract come back to Council for authorization

It is practical and cost effective for coordination and continuity to modify this contract with Schorr Architects, Inc. It would not be in the best interests of the City to go with another vendor. Prices already established in the contract were used to determine the cost of this modification.

Emergency action is requested so that needed renovations within the City may be designed and/or assessed as quickly as possible.

Schorr Architects, Inc. Contract Compliance No. 03-0499713, expiration date February 9, 2013.

Fiscal Impact: The cost of this modification is \$330,000.00. This legislation authorizes the expenditure of \$200,000.00 from the Construction Management and \$100,000.00 from the Public Safety Capital Improvement Funds. In order to spend these funds, it is necessary to authorize transfers between projects within the Construction Management and Public Safety Capital Improvement Funds and to amend the 2012 Capital Improvement Budget. Also, \$30,000 is available per Ordinance No. 1305-2011, which established an Auditor's Certificate (AC032806) for Public Service facility renovation projects. Funds are contingent on the July 2012 Bond Sale.

To amend the 2012 Capital Improvement Budget; to authorize transfers between projects within the Construction Management and Public Safety Capital Improvement Funds; to authorize the Director of Finance and Management to modify a contract on behalf of the Office of Construction Management with Schorr Architects, Inc., for professional architectural and engineering consulting services for various City renovation projects; to authorize the expenditure totaling \$300,000.00 from the Construction Management Capital Improvement Fund and the Safety Capital Improvement Fund; to authorize the expenditure of \$30,000.00 from an Auditor's Certificate established previously for the Department of Public Service Facility Renovation projects; and to declare an emergency. (\$330,000.00)

WHEREAS, it is necessary to amend the 2012 Capital Improvement Budget and transfer cash between projects in the Construction Management and Public Safety Capital Improvement Fund; and

WHEREAS, Auditor's Certificate AC032806, authorizing the expenditure of funds is available for the purpose of professional architectural and engineering consulting services for various City renovation projects for the City of Columbus, Department of Public Service; and

WHEREAS, the Finance and Management Department, Office of Construction Management, desires to modify the contract with Schorr Architects, Inc., for general architectural and engineering consulting services for various City renovation projects; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with Schorr Architects Inc., for professional architectural and engineering consulting services for various necessary renovation projects within the City, so that that needed renovations may be accomplished as quickly as possible, now, therefore:

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

SECTION 1. That the 2012 Capital Improvement Budget be amended as follows to facilitate the expenditures below:

Fund 701

<u>Project Name</u>	<u>Project No.</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Difference</u>
340103-100000 Fire Facility Renovation		\$1,695,000	\$1,595,000	(\$100,000)
310004-100000 Professional Arch Services		\$0	\$100,000	\$100,000

FROM:

Dept/Div: 30-03| Fund: 701|Project Number 340103-100000|Project Name - Fire Facility Renovation|OCA Code: 711103|OL3: 6681|Amount \$100,000.00

TO:

Dept/Div: 30-03| Fund: 701|Project Number 310004-100000|Project Name - Professional Arch Services| OCA Code: 701004|OL3: 6620|Amount \$100,000.00

SECTION 2. That the Finance and Management Director is hereby authorized to modify the contract on behalf of the Office of Construction Management with Schorr Architects, Inc. for professional architectural and engineering consulting services for various renovation projects.

SECTION 3. That the expenditure of \$300,000.00, or so much thereof that may be necessary in regard to the action authorized in SECTION 4, be and is hereby authorized and approved as follows:

Division: 45-27
Fund: 733
Project: 570030-100143
OCA Code: 730143
Object Level 1: 06
Object Level 3: 6681
Amount: \$200,000.00

Division: 30-01
Fund: 701
Project: 310004-100000
OCA Code: 701004
Object Level: 06
Object Level 3: 6681
Amount \$100,000.00

SECTION 4. That for the purpose of paying the cost of this contract, the sum of \$30,000.00 is authorized to be expended from a previously established Auditor's Certificate, AC032806, established for facility renovation needs of the Department of Public Service.

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: 1740-2012

Drafting Date: 7/19/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Ribway Engineering Group, Inc. for professional civil engineering services for the Fire Pavement Restoration Program at various fire stations located within the City of Columbus.

The purpose of the Fire Pavement Restoration Program is to renovate the asphalt and concrete parking lots, as well as the driveways at sixteen (16) fire stations located within the City of Columbus. These fire stations are as follows:

Training Center - 3639 Parsons Ave.	Station 1 - 300 North 4th Street
Station 23 - 4451 East Livingston Ave.	Station 12 - 3200 Sullivant Ave.
Station 24 - 1585 Morse Road	Station 17 - 2250 West Broad Street
Station 26 - 5333 Fisher Road	Station 20 - 2646 East 5th Ave.
Station 33 - 440 Lazelle Road	Station 22 - 3069 Parsons Ave.
Station 7 - 1425 Indianola Ave.	Station 30 - 3555 Fishinger Road
Station 21 - 3294 East Main Street	Station 5 - 211 McNaughten Road
Station 31 - 5105 Alkire Road	Station 29 - 5151 Little Turtle Way

In accordance with the competitive bidding provisions of the Columbus City Codes, Requests for Statements of Qualifications were advertised and responses were submitted on or before April 19, 2012. The City received six (6) statements from the following firms (2 ASI, 1 FBE, 1 MBE): *ASI-Columbus Engineering Consultants, Inc., Jones Stuckey, FBE-Resource International Inc., MBE-Ribway Engineering Group, American Structure Point, Inc., and ASI-Kabil Associates, Inc.

A committee of city employees from Construction Management, Public Safety, and EBOCO, evaluated the RFSQ's and recommended Ribway Engineering Group as the firm to provide professional engineering services for the Fire Pavement Restoration Program.

Emergency action is requested to begin the engineering and design of this fire pavement restoration so as to ensure that emergency vehicles have improved access to streets/highways, and to reduce repair and replacement costs for tire and other vehicle parts due to improved lot conditions. Furthermore, the optimal start time for most construction projects is spring or summer.

Ribway Engineering Group, Inc., Contract Compliance No. 31-1406579, expiration date February 14, 2014.

Fiscal Impact: The cost of this civil engineering contract is \$564,000.00, which includes "if authorized" services for designing eight (8) additional sites (\$168,000), surveying (\$30,000), and testing (\$30,000).

Funding is available in the Safety G.O. Bond Fund.

..Title

To authorize the Finance and Management Director to enter into a contract with Ribway Engineering Group, Inc. on behalf of the Office of Construction Management for professional civil engineering services for the Fire Pavement Restoration Program at sixteen (16) fire stations located within the City of Columbus; to authorize the expenditure of \$564,000.00 from the Safety G.O. Bond Fund; and to declare an emergency. (\$564,000.00)

To authorize the Finance and Management Director to enter into a contract with Ribway Engineering Group, Inc. on behalf of the Office of Construction Management for professional civil engineering services for the Fire Pavement Restoration Program at sixteen (16) fire stations located within the City of Columbus; to authorize the expenditure of \$564,000.00 from the Safety G.O. Bond Fund; and to declare an emergency. (\$564,000.00)

WHEREAS, the Finance and Management Department, Office of Construction Management desires to enter into a professional services contract with Ribway Engineering Group for civil engineering consulting services for the Fire Pavement Restoration Program; and

WHEREAS, Ribway Engineering Group is the most responsive and responsible bidder; 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 authorize the Finance and Management Director to enter into a contract with Ribway Engineering Group for civil engineering services for the Fire Pavement Restoration program at various fire stations located within the City of Columbus, thereby preserving the public health, property, peace, 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 authorized to enter into a contract on behalf of the Office of Construction Management with Ribway Engineering Group, Inc. for professional civil engineering services for the Fire Pavement Restoration Program.

SECTION 2. That the expenditure of \$564,000.00, or so much thereof as may be necessary in regards to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-04

Fund: 701

Project: 340103-100000

OCA: 711103

Object Level 1: 06

Object Level 3: 6620

Amount: \$564,000.00

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

Legislation Number: 1741-2012

Drafting Date: 7/19/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with The Richter Company for professional services related fire station window replacement.

The purpose of the Fire Window Replacement Program is to replace aged and energy inefficient windows at three (3) fire stations located within the City of Columbus. These fire stations are Fire Station No. 13, 309 Arcadia Avenue; Fire Station No. 20, 2646 East 5th Avenue; and Fire Station No. 23, 4455 East Livingston Avenue.

In accordance with the competitive bidding provisions of the Columbus City Codes, a Formal Bid Request was advertised and responses were submitted on or before July 2, 2012. The City received two (2) bids from the following firms (0 AS1, 0 FBE, 0 MBE): StrongTower Construction LLC, and The Richter Company, Inc.

A committee of city employees from Construction Management evaluated these formal bids and recommended The Righter Company as the firm to provide services for the fire station window replacement.

Emergency action is requested to begin replacement of these fire station windows to ensure that the resulting energy efficiencies can be realized as soon as possible. Furthermore, the optimal start time for most construction projects is spring or summer.

The Righter Company, Inc., Contract Compliance No. 31-0889208, expiration date February 22, 2013.

Fiscal Impact: The cost of this contract is \$327,400.00 and funding is available in the Safety G.O. Bond Fund.

To authorize the Finance and Management Director to enter into a contract with The Righter Company, Inc. on behalf of the Office of Construction Management for the replacement of windows at three (3) fire stations located within the City of Columbus; to authorize the expenditure of \$327,400.00 from the Safety G.O. Bond Fund; and to declare an emergency. (\$327,400.00)

WHEREAS, the Finance and Management Department, Office of Construction Management desires to enter into a contract with The Righter Company for services related to window replacement at various fire stations located within the City of Columbus; and

WHEREAS, The Righter Company is the most responsive and responsible bidder; 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 authorize the Finance and Management Director to enter into a contract with The Righter Company for services related to fire station window replacement at various fire stations located within the City of Columbus, thereby preserving the public health, property, peace, 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 authorized to enter into a contract on behalf of the Office of Construction Management with The Righter Company for services related to fire station window replacement.

SECTION 2. That the expenditure of \$327,400.00, or so much thereof as may be necessary in regards to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 30-04

Fund: 701

Project: 340103-100000

OCA: 711103

Object Level 1: 06

Object Level 3: 6620

Amount: \$327,400.00

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 days thereafter if the Mayor neither approves nor vetoes the same.

Legislation Number: 1742-2012

Drafting Date: 7/19/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Harris Design Services for the renovation of the 120 West Gay Street building.

The original contract was authorized by Ordinance No. 2213-2006, passed December 11, 2006. The original contract authorized professional design services with Harris Design Services for the master plan and design plans for the renovation of the former Police Headquarters building located at 120 West Gay Street; however, due to various "site unforeseens", additional services and funding are necessary to complete this renovation project.

Below is a summary of unforeseen expenses associated with the renovation of the 120 West Gay Street building, thus necessitating this contract modification with Harris Design Services:

- Central Safety Building wall failure of September 2011 and associated re-engineering & architecture
- Unknown underground unforeseen such as: abandoned bad soils from old fuel tank site, existing sanitary sewers, railroad rails/ties & unsuitable soils, and City Hall lower west plaza retaining wall insufficient footers.
- Value engineering and redesign of the underground pedestrian tunnel

Harris Design Services is a nationally recognized design firm and has institutional knowledge of the project and performed the original professional services. It is practical and cost effective for the coordination and continuity of the project to use them for this modification. Therefore, it would not be in the best interest of the City to engage a different vendor.

Emergency action is requested so that the needed renovations at the 120 West Gay Street building can continue and be completed as quickly as possible. This will ensure that construction is completed prior to winter weather and so that resulting energy savings can be realized as quickly as possible and any potential safety concerns can be addressed.

Harris Architects Contract Compliance No. 31-6568390, expiration date May 23, 2014.

Fiscal Impact: The cost of this modification is \$424,857.00. Funding is available within the Construction Management Capital Improvement Fund.

To authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Harris Design Services for renovation of the 120 West Gay Street building; to authorize the expenditure of \$424,857.00 from the Construction Management Capital Improvement Fund; and to declare an emergency. (\$424,857.00)

WHEREAS, it is necessary to amend the 2012 Capital Improvement Budget and transfer cash between projects in the Construction Management Capital Improvement Fund; and

WHEREAS, Ordinance No. 2213-2006, passed December 11, 2006, authorized the original contract for professional design services with Harris Design Services for the master plan and design plans for the renovation of the former Police Headquarters building located at 120 West Gay Street; and

WHEREAS, it is necessary to modify the contract with Harris Design Services due to various unforeseen

expenditures related to this renovation project; 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 modify a contract with Harris Design Services for the renovation of the 120 West Gay Street building thereby allowing the existing renovation project to continue without interruption, thus providing the opportunity for construction to be completed prior to winter weather and so that resulting energy savings can be realized as quickly as possible and any potential safety concerns can be addressed quickly, 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 2012 Capital Improvement Budget be amended as follows:

Fund 733

Municipal Court Renovations - Various (Councilmanic SIT Supported) 570043-100001

\$3,137,000|\$2,712,143|(\$424,857)

59-07 Old Police Headquarters (Councilmanic SIT Supported) 570056-100000

\$2,000,000|\$2,424,857|\$424,857

SECTION 2. That the City Auditor is hereby authorized to transfer funding within the Construction Management Capital Improvement Fund as follows:

FROM:

Dept./Div.: 45-27|Fund: 733|Project Number: 570043-100001|Project Name - Municipal Court Renovations - Various|OCA: 743001|OL3: 6620|Amount: \$424,857.00

TO:

Dept./Div.: 45-27|Fund: 733|Project Number: 570056-100000|Project Name: 59-07 Old Police Headquarters|OCA: 733056|OL3: 6620|Amount: \$424,857.00

SECTION 3. That the Finance and Management Director is hereby authorized to modify a contract on behalf of the Office of Construction Management with Harris Design Services for renovation of the 120 West Gay Street building.

SECTION 4. That the expenditure of \$424,857.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 3, be and is hereby authorized and approved as follows:

Division: 45-27

Fund: 733

Project: 570056-100000

OCA Code: 733056

Object Level: 06

Object Level 3: 6620

Amount: \$424,857.00

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 its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1747-2012

Drafting Date: 7/20/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This legislation authorizes Columbus City Council to enter into contract with the Columbus Association for the Performing Arts (CAPA) on behalf of Columbus Symphony Orchestra (CSO) for sustaining arts and cultural services that enrich Columbus.

The contract agreement is to be the final installment of a multi-year commitment, and will provide \$150,000 from the General Fund and proceeds of existing encumbrances to match Franklin County funds of \$150,000 and private funds of \$150,000 to assist in building for the CSO a \$1 Million + transition fund. Together, these funds will ensure that CAPA will balance the CSO's 2012 budget, so that the CSO will be fiscally sound and begin to rebuild its balance sheet and cash reserves to ensure a healthy future.

FISCAL IMPACT: Funding for this contract is available in the General Fund and from the proceeds of existing encumbrances, the funds on which are no longer needed.

EMERGENCY DESIGNATION: It is requested that this ordinance be handled in an emergency manner due to the time sensitive deadlines.

To authorize Columbus City Council to contract with Columbus Association for the Performing Arts (CAPA) on behalf of the Columbus Symphony Orchestra (CSO) for the purpose of fostering and sustaining arts and cultural services that enrich the Columbus community, to authorize the cancellation of two existing prior year encumbrances, to authorize and direct the expenditure of \$150,000.00 from the General Fund, and to declare an emergency. (\$150,000.00)

WHEREAS, The Columbus Association for the Performing Arts (CAPA) was formed in 1969 and has received international recognition over the past four decades for its diversity of performing arts and entertainment programming, dramatic restoration of historic theaters, excellence in facilities management, and positive contributions to the quality of life in Columbus; and

WHEREAS, CAPA will enter into contract with Columbus City Council on behalf of the Columbus Symphony Orchestra (CSO) in the amount of \$150,000 to continue to assist in building a one million dollar transition fund for CSO; and

WHEREAS, City Council commits this final installment of a multi-year funding pledge to further emphasize that the city's major cultural and artistic "anchor" institutions are crucial to the cultural fabric of Columbus; and

WHEREAS, existing prior year encumbrances, originally established in 2010, are no longer needed and are being cancelled so as to ultimately be made available to partially fund this contract; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to

enter into contract with CAPA in order to facilitate this fund at the earliest possible date, and 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 Columbus City Council is hereby authorized to contract with the Columbus Association of the Performing Arts on behalf of the Columbus Symphony Orchestra for the final installment of a multi-year commitment to foster arts and cultural services for the enrichment and benefit of the citizens of Columbus.

SECTION 2. That the City Auditor be and is hereby authorized to cancel encumbrance EL011192, Fund 10, Department 44, Division 4401, OCA 440307, OL3 - 3337, totaling \$115,833.33 and encumbrance EL011192, Fund 10, Department 20, Division 2001, OCA 200105, OL3 - 3337, totaling \$23,166.67, for total cancellations of \$139,000.00.

SECTION 3. That the transfer of \$150,000.00 from the Department of Finance and Management, Division 45-01, General Fund, Fund 010, OCA Code 904508, Object Level One 10, Object Level Three 5501 to City Council Department No. 20-01, Object Level One 03, Object Level Three 3337, OCA Code 200105 for the aforesaid purpose is hereby authorized.

SECTION 4. For the purpose of paying the costs thereof, the sum of \$150,000.00 is hereby authorized to be expended from City Council Department No. 20-01, the General Fund, 010, Object Level One 03, Object Level Three 3337, OCA Code 200105.

SECTION 5. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.

SECTION 6. That the expenditure authorized by this ordinance shall be expressly contingent upon CAPA's first securing \$150,000 in matching funds from Franklin County as well as \$150,000 in private funds.

SECTION 7. That for the reasons stated in the preamble hereto, that are incorporated herein, 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 thereafter if the Mayor neither approves nor vetoes the same.

Legislation Number: 1749-2012

Drafting Date: 7/20/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Fire Division needs to purchase pharmaceuticals for use in daily emergency services operations. This legislation authorizes the Finance and Management Director to issue a purchase order for EMS pharmaceuticals from the existing Universal Term Contract established by the Purchasing Office for such purposes with BoundTree Medical LLC, in the amount of \$100,000,00.

Bid Information: A Universal Term Contract exists for these purchases: BoundTree ~ FL004364 exp 8/31/2012

Contract Compliance: BoundTree Medical LLC #311739487 exp 5/10/2013

Emergency Designation: Emergency action is requested, as funds are needed to keep pharmaceuticals stocked at adequate levels.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$100,000.00 from the General Fund operating budget to purchase medical supplies for the Division of Fire. The Fire Division budgeted \$1,200,000.00 in the 2012 General Fund Budget for EMS medical supplies and pharmaceuticals; approximately \$452,499.00 has been encumbered/spent thus far in 2012. Approximately \$992,651.45 was spent in 2011 for EMS medical supplies and pharmaceuticals; the division spent approximately \$1,147,578 for EMS supplies in 2010 and \$968,258 in 2009.

To authorize and direct the Finance and Management Director to issue purchase orders for EMS pharmaceuticals from the existing Universal Term Contract established for such purpose with BoundTree Medical LLC, to authorize the expenditure of \$100,000.00 from the General Fund; and to declare an emergency. (\$100,000.00)

WHEREAS, the Fire Division needs to purchase emergency pharmaceutical supplies; and

WHEREAS, Universal Term Contracts established by the Purchasing Office exist for these purchases; 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 purchase said emergency medical supplies to maintain adequate levels of such supplies 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 pharmaceuticals in accordance with the existing Universal Term Contracts established by the Purchasing Office with BoundTree Medical LLC.

SECTION 2. That the expenditure of \$100,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Fire Division's General Fund Budget, Fund 010, Division of Fire No. 30-04, Object Level One 02, Object Level Three 2207, OCA 301531 as follows:

BoundTree Medical LLC - Pharmaceuticals Contract # FL004364 exp 8/31/2012 ~ \$100,000.00

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

Legislation Number: 1750-2012

Drafting Date: 7/20/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Finance and Management Director to modify a contract on behalf of the Office of Construction Management for renovation of the 120 West Gay Street Building, commonly referred to as the Old Central Police Building.

The original contract was authorized by Ordinance No. 0830-2011, passed June 8, 2011, authorized the renovation of the 120 West Gay Street Building. Due to unforeseen issues, Messer Construction Company was required to complete substantial work not anticipated in the original scope. During this work, Messer Construction Company expended a portion of the contingency in the contract and a portion of the coordination/administration allowance. This modification will provide for the replacement of that contingency and contract coordination/administration allowance.

Messer Construction Company has institutional knowledge of the project and performed the original renovations. It is practical and cost effective for the coordination and continuity of the project to use them for this modification. Therefore, it would not be in the best interest of the City to re-bid the renovations. Prices already established in the contract were used to determine the cost of this modification.

Emergency action is requested so that the contingency on this contract may be reimbursed as quickly as possible, thereby ensuring that work on the 120 West Gay Street Building is not delayed due to a lack of funding, and provides Columbus residents services.

Messer Construction Company Contract Compliance No. 31-0740877, expiration date July 14, 2014.

Fiscal Impact: The amount of the original contract was \$31,693,000.00. This modification will cost \$406,940.00, bringing the total cost of this contract to \$32,099,940.00. Funding is contingent upon the July 2012 bond sale.

To amend the 2012 Capital Improvement Budget; to account for an encumbrance cancellation of \$200,000.00; to authorize the Finance and Management Director to modify a contract on behalf of the Office of Construction Management with Messer Construction Company for the renovation of the 120 West Gay Street Building; to authorize the expenditure of \$406,940.00 from the Gov'l SuperB.A.B.'s (Build America Bonds) Fund and Construction Management Capital Improvement Fund; and to declare an emergency. (\$406,940.00)

WHEREAS, it is necessary to amend 2012 Capital Improvement Budget and to account for an encumbrance cancellation; and

WHEREAS, Ordinance No. 0830-2011, passed June 8, 2011, authorized the renovation of the 120 West Gay Street Building; and

WHEREAS, it is necessary to modify a contract for the renovation of the 120 West Gay Street Building; and

WHEREAS, an emergency exists in the usual daily operations of the Finance and Management Department, Office of Construction Management in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with Messer Construction Company for the renovation of the 120 West Gay Street Building, so that needed renovations may be accomplished as quickly as possible to meet the operational needs of the Division of Police, so that the contingency on this contract may be reimbursed as quickly as possible, thereby ensuring that work on the 120 West Gay Street Building is not delayed due to a lack of funding, and provides Columbus residents services, thereby preserving the public health, peace, property, safety, and welfare, now, therefore:

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

SECTION 1. That the 2012 Capital Improvement Budget is hereby amended to account for an encumbrance cancellation as follows:

Fund 707, Division 45-27:

<u>Project No.</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Difference</u>
570056-100000	Old Police Headquarters (Unvoted Carryover)	\$0	200,000	\$200,000

SECTION 2. That the Finance and Management Director is authorized to modify a contract on behalf of the Office of Construction Management with Messer Construction Company for the renovation of the 120 West Gay Street Building.

SECTION 3. That the expenditure of \$406,940.00, 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.: 45-27

Fund: 707

Project: 570056-100000

OCA Code: 775600

Object Level: 06

Object Level 3: 6620

Amount: \$200,000.00

Dept./Div.: 45-27

Fund: 733

Project: 570056-100000

OCA Code: 733056

Object Level: 06

Object Level 3: 6620

Amount: \$206,940.00

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

Legislation Number: 1754-2012

Drafting Date: 7/23/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into a contract with Community Development for All People, a not-for-profit organization (CD4AP). This legislation authorizes up to \$250,000 from the general capital improvement fund to CD4AP for targeted distribution of Council's Property Renovation Funds through the South Side Renaissance Home Repair Program. The funds provided by the contract will be used to provide financial assistance to eligible homeowners for exterior home improvements.

This funding reflects Council's ongoing commitment to investing in the revitalization of our City's neighborhoods through pride and home ownership, especially through the Property Renovation Fund established by Council in the 2012 capital improvements budget. Eligible homeowners are those who live in the South Side Renaissance Home Repair Program boundaries, as determined by CD4AP.

Community Development for All People is a faith-based, non-profit community development corporation dedicated to creating a community that welcomes and cares for all people. Located in Columbus Ohio, CD4AP works to improve the economic, social and spiritual quality of life for residents of the South side. CD4AP renovates homes on the Southside and makes them available at a reduced cost to low-income buyers. This improves home-ownership and strengthens our community. The South Side Renaissance Home Repair

Program assist homeowners with exterior repairs while facilitating pride and responsible ownership. CD4AP is authorized to waive any income restrictions, at its sole discretion, in disbursing these funds.

Emergency action is necessary to allow CD4AP to begin the immediate implementation of this portion of the South Side Renaissance Home Repair Program.

FISCAL IMPACT: Funds are contingent upon the 2012 summer bond sale.

To authorize the Director of the Department of Development to enter into a contract with Community Development for All People, a not-for-profit organization, for the South Side Renaissance Home Repair Program; to authorize the expenditure of up to \$250,000.00 from the 2012 capital improvements budget; and to declare an emergency. (\$250,000.00)

WHEREAS, City Council is committed to investing in the revitalization of our City's neighborhoods through pride and home ownership; and

WHEREAS, As a result of that commitment, City Council established the Property Renovation Fund in the 2012 capital improvements budget; and

WHEREAS, Community Development for All People, an Ohio Non-Profit Corporation, through the South Side Renaissance Home Repair Program, is transforming the Southside through pride and responsible ownership; and

WHEREAS, The CD4AP program provides a unique opportunity for Property Renovation Fund investment in a targeted, impactful way; and

WHEREAS, An emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to enter into contract with Community Development for All People Corporation to allow the immediate implementation of the South Side Renaissance Home Repair Program project thereby avoiding causing delays in the program, thereby preserving the public health, peace, property, safety, and welfare; **Now Therefore**

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

SECTION 1. That the Director of the Department of Development is hereby authorized to enter into a contract with Community Development for All People, an Ohio Non-Profit Corporation to the implement a portion of the Property Renovation Fund to provide targeted financial assistance to eligible homeowners through the South Side Renaissance Home Repair Program.

SECTION 2. That for the purpose as stated in Section 1, the expenditure of \$250,000.00 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-10, Fund 782, Project No. 782001-100005, OCA 782107, Object Level One 06, Object Level Three 6616.

SECTION 3. That the expenditure of capital improvements budget funds from this authorization will be used to provide home repair services to correct substandard and deteriorating conditions of houses in the South Side Renaissance Home Repair Program service area, as determined by CD4AP.

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: 1763-2012

Drafting Date: 7/24/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$110,855,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City. This sale will be conducted on a negotiated basis.

Authorizing the issuance of unlimited tax bonds in an amount not to exceed \$110,855,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City (\$110,855,000.00). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - UT Bond Ordinance (tax-exempt)

Legislation Number: 1764-2012

Drafting Date: 7/24/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$82,305,000.00 for the purpose of providing funding to refund certain outstanding general obligation bonds of the City. This sale will be conducted on a negotiated basis.

Authorizing this issuance of limited tax bonds in an amount not to exceed \$82,305,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City (\$82,305,000.00). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - LT Bond Ordinance (tax-exempt)

Legislation Number: 1765-2012

Drafting Date: 7/24/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$56,980,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligations of the City. This sale will be conducted on a negotiated basis.

Authorizing this issuance of unlimited tax bonds in an amount not to exceed \$56,980,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City (\$56,980,000.00) (Taxable). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - UT Bond Ordinance (TAXABLE)

Legislation Number: 1766-2012

Drafting Date: 7/24/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$15,290,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City. This sale will be conducted on a negotiated basis.

Authorizing this issuance of limited tax bonds in an amount not to exceed \$15,290,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City (\$15,290,000.00) (Taxable). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - LT Bond Ordinance (TAXABLE)(4)

Legislation Number: 1769-2012

Drafting Date: 7/25/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance will establish the basis for the taxation of prizes, awards and winnings derived from gaming, wagering, sweepstakes and games of chance resulting from play, wagering or activities related to the winning of such income by residents and non-residents of the City. Under this new Ordinance all resident and non-resident individuals shall be subject to the tax on prizes, awards and winnings derived from activities within the City. Additionally, prizes, awards and winnings paid to residents of the City derived from activities outside of the City shall be subject to the tax.

To amend various sections of Chapter 361 of the Columbus City Codes in order to address the withholding and payment of taxable income derived from a person's winnings at a casino facility and from video lottery terminal prize awards, and the taxation of lottery winnings.

WHEREAS, there are facilities located within the city of Columbus that have now been authorized by the Ohio Casino Control Commission and the Ohio Lottery Commission to conduct casino gaming and video lottery terminal games, respectively; and

WHEREAS, Sections 5747.063 and 5747.064 of the Ohio Revised Code provide for the withholding of taxes from a person's winnings at casino facilities and video lottery terminal prize awards, respectively; and

WHEREAS, Chapter 361 of the Columbus City Codes sets forth the requirements and procedures for the deduction and payment of City income tax on taxable income pursuant to Ohio Revised Code Chapter 718; and

WHEREAS, existing provisions of Chapter 361 do not address taxable income derived from a person's winnings at a casino facility or video lottery terminal prize awards; and

WHEREAS, there is a need to amend Chapter 361 to address the withholding and payment of City income tax on that taxable income; now therefore

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

Section 1. That Section 361.16 of the Columbus City Codes, 1959, be and is hereby amended to read as follows:

361.16 - Taxable income.

"Taxable income" means:

- (a) ~~W~~wages, salaries, commissions and other compensation paid by an employer or employers before any deductions ~~and/or the net profits from the operation of a business, profession or other enterprise or activity adjusted in accordance with the provisions of this chapter.~~
- (b) The net profits from the operation of a business, profession or other enterprise or activity adjusted in accordance with the provisions of this chapter.
- (c) Prizes, awards and winnings derived from gaming, wagering, sweepstakes and games of chance resulting from play, wagering or activities related to the winning of such income by residents of the city.
- (d) Prizes, awards and winnings derived from gaming, wagering, sweepstakes and games of chance resulting from play, wagering, or activities related to the winning of such income within the city by non-residents.
- (e) Prizes, awards and winnings from a casino facility or casino operator as defined in Ohio Constitution Section 6(c)(9) of Article XV and Ohio Revised Code Section 3772.01 located within the city resulting from play, wagering or activities related to the winning of such income by residents or non-residents.
- (f) Prizes, awards and winnings of residents or non-residents derived from a video lottery terminal facility or licensed video lottery sales agent as authorized in Ohio Revised Code Section 3770.21, where the building and grounds at the facility occupied by the video lottery sales agent, including temporary facilities, in which the terminals are located are within the city.
- (g) Prizes, awards and winnings paid to residents of the city derived from the State lottery and paid by the State Lottery Commission.

Section 2. That Section 361.19 of the Columbus City Codes, 1959, be and is hereby amended to read as follows:

361.19 Imposition of tax.

To provide for the purposes of general municipal operations, maintenance, new equipment, and capital improvements of the city, there is hereby levied a tax at the rate of two and one-half percent (2.5%) per annum upon the following:

- (a) All salaries, wages, commissions and other compensation earned by residents of the city.
- (b) All salaries, wages, commissions, and other compensation earned by nonresidents of the city for work done or services performed or rendered in the city.
- (c) Net profits:
 - (1) On the net profits earned of all unincorporated businesses, professions, or other activities conducted by residents of the city.
 - (2) On the net profits earned of all unincorporated businesses, professions, or other activities conducted in the city by nonresidents.
 - (3) For the purposes of paragraphs (c)(1) and (c)(2) of this section, an association shall be taxed as an entity, on the net profits of the association derived from work done or services performed or rendered and business or other activities conducted in the city, whether or not such association has

its principal or any place of business located in the city, effective for all accounting periods commencing on or after January 1, 1991.

- (4) For the purposes of paragraph (c)(1) of this section, a resident of the city who is a member of an association is taxed individually on that resident's entire share, whether distributed or not, of the annual net profits of the association which are not subject to entity filing under paragraph (c)(3) of this section, effective for all accounting periods commencing on or after January 1, 1991.
- (d) On the net profits of all corporations, estates, and trusts, derived from work done or service performed or rendered and business or other activities conducted in the city, whether or not such corporations, estates, and trusts have their principal or any place of business located in the city.
- (e) On a resident's entire share, whether distributed or not, of the net profits of a Subchapter S corporation as defined in Section 1361 of the Internal Revenue Code. If a resident is a shareholder in two or more Subchapter S corporations to be included in the same return, the resident's share of the net loss of one Subchapter S corporation (except any portion of a loss separately reportable for municipal tax purposes to another taxing entity) may be used to offset the resident's share of the profits of another Subchapter S corporation for purposes of arriving at overall net profits derived from Subchapter S corporations. Credit on the tax imposed by this paragraph shall be given for tax paid on the resident's share of the net profits of a Subchapter S corporation under Sections 361.19(d) and 361.33 of this chapter. The tax imposed under this paragraph is effective for all accounting periods commencing on or after January 1, 2001.
- (f) On or after June 1, 2012, all prizes, awards and winnings derived from gaming, wagering, sweepstakes and games of chance resulting from play, wagering or activities related to the winning of such income by residents of the City
- (g) On or after June 1, 2012, all prizes, awards and winnings derived from gaming, wagering, sweepstakes and games of chance resulting from play, wagering or activities related to the winning of such income within the city by non-residents.
- (h) On or after June 1, 2012, all prizes, awards and winnings from a casino facility or casino operator as defined in Ohio Constitution Section 6(c)(9) of Article XV and Ohio Revised Code Section 3772.01, Ohio Revised Code located within the city resulting from play, wagering or activities related to the winning of such income by residents or non-residents.
- (i) On or after June 1, 2012, all prizes, awards and winnings of residents or nonresidents derived from a video lottery terminal facility or video lottery terminal licensee as defined in Section 3770.21 Ohio Revised Code, where the building and grounds at the facility occupied by the licensee, including temporary facilities, in which the terminals are located are within the city.
- (j) On or after June 1, 2012, all prizes, awards and winnings paid to residents of the city derived from the State lottery and paid by the State Lottery Commission.

The tax upon all of the income specified in paragraphs (a), (b) , (c), (d) and (e) hereof shall remain in effect for the purpose of filing returns and collection of the tax at the rate of one (1) percent with regard to all income earned prior to January 1, 1971; at the rate of one and one-half percent (1.5) with regard to all income earned after on or after January 1, 1971 and prior to January 1, 1983; at the rate of two percent (2) with regard to income earned after January 1, 1983 and prior to October 1, 2009; and at the rate of 2 and one-half (2.5) percent with regard to all income earned on or after October 1, 2009.

Section 3. That Section 361.21 of the Columbus City Codes, 1959, be and is hereby amended to read as follows:

361.21 Levy of tax.

The income tax at the rate of one and one-half (1.5) percent shall be levied, collected and paid with respect to the salaries, wages, commissions and other compensation earned on or before December 31, 1982 and with

respect to the net profits of the businesses, professions or other activities earned on or before December 31, 1982. The income tax at the rate of two (2.0) percent shall be levied, collected and paid with respect to the salaries, wages, commissions and other compensation earned on and after January 1, 1983, and with respect to the net profits of businesses, professions or other activities earned on and after January 1, 1983. The income tax at the rate of two and one-half (2.5) percent shall be levied, collected and paid with respect to the salaries, wages and commissions and other compensation earned on or after October 1, 2009 and with respect to the net profits of business, professions or other activities earned on or after October 1, 2009. Where the fiscal year of the business, profession or other activity differs from the calendar year, the tax at the rate of two (2.0) percent shall be applied to that portion of the fiscal year occurring on or before September 30, 2009 and the tax at the rate of two and one-half (2.5) percent shall be applied to that portion of the fiscal year occurring on and after October 1, 2009. On or after June 1, 2012, the income tax rate of two and one-half (2.5) percent shall be levied, collected and paid with respect to: all prizes, awards and winnings of residents of the city derived from gaming, wagering, sweepstakes and games of chance; all prizes, awards and winnings of non-residents derived from gaming, wagering, sweepstakes and game of chance related to the winning of such income within the city; all prizes, awards and winnings of residents and nonresidents from a casino facility or casino operator located within the city; all prizes, awards and winnings of residents and nonresidents derived from video lottery terminal facilities or video lottery terminal sales agents; and all prizes, awards and winnings paid to residents of the city by the State Lottery Commission.

Section 4. That Section 361.22 of the Columbus City Codes, 1959, be and is hereby amended to read as follows:

361.22 - Return and payment of tax.

- (a) Each taxpayer who engages in business, or whose salaries, wages, commissions and other compensation are subject to the tax imposed by this chapter shall, whether or not a tax be due thereon, make and file a return on or before April 15 of each year with the city auditor on a form furnished by or obtainable from the city auditor, setting forth the aggregate amount of salaries, wages, commissions and other compensation earned and/or net profits earned and/or gross income from such business less allowable expenses in the acquisition of such gross income earned during the preceding year and subject to the tax, together with such other pertinent information as the city auditor may require. Provided, however, that when the return is made for a fiscal year or other period different from the calendar year, the return shall be made on or before the 15th day of the fourth month after the close of said fiscal year or other period.
- (b) Commencing with taxable years beginning subsequent to December 31, 1981, the net loss from an unincorporated business activity may not be used to offset salaries, wages, commissions or other compensation or the net profits from a resident's share in a Subchapter S corporation. However, if a taxpayer is engaged in two (2) or more taxable unincorporated business activities to be included in the same return, the net loss of one unincorporated business activity (except any portion of a loss separately reportable for municipal tax purposes to another taxing entity) may be used to offset the profits of another for purposes of arriving at overall net profits from unincorporated business activities. Commencing with taxable years beginning subsequent to December 31, 2000, the net loss from a resident's share of a Subchapter S corporation may not be used to offset salaries, wages, commissions or other compensation or the net profits from an unincorporated business activity. However if a resident taxpayer is a shareholder in two (2) or more Subchapter S corporations to be included in the same return, the net loss of one (1) Subchapter S corporation (except any portion of a loss separately reportable for municipal tax purposes to another taxing entity) may be used to offset the profits of another for purposes of arriving at overall net profits from a resident's share in Subchapter S corporations. A husband and wife, in any taxable year, may elect to file separate or joint returns. Losses from gaming, wagering, sweepstakes, and games of chance shall not be used to offset any

sources of taxable income except those losses allowed for federal income tax purposes from the operation of a trade or business.

- (c) If a net operating loss has been sustained in any taxable year such losses may not be carried forward or backward to any other taxable year.
- (d) Affiliated corporations may not deduct a loss from any other corporation having a taxable profit. Operations of any affiliated corporation may not be taken into consideration in computing net profits or the business allocation percentage formula of another.
- (e) The taxpayer making a return shall, at the time of the filing thereof, pay to the city auditor the amount of taxes shown as due thereon; provided, however, that where any portion of the tax so due shall have been deducted at the source pursuant to the provisions of city codes 361.24, or where any portion of said tax has been paid by the taxpayer pursuant to the provisions of city codes 361.25, or where an income tax has been paid to another municipality, credit for the amount so paid in accordance with city codes 361.33 shall be deducted from the amount shown to be due and only the balance, if any, shall be due and payable at the time of filing said return.
- (f) A taxpayer who has overpaid his income tax in any taxable year may request a refund provided, however, there is no other tax liability and provided, further, that no amount of less than one dollar (\$1.00) will be refunded or collected.
- (g) The city auditor shall have the authority to extend the time for filing of the annual return provided, the request of the taxpayer for extension is made in writing and received on or before the original due date of the return. The extension period requested may not exceed six (6) months. The city auditor may require a tentative return, accompanied by payment of the amount of tax shown to be due thereon on or before the original due date. No penalty shall be assessed, in those cases in which the return is filed and the final tax paid within the period as extended.
- (h) When the last day for filing a return falls upon a Saturday, Sunday or federal holiday, the taxpayer shall be permitted to file on or before the first business day following said Saturday, Sunday or federal holiday without penalty.

Section 5. That Section 361.24 of the Columbus City Codes, 1959, be and is hereby amended to read as follows:

361.24 Collection at source.

- (a) Each employer within or doing business within the City, shall deduct at the time of payment of such salaries, wages, commissions or other compensation as defined in Section 361.16 of this Chapter, the tax of two (2) percent of the gross salaries, wages, commissions or other compensation due by the said employer to said employee and shall, on or before the last day of the month following the close of each calendar quarter, make a return showing the amount of taxes so deducted and a record of payments showing that all taxes deducted during the quarter have been paid to the City in accordance with the payment schedule prescribed by subsection (c) hereof. Such employer shall be liable for the payment of the tax required to be deducted and withheld, whether or not such taxes have in fact been withheld. Every employer or officer of a corporation is deemed to be a trustee for this municipality in collecting and holding the tax required under the ordinance to be withheld and the funds so collected by such withholding are deemed to be trust funds.
- (b) In the case of employees who are non-resident professional athletes, the deduction and withholding of personal service compensation shall attach to the entire amount of wages, salaries and other compensation received for games that occur in the taxing community. In the case of a non-resident athlete not paid specifically for the game played in a taxing community, the following apportionment formula must be used: The wages, salaries and other compensation earned and subject to tax is the total income earned during the taxable year, including incentive payments, signing bonuses, reporting bonuses, incentive bonuses, roster bonuses and other extras, multiplied by a fraction, the numerator of which is the number of exhibition, regular season, and post-season games the athlete played (or was

available to play for his team, as for example, with substitutes), or was excused from playing because of injury or illness, in the taxing community during the taxable year, and the denominator of which is the total number of exhibition, regular season, and post season games which the athlete was obligated to play under contract or otherwise during the taxable year, including games in which the athlete was excused from playing because of injury or illness. Exhibition games are only those games played before a paying audience, and played against another professional team from the same professional league. In the case of non-resident salaried athletic team employees who are not professional athletes, deduction and withholding shall attach to wages, salaries and other compensation earned for personal services performed in the City.

- (c) Employers shall pay to the City all income taxes withheld or required to be deducted and withheld on either a semimonthly, monthly or quarterly basis depending on the amount of taxes involved according to the following payment schedule:
 - (1) Semimonthly payments of the taxes deducted are to be made by an employer if (1) the total taxes deducted in the prior calendar year were \$12,000 or more, or (2) the amount of taxes deducted for any month in the preceding quarter exceeded \$1,000. Such payment shall be paid to the City within five banking days after the fifteenth and the last day of each month.
 - (2) Monthly payments of taxes withheld shall be made by an employer if the taxes withheld in the prior calendar year were less than \$12,000 but more than \$2,399 or if taxes withheld during any month for the preceding quarter exceeded \$200. Commencing with taxable years subsequent to December 31, 1998 monthly payments of taxes withheld shall be made by an employer if the taxes withheld in the prior calendar year were less than \$12,000 but more than \$3,599 or if taxes withheld during any month for the preceding quarter exceeded \$300. Such payments shall be paid to the City within fifteen days after the close of each calendar month. However, those taxes accumulated for the third month of a calendar quarter by employers making monthly payments pursuant to this paragraph need not be paid until the last day of the month following such quarter.
 - (3) All employers not required to make semimonthly or monthly payments of taxes withheld under (1) and (2) of this subsection shall make quarterly payments no later than the last day of the month following the end of each quarter.
- (d) Each employer who maintains a place of business in the City and another branch within the metropolitan area of the City, must also withhold the tax from employees residing in the City but working at the employer's metropolitan area branch even though the payroll records and place of payment are outside the City.
- (e) The employer shall make and file a return on a form furnished by the City Auditor, showing the amount of tax deducted by said employer from the salaries, wages, commissions or other compensation of any employee and paid by the employer to the City Treasurer. Such employer's return shall be accepted as the return required of an employee whose sole income subject to the tax under Chapter 361 is the salaries, wages, commissions and other compensation returned by said employer.
- (f) Each employer, on or before the 31st day of January, unless written request for thirty (30) days extension is made to and granted by the City Auditor, following any calendar year in which such deductions have been made, or should have been made by an employer, shall file with the City Auditor an information return (Columbus Withholding Statement of Wages paid, and Columbus Income Tax Withheld), for each employee from whom income tax has been or should have been withheld showing the name and address of the employee, the total amount of salaries, wages, commissions and other compensation paid said employee during the year and the amount of City income tax withheld from each employee.
- (g) Where a resident of the City performs service for his employer in another municipality, which services are subject to withholding in the other municipality, the employer shall have the authority to reduce the withholding to the City to the extent of the tax liability in the other municipality.
- (h) The officer or the employee having control or supervision of or charged with the responsibility of filing the report and making payment, is personally liable for failure to file the report or pay the tax

due as required by this section. The dissolution of a corporation does not discharge an officer's or employee's liability for a prior failure of the corporation to file returns or pay tax due.

- (i) Each casino operator shall deduct and withhold the required amount of tax due from a person's winnings and timely remit said taxes in accordance with Ohio Revised Code Section 5747.063.
- (j) Each video lottery terminal sales agent shall deduct and withhold the required amount of tax due from a person's prize award from a video lottery terminal and timely remit said taxes in accordance with Ohio Revised Code Section 5747.064.
- (k) Each casino operator and video lottery terminal sales agent shall make and file a return on a form furnished by the City Auditor, showing the amount of tax deducted from a person's winnings and prize award and paid to the City Treasurer in accordance with Ohio Revised Code Sections 5747.063 and 5747.064. Such casino operator's return and video lottery terminal sales agent's return shall be accepted as the return required of each person whose winnings are subject to the tax under Chapter 361.

Section 6. That existing Sections 361.16, 361.19, 361.21, 361.22 and 361.24 of the Columbus City Codes, 1959, are hereby repealed and replaced as provided in Sections 1 through 5 herein.

Section 7. That this ordinance shall take effect and be in force from and after the earliest date allowed by law.

City of Columbus
City Bulletin Report

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

Legislation Number: 1713-2012

Drafting Date: 7/17/2012

Current Status: Passed

Version: 2

Matter Type: Ordinance

This ordinance revises the definition of local bidder in the procurement code. It also updates the manner in which the local bidder credit is applied in the construction bidding process via amendments to sections 329.08 and 329.09. In summary, the revisions are as follows:

- Updates local bidder definition by changing definition to principal place of business.
- Revisions in 329.08 and 329.09
 - o For bids up to \$20,000-
 - § provides local credit of 5% for local businesses within Columbus corporate limits
 - § provides local credit of 2.5% for local businesses within Franklin County, outside Columbus corporate limits
 - o For bids exceeding \$20,000-
 - § provides local credit of 1% for local businesses within Columbus corporate limits, capped at total credit of \$50,000
 - § provides local credit of .5% for local businesses within Franklin County, outside Columbus corporate limits, capped at \$25,000

Fiscal Impact: There is no direct fiscal impact associated with passage of this ordinance.

To amend sections 329.04, 329.08 and 329.09 of Chapter 329 of Columbus City Codes, 1959, by revising the local bidder definition and the manner in which it is applied in the construction procurement code.

WHEREAS, revisions to the local bidder definition are desired; and

WHEREAS, revisions to the manner in which the local bidder credit is applied in the construction bidding process is also desired; and

WHEREAS, this ordinance authorizes changes to sections of the procurement code that will provide for both aforementioned revisions; and

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

SECTION 1. That existing chapter 329 be amended as follows:

Refer to attachment: ord329amend1713-2012

SECTION 2. That the Director of Finance and Management is hereby directed to exercise his authority pursuant to City Code Section 329.03 to develop such forms as may be required to obtain from bidders claiming local bidder status such specific, objective and verifiable information that is deemed necessary to establish that status consistent with the definitions as amended by this ordinance.

SECTION 23. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

**Columbus, Ohio, Code of Ordinances >> Title 3 - FINANCE AND TAXATION CODE >>
Chapter 329 - PROCUREMENT OF GOODS AND SERVICES—SALE OF CITY PROPERTY >>
Chapter 329 - PROCUREMENT OF GOODS AND SERVICES—SALE OF CITY PROPERTY**

Sections:

- [329.01 - Purpose.](#)
- [329.02 - Application.](#)
- [329.03 - Operational procedures.](#)
- [329.04 - Definitions.](#)
- [329.05 - Competitive sealed bidding the required procurement method.](#)
- [329.06 - Competitive sealed bidding.](#)
- [329.07 - Exceptions to competitive sealed bidding.](#)
- [329.08 - Process for awarding construction service contracts not exceeding twenty thousand dollars \(\\$20,000.00\).](#)
- [329.09 - Process for awarding construction service contracts exceeding twenty thousand dollars \(\\$20,000.00\).](#)
- [329.10 - Process for awarding professional service contracts not exceeding twenty thousand dollars \(\\$20,000.00\).](#)
- [329.11 - Process for awarding professional service contracts exceeding twenty thousand dollars \(\\$20,000.00\), but not exceeding fifty thousand dollars \(\\$50,000.00\).](#)
- [329.12 - Processes for awarding professional service contracts exceeding fifty thousand dollars \(\\$50,000.00\).](#)
- [329.13 - Awarding professional service contracts through requests for statements of qualifications.](#)
- [329.14 - Awarding professional service contracts through requests for proposals.](#)
- [329.15 - Process for awarding not-for-profit service contracts exceeding twenty thousand dollars \(\\$20,000.00\).](#)
- [329.16 - Contract modifications.](#)
- [329.17 - Contract administration and evaluation.](#)
- [329.18 - Statements of expression of interest.](#)
- [329.19 - Issuance of addenda—Cancellation of invitations for bids, request for statements of qualifications, and requests for proposals.](#)
- [329.20 - Correction or withdrawal of bids or offers.](#)
- [329.21 - Bonds.](#)
- [329.22 - General contract provisions.](#)
- [329.23 - City attorney review—Establishment of standard contracts and contract clauses.](#)
- [329.24 - Purchase of data processing equipment and services.](#)
- [329.25 - Cost for inspections.](#)
- [329.26 - Acceptance of electronic signatures.](#)
- [329.27 - Waiver of regulations.](#)
- [329.28 - Authority to debar or suspend.](#)
- [329.29 - Sale of city-owned realty.](#)
- [329.29.1 - Lease of city-owned realty.](#)
- [329.30 - Sale of city-owned personal property.](#)
- [329.31 - Environmentally preferable purchasing.](#)

329.01 - Purpose.

The purpose of this chapter is to establish a purchasing and procurement system of quality and integrity that will maximize the purchasing value of public funds and provide fair and equitable treatment to all persons involved in public purchasing.

(Ord. 1426-88; Ord. 81-02 § 1 (part).)

329.02 - Application.

This chapter applies to any purchase of materials, supplies, equipment, construction, service and/or professional service by a city agency and the sale of any city property, whether real or personal. It shall apply to every expenditure of public funds by a city agency for purchasing irrespective of the source of the funds. When the procurement involves the expenditure of federal and/or state assistance or contract funds, the procurement shall be conducted in accordance with all applicable federal and/or state laws and regulations. Nothing in this chapter shall prevent any city agency from complying with the terms and conditions of any grant, gift or bequest that is otherwise consistent with law.

(Ord. 1426-88; Ord. 81-02 § 1 (part).)

329.03 - Operational procedures.

The director of finance and management or designee shall adopt procedures and policies relating to the procurement process consistent with the provisions of this chapter. These procedures and policies shall be set forth in a written document which shall be available to the public and distributed to city agencies. The director of finance and management or designee shall develop and include in this document provisions regulating reimbursement of expenses incurred by contractors in performing city contracts for such items as follows: office space, office equipment, vehicles, hotels and other housing, relocation of contractor employees, meals, transportation, entertainment and personal expenses.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.04 - Definitions.

- (a)** Best Bidder. The bidder who, considering all factors set forth in this chapter connected with the contract being bid on is, on the whole, the bidder whom economy dictates will be best for the public.
- (b)** Bidder. An individual or business entity which has expressed an interest in obtaining a city contract by responding to an invitation for bids.
- (c)** City Agency. Any department of the government of the city of Columbus.
- (d)** Contract. Any agreement for the procurement of materials, supplies, equipment, construction, service or professional service made between a city agency and a contractor.
- (e)** Construction Contract. Any agreement for the procurement of services, including labor and materials, for the construction, reconstruction and maintenance of public improvements, including but not limited to streets, highways, bridges, sewers, water lines, power lines and plant facilities.

- (f) Contractor. Any individual or business entity which has a contract with a city agency.
- (g) Director. The chief officer of any city agency.
- (h) Electronic Signatures. The receipt of any authorized signature by any photographic, photostatic, or mechanical, computer-generated or digital means.
- (i) Environmentally Preferable Bidder or Offeror. A bidder or offeror whose bid or offer consists of materials, supplies, equipment, construction and/or services which have a lesser or reduced effect on human health and the environment when compared to competing materials, supplies, equipment, construction and services that serve the same purpose. This comparison may consider any aspect of the procurement cycle, including but not limited to raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance or disposal of the material, supply, equipment, construction or service. To be considered an environmentally preferable bidder or offeror, the bidder or offeror must clearly specify in the invitation for bid how their materials, supplies, equipment, construction or services qualify their bid or offer as "environmentally preferable."
- (j) Life Cycle Costs. The cost of operating and maintaining an item or equipment over the duration of its useful life.
- (k) Local Bidder. An individual or business entity: ~~(1) whose principal place of business is located within the corporation limits of the city of Columbus or the county of Franklin for at least one full calendar year prior to the bid submittal, as registered in official documents filed with the Secretary of State, state of Ohio, or Franklin County recorder's office; or (2) who holds a valid vendor's license which indicates that its place of business is located within the corporation limits of the city of Columbus or county of Franklin.~~
- (l) Not-for-Profit Contract. An agreement for the delivery of services to the public, which are not currently performed or provided by an existing city agency, for maintaining or improving the health and welfare of the citizens of the city of Columbus, which is made between a city agency and another governmental agency or a not-for-profit organization as recognized by the Internal Revenue Service, the Department of Housing and Urban Development, or any other applicable federal or state agency, which is not in direct competition with a private for-profit organization capable of delivering the same services.
- (m) Offeror. An individual or business entity which has expressed an interest in obtaining a city contract by responding to a request for statements of qualifications or request for proposals.
- (n) Principal Place of Business The location of a business' corporate headquarters, the primary location of its personnel and tangible assets, or the primary location of its day-to-day operations.

(o)(n)

Procurement. The buying, purchasing, renting, leasing or acquisition by any other manner of any materials, supplies, equipment, construction, service or professional service.

(p)(e)

Professional Service. A service which usually requires advanced training and/or a significant degree of expertise to perform, and which often requires official certification or authorization by the state as a condition precedent to the rendering of such service. By way of example, professional services include the personal services rendered by architects, attorneys-at-law, certified public accountants, financial consultants, city and regional planners, management consultants and professional engineers.

(q)(p)

Responsible Bidder. A bidder who has the capability, capacity, facilities, equipment and personnel needed to fully perform the contract requirements, and the experience, integrity, reliability and credit which will assure good faith performance of the contract requirements and compliance with any minority business enterprise, female business enterprise, and equal business opportunity programs or good faith efforts to comply with such programs adopted by the city of Columbus.

(r)(e)

Responsible Wage and Health Insurance Benefit. The wage paid to a bidder's employees for custodial, landscaping, guard and security services, cleaning and recycling services rendered to any city of Columbus government agency shall be equal or better than the wage actually paid to the lowest paid city of Columbus government full-time employee per the city's effective contracts with its bargaining units. In addition to this wage, the bidder shall provide its employees with a health insurance benefit.

(s)(f)

Responsive Bidder. A bidder who has submitted a bid which conforms in all material respects to the requirements set forth in an invitation for bids.

(t)(e)

Universal Term Contract (UTC). An agreement authorized by ordinance of city council and established by the director of finance and management or designee, for the option to purchase or sell an estimated amount of goods or services at a specified rate or price schedule for a specified time period.

(Ord. 678-96; Ord. 1576-00 § 1 (part); Ord. 1604-01 § 1 ; Ord. 81-02 § 1 (part); Ord. 1908-03 § 1 (part); Ord. 1102-05 § 1 (part); Ord. 1947-05 § 1 (part); Ord. 233-06 § 1 (part).)

329.05 - Competitive sealed bidding the required procurement method.

The procurement of all materials, supplies, equipment, construction, service and professional service shall be conducted in accordance with the provisions of Section 329.06 unless otherwise provided in Sections 329.07, 329.08, 329.09, 329.10, 329.11, 329.12, 329.13, 329.14, 329.15, 329.26 or 329.31.

(Ord. 1426-88; Ord. 81-02 § 1 (part); Ord. 233-06 § 1 (part).)

329.06 - Competitive sealed bidding.

(a)

The establishment of universal term contracts and/or the procurement of all materials, supplies and equipment shall be conducted under this section as follows:

(1)

The director of finance and management or designee shall prepare an invitation for bids (hereinafter "IFB") containing the specifications and all contractual terms and conditions applicable to the procurement.

(2)

The director of finance and management or designee shall give notice that bids will be received by advertisement in the Columbus City Bulletin at least one (1) week prior to the deadline for submission of bids. The director of finance and management or designee may also advertise in newspapers, professional and trade journals, and any other appropriate publications. The notice shall state the place, date and time of bid opening.

(3)

Each bid shall contain the full name of every person or company interested in the same, and such other relevant information as the director of finance and management or designee deems appropriate.

(4)

The bids shall be opened and publicly read by the director of finance management or designee at the place, date and time specified in the advertisement, which in no case shall be less than seven (7) days after initial advertisement. The bids shall be opened in the presence of the city auditor or a representative of the city auditor.

(5)

After consulting with the city agency, the director of finance and management or designee shall award the contract to the lowest responsive and responsible and best bidder. Life cycle costs may be considered in determining the lowest bid if they are objectively measurable and specified in the IFB.

(6)

The director of finance and management or designee shall provide city council with a written explanation of the circumstances whenever a contract is awarded to any bidder other than the lowest, or to any bidder not recommended by the city agency.

(7)

In determining the lowest responsive and responsible and best bidder, consideration shall be given to bidder's compliance with federal, state or local laws or regulations such as fair labor standards, minimum wage levels; affirmative action programs; or minority business enterprise, female business enterprise or equal business opportunity programs which the city is required by law to enforce in connection with funds to be spent under the procurement contract; and the bidder's compliance with any minority business enterprise, female business enterprise or equal business opportunity programs or good faith efforts to comply with such programs adopted by the city.

(8) In determining the lowest bid for purposes of awarding a contract under this section, a local bidder shall receive a credit equal to one (1) percent of the lowest bid submitted by a non local bidder or twenty thousand dollars (\$20,000.00), whichever is less.

(9) All contractors submitting a bid to or entering into a contract with the city shall submit a contract compliance certification number or a completed application for certification pursuant to provisions set forth in Title 39, Columbus City Codes, 1959.

(10) No contract awarded under this section shall be effective until approved by ordinance of city council.

(b)

The procurement of all service contracts except construction, custodial, landscaping, guard and security services, cleaning and recycling services, and professional services shall be conducted under this section as follows:

(1) The city agency shall prepare an invitation for bids (hereinafter "IFB") containing the specifications and all contractual terms and conditions applicable to the procurement.

(2) The city agency shall give notice that bids will be received by advertisement in the Columbus City Bulletin at least one (1) week prior to the deadline for submission of bids. The city agency may also advertise in newspapers, professional and trade journals, and any other appropriate publications. The notice shall state the place, date and time of bid opening.

(3) Each bid shall contain the full name of every person or company interested in the same, and such other relevant information as the city agency deems appropriate.

(4) The bids shall be opened and publicly read at the place, date and time specified in the advertisement, which in no case shall be less than seven (7) days after initial advertisement. The bids shall be opened in the presence of the city auditor or a representative of the city auditor.

(5) The director authorized to make the expenditure shall award the contract to the lowest responsive and responsible and best bidder. Life cycle costs may be considered in determining the lowest bid if they are objectively measurable and specified in the IFB.

(6) The director shall provide city council with a written explanation of the circumstances whenever a contract is awarded to any bidder other than the lowest.

(7) In determining the lowest responsive and responsible and best bidder, consideration shall be given to bidder's compliance with federal, state or local laws or regulations such as fair labor standards, minimum wage levels; affirmative action programs; or minority business

enterprise, female business enterprise or equal business opportunity programs which the city of Columbus is required by law to enforce in connection with funds to be spent under the procurement contract; and the bidder's compliance with any minority business enterprise, female business enterprise or equal business opportunity programs or good faith efforts to comply with such programs adopted by the city.

(8)

In determining the lowest bid for purposes of awarding a contract under this section, a local bidder shall receive a credit equal to one (1) percent of the lowest bid submitted by a non local bidder or twenty thousand dollars (\$20,000.00), whichever is less.

(9)

All contractors entering into a contract with the city shall submit a contract compliance certification number or a completed application for certification pursuant to provisions set forth in [Title 39](#), Columbus City Codes, 1959.

(10)

No contract awarded under this section shall be effective until approved by ordinance of city council.

(c)

The procurement of all custodial, landscaping, guard and security service, cleaning and recycling service contracts shall be conducted under this section as follows:

(1)

The city agency shall prepare an invitation for bids (hereinafter "IFB") containing the specifications and all contractual terms and conditions applicable to the procurement.

(2)

The city agency shall give notice that bids will be received by advertisement in the Columbus City Bulletin at least one week prior to the deadline for submission of bids. The city agency may also advertise in newspapers, professional and trade journals, and any other appropriate publications. The notice shall state the place, date and time of bid opening.

(3)

Each bid shall contain the full name of every person or company interested in the same, and such other relevant information as the city agency deems appropriate.

(4)

The bids shall be opened and publicly read at the place, date and time specified in the advertisement, which in no case shall be less than seven (7) days after initial advertisement. The bids shall be opened in the presence of the city auditor or a representative of the city auditor.

(5)

The director authorized to make the expenditure shall award the contract to the lowest responsive and responsible and best bidder. Life cycle costs may be considered in determining the lowest bid if they are objectively measurable and specified in the IFB.

(6)

The director shall provide city council with a written explanation of the circumstances whenever a contract is awarded to any bidder other than the lowest.

(7)

In determining the lowest responsive and responsible and best bidder, consideration shall be given to:

(a)

The bidder's compliance with city taxes on payroll and net profits. Compliance shall be evidenced in an affidavit of no outstanding city income tax obligation.

(b)

The bidder's compliance with federal, state or local laws or regulations regarding safety and health, fair labor standards, minimum wage levels; unemployment and worker's compensation.

(c)

The bidder's compliance with any affirmative action programs or minority business enterprise, female business enterprise or equal business opportunity programs which the city is required by law to enforce in connection with funds to be spent under the procurement contract; and the bidder's compliance with any minority business enterprise, female business enterprise or equal business opportunity programs or good faith efforts to comply with such programs adopted by the city.

(8)

In determining the best bidder for the purposes of awarding a contract for this section, consideration shall also be given to the following:

(a)

Whether the bidder draws its employees mainly from Columbus, Franklin County or counties contiguous to Franklin County.

(b)

That the bidder shall pay a responsible wage and provides its employees a health insurance benefit as defined in Section [329.04](#) to the employees proposed to directly perform the work specified in the city bid solicitation.

(c)

For the purpose of this subsection (8) only, exemption from these considerations is provided for bidders that employ twenty five (25) or fewer full-time people. For the purpose of this subsection (8) only, exemption from these considerations is provided for bidders where the city solicits the bids for these services in accordance with Section [329.07](#) (d) procurement of materials supplies, equipment, and services other than construction and professional services not exceeding twenty thousand dollars (\$20,000.00).

(9)

In determining the lowest bid for purposes of awarding a contract under this section, a local bidder, as defined in Section [329.04\(k\)](#), shall receive credit equal to one (1) percent of the lowest bid submitted by a non-local bidder or twenty thousand dollars (\$20,000.00), whichever is less.

(10)

The finance and management director or designee, in consultation with the directors of city agencies authorized to enter into contracts services, administer contract review and compliance, or perform any other function referred to in this section, shall prescribe the manner and form of submittals for the purpose of evaluating the considerations herein. The submittal requirements and considerations herein shall apply equally to the bidder and any subcontractor of the bidder. The bid specifications shall contain the prescribed form. The finance and management director or designee shall annually provide to city agencies the value of the responsible wage.

(11)

The city agency shall maintain in the contract file a record of this evaluation for the purposes of determining the lowest responsive, responsible and best bidder awarded the contract.

(12)

All contractors entering into a contract with the city shall submit a contract compliance certification number or a completed application for certification pursuant to provisions set forth in [Title 39](#), Columbus City Codes, 1959.

(13)

No contract awarded under this section shall be effective until approved by ordinance of city council.

(Ord. 23-96; Ord. 1576-00 [§ 1](#) (part); Ord. 81-02 [§ 1](#) (part); Ord. 1908-03 [§ 1](#) (part); Ord. 223-06 [§ 1](#) (part).)

329.07 - Exceptions to competitive sealed bidding.

(a)

Procurement of Commodities with Fixed Prices. City agencies shall have general authority to purchase items for which fixed prices prevail, such as utility services, memberships, subscriptions, professional organization certifications, and postage stamps, without complying with the provisions of Section [329.06](#) or any other procurement procedure specified in this chapter.

(b)

Petty Cash Fund Purchases. The director of any city agency in which a petty cash fund has been established may authorize expenditures for individual purchases not in excess of five hundred dollars (\$500.00). No expenditures shall be made from petty cash funds for items available in the purchasing office storerooms, copy and print shop, or universal term contract. No purchase shall be artificially divided into smaller purchases to avoid the provisions of competitive bidding in this chapter.

(c)

Procurement Not Exceeding One Thousand Dollars (\$1,000.00).

(1)

A city agency may enter into contract on behalf of the city without complying with the provisions of Section [329.06](#) and [329.07\(d\)](#) when the total expenditure under any single contract do not exceed one thousand dollars (\$1,000.00) within any fiscal year. In awarding a contract under this section the city agency shall, where appropriate, undertake reasonable measures to provide for competition among potential contractors. No purchase shall be artificially divided to avoid the provisions of Section [329.06](#) or [329.07\(d\)](#).

(d)

Procurement of Materials, Supplies, Equipment, and Services Other Than Construction and Professional Services not Exceeding Twenty Thousand Dollars (\$20,000.00).

(1)

The director of finance and management or designee may enter into contracts on behalf of the city for the procurement of materials, supplies, equipment and services, other than construction and professional services, without complying with the provisions of Section [329.06](#) so long as total expenditures under any single contract do not exceed twenty thousand dollars (\$20,000.00) within any fiscal year. However, expenditures of bond funds are subject to Ohio R.C. 5705.41. Unless manifestly impractical, the finance and management director or designee shall publicly post all specifications for such contracts for a period of not less than twenty-four (24) hours and secure bids from at least three (3) bidders. The finance and management director or designee shall maintain a record of the cause of manifest impracticality with the record of the procurement. No purchase shall be artificially divided into smaller purchases to avoid the provisions of Section [329.06](#)

(2)

A city agency may enter into contracts on behalf of the city for service contracts, other than construction and professional services, without complying with the provisions of Section [329.06](#) so long as total expenditures under any single contract do not exceed twenty thousand dollars (\$20,000.00) within any fiscal year. Unless manifestly impractical, the city agency shall publicly post all specifications for such contracts for a period of not less than twenty-four (24) hours and secure bids from at least three (3) bidders. The city agency shall maintain a record of the cause of manifest impracticality with the record of the procurement. No purchase shall be artificially divided into smaller purchases to avoid the provisions of Section [329.06](#)

(3)

In determining the lowest bid for purposes of awarding a contract under this section, a local bidder (as defined in Section [329.04\(k\)](#)), shall receive credit equal to five (5) percent of the lowest bid submitted by a non-local bidder, where bids do not exceed twenty thousand dollars (\$20,000.00).

(e)

Sole Source Procurement.

(1)

A city agency may award a contract without complying with the provisions of Section [329.06](#) when, after conducting reasonable investigation, the director of finance and management or designee and city agency determine that only one (1) individual or business entity is capable of supplying the required materials, supplies, equipment or services. After negotiating a contract with the contractor, the city agency shall submit legislation to city council requesting approval of the contract. In its submission to city council, the city agency shall explain or describe in writing: (1) why no other individual or business entity is capable of supplying the needed materials, supplies, equipment or services; (2) what efforts were undertaken to obtain other bidders or offerors; and (3) how the price or fee structure

for the contract was determined. This explanation shall become part of the contract file.

(2)

Any city agency awarding a contract under this section shall submit a record of the contract to the director of finance and management or designee in a format specified by the director of finance and management or designee. The director of finance and management or designee shall maintain a public record of all contracts awarded under this subsection, including those contracts awarded by the director of finance and management or designee. For each contract, the record shall clearly state the city agency involved, the contract identification number, the contractor's identity and the amount of the contract. The record shall also describe the materials, supplies, equipment and/or service procured under the contract.

(3)

As appropriate, this procurement method may be used by the director of finance and management or designee to establish a universal term contract (UTC).

(f)

Not-for-Profit Service Contracts Exceeding Twenty Thousand Dollars (\$20,000.00).

(1)

Not-for-profit service contracts as defined in Section [329.04\(l\)](#) which exceed twenty thousand dollars (\$20,000.00) shall be awarded by the processes specified in Section [329.15](#)

(g)

Procurement from a Universal Term Contract not Exceeding One Hundred Thousand Dollars (\$100,000.00).

(1)

The director of finance and management or designee may, on behalf of a city agency, establish an order for goods or services without complying with the provisions of Section [329.06](#), where there exists a universal term contract for that good or service, so long as total expenditures do not exceed one hundred thousand dollars (\$100,000.00) in any fiscal year for that agency from the specified universal term contract.

(h)

Procurement from Universal Term Contract Exceeding One Hundred Thousand Dollars (\$100,000.00).

(1)

The director of finance and management or designee may, on behalf of a city agency, establish an order for goods or services without complying with the provisions of Section [329.06](#) where there exists a universal term contract for that good or service and total expenditures in any fiscal year for that agency from the specific universal term contract will or do exceed one hundred thousand dollars (\$100,000.00), only if the procurement is approved by ordinance of city council.

(i)

The procurement of construction services shall be in accordance with the provisions of Sections [329.08](#) and [329.09](#)

(j)

The procurement of professional services shall be in accordance with the provisions of Sections [329.10](#), [329.11](#), [329.12](#), [329.13](#) and [329.14](#)

(Ord. 1349-96; Ord. 1576-00 [§ 1](#) (part); Ord. 1966-00 [§ 1](#) ; Ord. 81-02 [§ 1](#) (part); Ord. 1102-05 [§ 1](#) (part); Ord. 223-06 [§ 1](#) (part); Ord. 1132-2008 Attach. (part).)

329.08 - Process for awarding construction service contracts not exceeding twenty thousand dollars (\$20,000.00).

A city agency may enter into contracts on behalf of the city for the procurement of construction services without complying with the provisions of Section [329.09](#) so long as total expenditures under any single contract do not exceed twenty thousand dollars (\$20,000.00) within any fiscal year. Unless manifestly impractical, the city agency shall publicly post all specifications for such contracts for a period of not less than twenty-four (24) hours and secure bids from at least three (3) bidders. The city agency shall maintain a record of the cause of manifest impracticality with the record of the procurement. No purchase shall be artificially divided into smaller purchases to avoid the provisions of Section [329.09](#).

(1)

The director authorized to make the expenditure shall award the contract to the lowest responsive and responsible and best bidder.

(2)

In determining the lowest responsive and responsible and best bidder, consideration shall be given to:

(a)

The bidder's compliance with city taxes on payroll and net profits. Compliance shall be evidenced in an affidavit of no outstanding city income tax obligation;

(b)

The bidder's compliance with federal, state or local laws or regulations regarding safety and health, fair labor standards, minimum wage levels, unemployment and worker's compensation.

(c)

The bidder's compliance with any affirmative action programs or minority business enterprise, female business enterprise or equal business opportunity programs, which the city is required by law to enforce in connection with funds to be spent under the procurement contract; and the bidder's compliance with any minority business enterprise, female business enterprise or equal business opportunity programs or good faith efforts to comply with such programs adopted by the city.

(3)

In determining the best bidder for the purposes of awarding a contract for this section, consideration shall also be given to the following:

(a)

Whether the bidder has actively engaged in the construction industry and has experience in the area of construction service for which the bid has been submitted.

(b)

Whether the bidder has a record for complying with and meeting completion deadlines and successfully controlling costs bid on similar construction projects. This consideration includes a review of the bidder's recent experience record in the construction industry such as the original contract price for each construction job undertaken by the bidder, the amount of any change orders for the job or cost overruns on each job undertaken by the bidder, and the reason for the change orders or cost overruns.

(c)

Whether the bidder has a record of claims against performance bonds secured on public improvement construction projects by the bidder and an explanation of the reason for claims.

(d)

Whether the bidder draws its employees mainly from Columbus, Franklin County or counties contiguous to Franklin County.

(e)

Whether the bidder's employees are experienced in the area of construction service for which the bid was submitted.

(f)

Whether the bidder's employees participate in a bona fide apprenticeship program that is approved by the Ohio State Apprenticeship Council and the United States Department of Labor if such apprenticeship programs are available.

(g)

Whether the bidder provides employee health insurance and a retirement or pension plan; however, a bidder may be exempted from this provision for no more than two (2) successive contracts.

(4)

In determining the lowest bid for purposes of awarding a contract under this section, a local bidder, as defined in Section 329.04(k), located within the corporate limits of the City of Columbus, shall receive credit equal to five (5) percent of the lowest bid submitted by a non-local bidder, where bids do not exceed twenty thousand dollars (\$20,000.00).

(5)

In determining the lowest bid for purposes of awarding a contract under this section, a local bidder, as defined in Section 329.04(k), located within the corporate boundaries of the County of Franklin, but excluding all areas within the corporate limits of the City of Columbus, shall receive credit equal to two and one-half (2.5) percent of the lowest bid submitted by a non-local bidder, where bids do not exceed twenty thousand dollars (\$20,000.00).

(6)(5)

The finance and management director or designee, in consultation with the directors of city agencies authorized to enter into contracts for construction services, administer contract review and compliance, or

perform any other function referred to in this section, shall prescribe the manner and form of submittals for the purpose of evaluating the considerations herein. The submittal requirements and considerations herein shall apply equally to the bidder and any subcontractor of the bidder. The bid specifications shall contain the prescribed form.

(7)(6)

The city agency shall maintain in the contract file a record of this evaluation for the purposes of determining the lowest responsive, responsible and best bidder awarded the contract.

(8)(7)

All contractors entering into a contract with the city shall submit a contract compliance certification number or a completed application for certification pursuant to provisions set forth in Title 39, Columbus City Codes, 1959.

(Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part); Ord. 223-06 § 1 (part).)

329.09 - Process for awarding construction service contracts exceeding twenty thousand dollars (\$20,000.00).

The procurement of construction service contracts anticipated to cost in excess of twenty thousand dollars (\$20,000.00) shall be conducted under this section as follows:

(1)

The city agency shall prepare an invitation for bids (hereinafter "IFB") containing the specifications and all contractual terms and conditions applicable to the procurement.

(2)

The city agency shall give notice that bids will be received by advertisement in the Columbus City Bulletin at least one (1) week prior to the deadline for submission of bids. The city agency may also advertise in newspapers, professional and trade journals, and any other appropriate publications. The notice shall state the place, date and time of bid opening.

(3)

Each bid shall contain the full name of every person or company interested in the same and such other relevant information as the city agency deems appropriate.

(4)

The bids shall be opened and publicly read at the place, date and time specified in the advertisement, which in no case shall be less than seven (7) days after initial advertisement. The bids shall be opened in the presence of the city auditor or a representative of the city auditor.

(5)

The director authorized to make the expenditure shall award the contract to the lowest responsive and responsible and best bidder.

(6)

The director shall provide city council with a written explanation of the circumstances whenever a contract is awarded to any bidder other than the lowest.

(7)

In determining the lowest responsive and responsible and best bidder, consideration shall be given to:

- (a)** The bidder's compliance with city taxes on payroll and net profits. Compliance shall be evidenced in an affidavit of no outstanding city income tax obligation.
- (b)** The bidder's compliance with federal, state or local laws or regulations regarding safety and health, fair labor standards, minimum wage levels; unemployment and worker's compensation.
- (c)** The bidder's compliance with any affirmative action programs or minority business enterprise, female business enterprise or equal business opportunity programs which the city is required by law to enforce in connection with funds to be spent under the procurement contract; and the bidder's compliance with any minority business enterprise, female business enterprise or equal business opportunity programs or good faith efforts to comply with such programs adopted by the city.

(8)

In determining the best bidder for the purposes of awarding a contract for this section, consideration shall also be given to the following:

- (a)** Whether the bidder has actively engaged in the construction industry and has experience in the area of construction service for which the bid has been submitted;
- (b)** Whether the bidder has a record for complying with and meeting completion deadlines and successfully controlling costs bid on similar construction projects. This consideration includes a review of the bidder's recent experience record in the construction industry such as the original contract price for each construction job undertaken by the bidder, the amount of any change orders for the job or cost overruns on each job undertaken by the bidder, and the reason for the change orders or cost overruns;
- (c)** Whether the bidder has a record of claims against performance bonds secured on public improvement construction projects by the bidder and an explanation of the reason for claims;
- (d)** Whether the bidder draws its employees mainly from Columbus, Franklin County or counties contiguous to Franklin County;
- (e)** Whether the bidder's employees are experienced in the area of construction service for which the bid was submitted;
- (f)** Whether the bidder's employees participate in a bona fide apprenticeship program that is approved by the Ohio State

Apprenticeship Council and the United States Department of Labor if such apprenticeship programs are available; and

(g)

Whether the bidder provides employee health insurance and a retirement or pension plan.

(9)

In determining the lowest bid for purposes of awarding a contract under this section, a local bidder, as defined in Section 329.04(k), located within the corporate limits of the City of Columbus, shall receive credit equal to one (1) percent of the lowest bid submitted by a non-local bidder, not to exceed \$50,000, where bids exceed twenty thousand dollars (\$20,000.00).

(10)

In determining the lowest bid for purposes of awarding a contract under this section, a local bidder, as defined in Section 329.04(k), located within the corporate boundaries of the County of Franklin, but excluding all areas within the corporate limits of the City of Columbus, shall receive credit equal to one-half (.5) percent of the lowest bid submitted by a non-local bidder, not to exceed \$25,000.

(11)(10)

The finance and management director or designee, in consultation with the directors of city agencies authorized to enter into contracts for construction services, administer contract review and compliance, or perform any other function referred to in this section, shall prescribe the manner and form of submittals for the purpose of evaluating the considerations herein. The submittal requirements and considerations herein shall apply equally to the bidder and any subcontractor of the bidder. The bid specifications shall contain the prescribed form.

(12)(11)

The city agency shall maintain in the contract file, a record of this evaluation for the purposes of determining the lowest responsive, responsible and best bidder awarded the contract.

(13)(12)

All contractors entering into a contract with the city shall submit a contract compliance certification number or a completed application for certification pursuant to provisions set forth in Title 39, Columbus City Codes, 1959.

(14)(13)

No contract awarded under this section shall be effective until approved by ordinance of city council.

(Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part); Ord. 223-06 § 1 (part).)

329.10 - Process for awarding professional service contracts not exceeding twenty thousand dollars (\$20,000.00).

A city agency may enter into contracts on behalf of the city for the procurement of professional services so long as total expenditures under any single contract do not exceed twenty thousand dollars (\$20,000.00). In awarding a contract under this section, the city agency shall, where appropriate, undertake reasonable measures to provide for competition among potential contractors. No purchase shall be artificially divided into smaller purchases to avoid the provisions of Section 329.11.

(Ord. 717-91; Ord. 1576-00 § 1 (part); Ord. 81-02 § 1 (part).)

329.11 - Process for awarding professional service contracts exceeding twenty thousand dollars (\$20,000.00), but not exceeding fifty thousand dollars (\$50,000.00).

A city agency may award a professional service contract expected to cost over twenty thousand dollars (\$20,000.00), but not exceeding fifty thousand dollars (\$50,000.00) by any process chosen by the city agency so long as such process is designed to provide for competition among potential contractors and objectivity in the selection of a contractor. In awarding a contract under this section, the city agency may utilize the processes specified in Section 329.13, Section 329.14, a modified version of either Section 329.13, Section 329.14, or some other process. If either Section 329.13, or Section 329.14 is used to award a contract under this section, the city agency need not comply with the city council notification requirements included in Sections 329.13(a) and 329.14(a).

After selecting a contractor and agreeing upon the terms of a contract, the city agency shall submit legislation to city council requesting approval of the contract. In its request for approval, the city agency shall submit a written statement which: (1) identifies the potential contractors who were contacted with regard to the required service; (2) describes in detail the process through which the contract was awarded; (3) explains the basis for the selection of the chosen contractor; and (4) states how the cost of or the pricing structure for the contract was determined. No contract awarded under this section shall be effective until approved by ordinance of city council. No purchase shall be artificially divided into smaller purchases to avoid the provisions of Section 329.12.

(Ord. 717-91; Ord. 1576-00 § 1 (part); Ord. 81-02 § 1 (part).)

329.12 - Processes for awarding professional service contracts exceeding fifty thousand dollars (\$50,000.00).

(a)

Any professional service contract which the city agency expects to cost in excess of fifty thousand dollars (\$50,000.00) must be awarded either through the process specified in Section 329.13 or the process specified in Section 329.14. The choice between the two (2) processes is within the discretion of the city agency.

(Ord. 1426-88; Ord. 1576-00 § 1 (part).)

(b)

In using Section 329.13 or 329.14, the director of a city agency may, at their discretion, promulgate rules and regulations to allow for a "prequalification process." The purpose of a prequalification process is to allow an agency to accept statements of qualification from offerors on an annual or biennial basis.

(Ord. 1604-01 § 2 (part); Ord. 81-02 § 1 (part).)

329.13 - Awarding professional service contracts through requests for statements of qualifications.

Professional service contracts shall be awarded under this section as follows:

(a)

Prior to initiating the selection process, the city agency shall send a written notice to city council which: (1) states that the city agency anticipates awarding a professional service contract expected to cost in excess of fifty thousand dollars

(\$50,000.00); and (2) describes the project for which the service is needed.

In this notice, the city agency shall also explain or state: (1) why the needed professional service(s) cannot be provided by existing city employees; (2) the frequency with which such services have been needed in the past and the anticipated need for such services in the future; and (3) whether it would be cost effective for the city to hire city employees to provide the required service in the future.

(b)

The city agency shall prepare a request for statements of qualifications (hereinafter "RFSQ"). The RFSQ shall include: (1) a general description of the project; (2) a statement of the city agency's needs and requirements; (3) a list of criteria by which offerors will be evaluated; (4) notice of any offeror's meeting or conference that will be held; and (5) where the city agency intends to evaluate offers using the environmentally preferable factor, the RFSQ shall so indicate that intention.

The evaluation criteria for any contract awarded under this section shall include, but need not be limited to, the following: (1) the competence of the offeror to perform the required service as indicated by the technical training, education and experience of the offeror's personnel who would be assigned to perform the work; (2) the ability of the offeror to perform the required service competently and expeditiously as indicated by the offeror's workload and the availability of necessary personnel, equipment and facilities; (3) past performance of the offeror as reflected by the evaluations of the city agency, other city agencies and other previous clients of the offeror with respect to such factors as quality of work, success in controlling costs, and success in meeting deadlines; and (4) an environmentally preferable factor except when there is not an environmentally preferable manner in which to carry out the purpose of the contract.

(c)

The city agency shall give notice of the RFSQ by advertisement in the Columbus City Bulletin. Such advertisement shall be published at least one (1) week prior to the deadline by which offerors must submit statements of qualifications (hereinafter "SOQ"). The city agency may also advertise in newspapers, professional and trade publications, and other appropriate publications. The city agency may also contact potential offerors directly.

(d)

The city agency shall form an evaluation committee (hereinafter "committee") to evaluate SOQs received. The committee shall consist of an odd number of members, no less than three (3), selected from the city agency, other city agencies or both. The committee may also include noncity employees so long as neither they, nor any member of their families, nor any of their business associates have an interest in the contract being awarded. Unless manifestly impractical, at least one (1) member of the selection committee shall hold the same professional license or certification required by the offerors. The agency may elect to utilize two (2) separate committees, one (1) for section (e) below, and one (1) for sections (f), (g) , and (h) below.

- (e)** The committee shall evaluate all SOQs received based upon the evaluation criteria specified in the RFSQ. On the basis of these evaluations, the committee shall select three (3) or more of the highest qualified offerors for further consideration. If the committee received less than three (3) SOQs, or determines that fewer than three (3) offerors are qualified to perform the required service, then the committee may select less than three (3) offerors for further consideration, or cancel the selection process.
- (f)** The committee shall request technical proposals from each of the offerors selected for further consideration. The committee may also request that all offerors selected for further consideration make a presentation to the committee to elaborate upon their technical proposals, statements of qualifications, and/or any other pertinent information. The committee may permit revision of proposals so long as all offerors who have been selected for further consideration are given equal opportunity to revise their proposals.
- (g)** The committee shall rank all remaining offerors based upon the quality and feasibility of their proposals and any revisions thereto.
- (h)** The committee shall submit its ranking of the offerors, along with a written explanation of the basis for the ranking, to the director of the city agency. The ranking and written explanation shall become part of the contract file.
- (i)** The director of the city agency shall have discretion consistent with appropriate departmental and/or citywide administrative rules in selecting the offeror with which to enter into contract negotiations. The city agency shall enter into contract negotiations with the selected offeror to determine the terms and conditions of the contract, including compensation to be paid by the city. If negotiations fail, negotiations with this offeror shall be terminated, and the city agency shall enter into contract negotiations with another offeror as selected by the director. This process shall continue until a contract is successfully negotiated. If the city agency is unable to successfully negotiate a contract with any of the contractors, it may cancel the selection process.
- (j)** After successfully negotiating a contract, the city agency shall submit legislation to city council requesting approval of the contract. In its request for approval, the city agency shall identify the contractors who were selected for further consideration under subsection (e), and shall explain the basis for the selection of the chosen contractor. No contract awarded under this section shall be effective until approved by ordinance of city council.

(Ord. 1426-88; Ord. 1604-01 § 2 (part); Ord. 81-02 § 1 (part); Ord. 223-06 § 1 (part).)

329.14 - Awarding professional service contracts through requests for proposals.

Professional service contracts shall be awarded under this section as follows:

(a)

Prior to initiating the selection process, the city agency shall send a written notice to city council which: (1) states that the city agency anticipates awarding a professional service contract expected to cost in excess of fifty thousand dollars (\$50,000.00); and (2) describes the project for which the service is needed.

In this notice, the city agency shall also explain or state: (1) why the needed service or services cannot be provided by existing city employees; and (2) the frequency with which such services have been needed in the past and the anticipated need for such services in the future; and (3) whether it would be cost effective for the city to hire city employees to provide the required service in the future.

(b)

The city agency shall prepare a request for proposals (hereinafter "RFP"). The RFP shall include: (1) a general description of the project; (2) a statement of the city agency's needs and requirements; (3) a list of criteria by which offerors and proposals will be evaluated; (4) notice of any offeror's meeting or conference that will be held; and (5) where the city agency intends to evaluate offers using the environmentally preferable factor, the RFP shall so indicate that intention.

The evaluation criteria for any contract awarded under this section shall include, but need not be limited to, the following: (1) the competence of the offeror to perform the required service as indicated by the technical training, education and experience of the offeror's personnel who would be assigned to perform the work; (2) the quality and feasibility of the offeror's technical proposal; (3) the ability of the offeror to perform the required service competently and expeditiously as indicated by the offeror's workload and the availability of necessary personnel, equipment and facilities; (4) past performance of the offeror as reflected by evaluations of the city agency, other city agencies and other previous clients of the offeror with respect to such factors as quality of work, success in controlling costs, and success in meeting deadlines; and (5) an environmentally preferable factor except when there is not an environmentally preferable manner in which to carry out the purpose of the contract.

(c)

The city agency shall give notice of the RFP by advertisement in the Columbus City Bulletin. Such advertisement shall be published sufficiently in advance of the deadline for submission of proposals to allow offerors an adequate opportunity to submit a proposal given the nature and size of the project. In no case shall the advertisement be made less than seven (7) days in advance of the deadline for submission of proposals. The city agency may also advertise the REP in newspapers, professional and trade publications, and any other appropriate publications. The city agency may also contact potential offerors directly.

(d)

The city agency shall appoint an evaluation committee (hereinafter "committee") to evaluate proposals received. The committee shall consist of an odd number of members, no less than three (3), selected from the city agency, other city agencies, or both. Unless manifestly impractical, at least one (1) member of the selection committee shall hold the same professional license or certification required by the offerors. The committee may also include noncity employees so long as neither they, nor any member of their families, nor any of their business associates have an interest in the contract being awarded.

(e)

The committee shall evaluate all offerors and proposals received and rank the offerors based upon the evaluation criteria specified in the RFP. The committee may select two (2) or more of the highest qualified offerors with which to hold additional discussions. Offerors not selected for further discussions may be excluded from further consideration for the contract upon notification by the committee or city agency.

The discussions identified in this subsection may include, but are not limited to, presentations by the offerors to the committee to elaborate upon their qualifications, proposals, and/or other pertinent information. The committee may permit revisions of proposals so long as all offerors who are selected for additional discussions are given equal opportunity to revise their proposals.

(f)

Based upon the content of the proposals received including any revisions thereto, and upon any additional discussions with the offerors the committee shall rank the remaining offerors based upon the evaluation criteria specified in the RFP.

(g)

The committee shall submit its ranking of the offerors along with a written explanation to the director of the city agency. The ranking and written explanation shall become part of the contract file.

(h)

The director of the city agency shall have discretion consistent with appropriate departmental and/or citywide administrative rules in selecting the offeror with which to enter into contract negotiations. The city agency shall enter into contract negotiations with the selected offeror to determine the terms and conditions of the contract, including compensation to be paid by the city. If negotiations fail, negotiations with this offeror shall be terminated, and the city agency may enter into contract negotiations with another offeror as selected by the director. This process may continue until a contract is successfully negotiated.

(i)

After successfully negotiating a contract, the city agency shall submit legislation to city council requesting approval of the contract. In its request for approval, the city agency shall explain the basis for the selection of the chosen contractor. No contract awarded under this section shall be effective until approved by ordinance of city council.

(Ord. 23-96; Ord. 1604-01 § 2 (part); Ord. 81-02 § 1 (part); Ord. 223-06 § 1 (part).)

329.15 - Process for awarding not-for-profit service contracts exceeding twenty thousand dollars (\$20,000.00).

Not-for-profit service contracts shall be awarded under this section as follows:

(a)

A city agency shall negotiate a not-for-profit service contract.

(b)

After the not-for-profit service contract is negotiated, the city agency shall submit legislation to city council requesting approval of the contract. In its request for approval, the city agency shall explain: (1) the purpose of the contract; and (2) why the needed service or services cannot be provided by existing city employees.

(c)

No contract awarded under this section shall be effective until approved by ordinance of city council.

(Ord. 2673-94; Ord. 1576-00 § 1 (part); Ord. 81-02 § 1 (part).)

329.16 - Contract modifications.

A city agency may enter into discussions with a contractor to modify an existing contract, or to procure additional goods or services in the event that unforeseen circumstances require additional purchases under a contract. After agreeing upon the terms of a modification, the city agency shall submit legislation to city council requesting approval of the modification. If the modification would result in the procurement of additional goods or services, the city agency, in its request for approval of the modification, shall provide city council with a written statement or explanation of the following: (1) the amount of additional funds to be expended under the modification; (2) why the need for additional goods or services could not be foreseen at the time the contract was initially awarded; (3) why it would not be in the city's best interests to have the additional contract requirements awarded through other procurement processes specified in this chapter such as Sections 329.06, 329.09, 329.11, 329.12, 329.13, or 329.14; and (4) how the price for the additional goods or services which are the subject of the modification was determined. This explanation shall become part of the contract file. No contract modification shall be effective until approved by ordinance of city council.

No modification shall be used to extend a contract with a contractor from year-to-year unless the contract was originally established with a multi-year renewal option. Any city agency entering into an agreement for a contract modification resulting in the purchase of additional goods or services shall submit a record of such modification to the director of finance and management or designee. The city agency shall maintain a public record of these contract modifications. For each modification, the record shall clearly state the city agency involved, the contract identification number, the contractor's identity, and the amount of the modification. The record shall also describe the additional materials, supplies, equipment and/or services procured under the modification.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.17 - Contract administration and evaluation.

Promptly after awarding any contract for services under Sections **329.09**, **329.11**, **329.12**, **329.13**, or **329.14**, the director of the city agency shall designate an employee of the city agency as contract administrator.

The contract administrator shall have the following responsibilities: (1) to determine whether the contractor is in compliance with the terms and conditions of the contract before any scheduled payment is made; (2) to initiate action in the event of nonperformance or other breach of the contract; and (3) to file an evaluation of the contractor's performance with the director of finance and management or designee and the city agency within sixty (60) days after the completion of the contract.

This evaluation shall be completed in a form prescribed by the director of finance and management or designee. The completed evaluation shall become part of the contract file, and a copy of such evaluation shall be retained by the director of finance and management or designee to assist in the evaluation of contractors for future city contracts.

The director of the city agency shall promptly fill any vacancy that occurs in the position of contract administrator for any contract prior to the completion of the contract.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.18 - Statements of expression of interest.

Individuals and firms engaged in providing professional services may submit to the director of finance and management or designee and any city agency written statements expressing their interest in providing professional services to the city. The director of finance and management or designee may specify a uniform format for statements of expression of interest. The director of finance and management or designee and the city agencies shall retain these statements to assist city agencies in contacting individuals and firms interested in providing professional services to the city. Individuals and firms may amend these statements at any time by filing a new statement.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.19 - Issuance of addenda—Cancellation of invitations for bids, request for statements of qualifications, and requests for proposals.

The director of finance and management or designee or city agency may issue addenda to or cancel any invitation for bids, request for statements of qualifications, and/or request for proposals, and may reject any or all bids or proposals in whole or in part when it is for good cause and in the best interests of the city. Each invitation for bids, request for statements of qualifications, and request for proposals issued by the city shall state that the bid or request may be cancelled and that any bid or proposal may be rejected in whole or in part when it is for good cause and in the best interests of the city.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.20 - Correction or withdrawal of bids or offers.

The director of finance and management or designee may allow a bidder responding to an invitation for bids to withdraw an inadvertently erroneous bid by written notice prior to the opening of bids.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.21 - Bonds.

Each bid shall contain the full name of every person or company interested in the same and shall be accompanied by a bond, certified check or cashier's check on a solvent bank, if required by the bid specifications, as surety that if a bid is accepted a contract will be executed.

If the bidder submits a bond with his proposal, the bond shall be issued by a guaranty company authorized to do so under the Ohio Revised Code or by a surety who is: (1) a resident of this state; and (2) worth, in the aggregate, double the sum to be secured, beyond the amount of their debts; and (3) have property liable to execution in the state equal to the sum to be secured.

If a performance bond will be required, the advertisement will state the amount of such bond. Provided, however, that all contracts for public improvements shall require a minimum ten (10) percent bid surety and fifty (50) percent performance bond.

(Ord. 2951-90; Ord. 81-02 § 1 (part).)

329.22 - General contract provisions.

All contracts shall be in writing and shall be executed in the name of the city by the director of the city agency, or director of finance and management or designee. Copies of the contract shall be filed with the city agency, the city auditor, and the contractor.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.23 - City attorney review—Establishment of standard contracts and contract clauses.

All contracts shall be reviewed by and approved as to form by the city attorney or a representative of the city attorney. Any contract which has not been reviewed and approved by the city attorney or his designated representative shall be void and unenforceable against the city and its officials. The city attorney, in consultation with the director of finance and management or designee, may establish standard procurement contracts and standard contract language and clauses for use in or as procurement contracts where appropriate.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.24 - Purchase of data processing equipment and services.

Unless specifically authorized by ordinance, any purchase of data, audio or video technology and services not conforming to citywide standards shall require the recommendation of the information technology commission.

(Ord. 1034-96; Ord. 1576-00 § 1 (part); Ord. 81-02 § 1 (part).)

329.25 - Cost for inspections.

The various divisions and departments of the city may charge a party that is interested in matters before, regulated by, or doing or seeking to do business with the city for the cost of travel, meals and lodging incurred in inspecting or examining supplies, materials, equipment or services prior to entering into a contract with said party. The cost of travel, meals and lodging shall be consistent with guidelines established for general city travel.

All charges made and received pursuant to this section shall be deposited with the city treasurer.

(Ord. 491-91; Ord. 1576-00 § 1 (part); Ord. 81-02 § 1 (part).)

329.26 - Acceptance of electronic signatures.

For the purpose of this chapter only, the finance and management director or designee may establish the procedures and policies under which electronic signatures will be accepted by the city departments and divisions consistent with the provisions of this chapter.

(Ord. 678-96; Ord. 1576-00 § 1 (part); Ord. 81-02 § 1 (part); Ord. 1947-05 § 1 (part).)

329.27 - Waiver of regulations.

Non-Emergency Waiver of Regulations. When city council determines that it is in the best interests of the city, city council, by ordinance, may waive any of the provisions of this chapter.

Emergency Waiver of Regulations. In the event of a clear and present danger to public health, safety, welfare or property, the mayor may declare a state of emergency, authorize and direct that a contract be entered into for the procurement of materials, supplies, equipment, construction or service without complying with the provisions of any of the provisions of this chapter. The mayor shall provide city council with a written explanation of the basis for the emergency and for the selection of the chosen contractor whenever a contract is so awarded.

(Ord. 1426-88; Ord. 81-02 § 1 (part).)

329.28 - Authority to debar or suspend.

After consulting with the city attorney, the director of finance and management or designee is authorized to suspend an individual or firm from consideration for the award of city contracts if there is probable cause to believe that the individual or firm has engaged in any activity (as identified in this section) which might lead to debarment. The suspension shall be for a period not to exceed three (3) months.

After reasonable notice to the individual or firm involved and reasonable opportunity for that individual or firm to be heard, the director of finance and management or designee, after consulting with the city attorney, is authorized to debar a person or firm from consideration of award of city contracts. The debarment shall be for a period of not more than three (3) years.

The causes for debarment include the following:

- (1) Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.
- (2) Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which significantly affects responsibility as a contractor.
- (3) Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals.
- (4) Violation of contract provisions of a serious character including deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in a contract, and/or a recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be a basis for debarment.
- (5) Any other cause which the director of finance and management or designee determines to be so serious and compelling as to affect responsibility as a contractor, including debarment by another governmental entity for any cause listed in this section.

The director of finance and management or designee shall issue a written decision to debar or suspend and shall send a copy of the decision to the debarred or suspended individual or firm. The decision shall state the reasons for the action taken and inform the debarred or suspended individual or firm involved of any available judicial or administrative review.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.29 - Sale of city-owned realty.

Unless specifically approved by ordinance, no city agency shall offer for sale any real property without the recommendation of the land review commission. When such sale is approved, the director of finance and management or designee shall advertise such property for sale in the Columbus City Bulletin for a period of at least two (2) weeks. The director of finance and management or designee may also advertise the sale in newspapers and any other appropriate publications. Bids shall be opened at the date and time specified. When the bids are opened, the amounts of the bids shall be reported to city council. No property shall be conveyed until city council has approved the conveyance and terms of the sale by ordinance.

When the director of finance and management or designee has twice offered a tract of real estate for sale and it has not been sold, the director of finance and management or designee may sell it at private sale either as an entire tract or in parcels; however, no conveyance shall be made until the amount of the bid and the conditions of the sale are reported to and approved by city council. This section shall not apply to sales of real property acquired as part of an urban renewal project.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part).)

329.29.1 - Lease of city-owned realty.

(a)

No city agency shall lease or authorize the sublease of any real property owned by the city, upon which private or public improvements are planned to be constructed, without first obtaining authorization by ordinance of council.

(b)

Unless specifically waived by ordinance of council, all leases, assignments, subleases and modifications thereto, authorized pursuant to this section shall require that in all construction of private or public improvements situated on city-owned land that prevailing wage rates shall be paid in constructing the improvement. The prevailing wage shall be defined in the same manner as Ohio Revised Code 4115.03.

(c)

Subsection (b) does not apply when the real property is a gift or contribution to the city and at the time of the gift the construction of the specific public or private improvements was contemplated; or when a private party offers to contribute as a gift to the city the construction of improvement on city-owned real property and a lease of less than two (2) years of the real property is part of the transaction, and no city funds are involved in the project.

(Ord. 639-90; Ord. 81-02 § 1 (part); Ord. 1132-2008 Attach. (part).)

329.30 - Sale of city-owned personal property.

(a)

All personal property of the city no longer needed for public use shall be sold by the director of finance and management or designee upon written recommendation of the director of the city agency having control of such property. Such property shall first be offered for sale or transfer to any other city agency at its present value. If not sold to another city agency, such property shall be sold to the highest bidder in a manner prescribed by the director of finance and management or designee.

(b)

All personal property of the city no longer needed and of value due to its recyclable materials content may be collected by the city or its contractor and may be sold to the highest bidder in a manner prescribed by the director of finance and management or designee.

(Ord. 23-96; Ord. 81-02 § 1 (part); Ord. 1102-05 § 1 (part); Ord. 223-06 § 1 (part).)

329.31 - Environmentally preferable purchasing.

(a)

City agencies will develop specifications to encourage the purchase of materials, supplies, equipment, construction and services from an environmentally preferable bidder or offeror unless there is not an environmentally preferable manner in which to carry out the purpose of the contract. The goal of such purchasing is to not only preserve and conserve natural resources and to help keep materials out of the solid waste stream, but to also leverage the city's buying power to nurture the marketplace for recycled and recyclable products.

(b)

In evaluating bids or offers for materials, supplies, equipment, construction and services, preference will be given to an environmentally preferable bidder

who offers a product or service equal to or superior to that of a non-environmentally preferable bidder or offeror where the environmentally preferable bid or offer does not exceed by more than five (5) percent (up to a maximum of twenty thousand dollars (\$20,000)) the lowest responsive and responsible and best bid from any non-environmentally preferable bid or offer. The environmentally preferable bidder will be required to demonstrate to the city agency procuring the product or service how their bid is equal to or superior to that of a non-environmentally preferable bidder. Where the bidder or offeror is local, the applicable credit for a local bidder or offeror shall be calculated first.

(Ord. 223-06 § 1 (part).)

City of Columbus
City Bulletin Report

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

Legislation Number: 1763-2012

Drafting Date: 7/24/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$110,855,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City. This sale will be conducted on a negotiated basis.

Authorizing the issuance of unlimited tax bonds in an amount not to exceed \$110,855,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City (\$110,855,000.00). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - UT Bond Ordinance (tax-exempt)

WHEREAS, pursuant to various ordinances passed by City Council (the "Council") of the City of Columbus, Ohio (the "Municipality" or the "City"), the Municipality issued and sold certain unlimited tax general obligation bonds of the Municipality, to wit:

<u>Title</u>	<u>Dated Date</u>	<u>Outstanding Amount</u>	<u>Refundable Amount</u>
Various Purpose Unlimited Tax Bonds, Series 2004-1	July 27, 2004	\$ 29,715,000	\$ 9,900,000
Various Purpose Unlimited Tax Bonds, Series 2005D	December 14, 2005	94,425,000	38,505,000
Various Purpose Unlimited Tax Bonds, Series 2006A	December 12, 2006	67,670,000	19,005,000
Various Purpose Unlimited Tax Bonds, Series 2007A	November 28, 2007	126,030,000	43,445,000

(collectively, the "Outstanding Bonds"), for the purposes described in those ordinances and in the Outstanding Bonds; and

WHEREAS, the Municipality can achieve a reduction in the debt service associated with the Outstanding Bonds by providing for the refunding of all or a portion of the "Refundable Amount" of such Outstanding Bonds (the "Refunded Bonds"); and

WHEREAS, due to current market conditions, this Council believes that it is in the best interest of the Municipality to refund the Refunded Bonds using the proceeds of refunding bonds, authorized by Section 133.34(A)(3) of the Ohio Revised Code, together with other moneys available for that purpose, if any;

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

Section 1. Bonds of the Municipality shall be issued in one or more series, in the aggregate principal sum not to exceed One Hundred Ten Million Eight Hundred Fifty-Five Thousand Dollars (\$110,855,000) (the "Bonds"), or such lesser amount as shall be determined by the Director of Finance and Management or City Auditor and certified to this Council, the proceeds of which Bonds, together with other funds available therefor, will be used for the purpose of refunding all or a portion of the Refunded Bonds and to pay all or a portion of the financing costs associated with such purpose.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same fall due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. The Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Refunding Bonds, Series 2012-3" or as otherwise provided in the Certificate of Award, as hereinafter defined, in order to distinguish one series of bonds from another.

Section 5. The Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award provided for in Section 10 hereof; shall bear interest payable semi-annually on the dates specified in the Certificate of Award (the "Interest Payment Dates"), until the principal sum is paid; and shall bear interest at the rates, shall mature, shall be subject to mandatory redemption in the amounts and on the dates, and shall be subject to optional redemption in the years and at the redemption prices, as shall be set forth in the Certificate of Award.

If less than all of the then outstanding Bonds are called for redemption, the Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Bonds is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

The right of redemption shall be exercised by notice specifying by numbers the Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance, and shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that either or both of those signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar (as defined in Section 8 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

Section 7. The principal of and premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar

as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register (as defined in Section 8 hereof) at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each registered owner, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 7, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Bonds. So long as any of the Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 7 hereof, the person in whose name any Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid. The City Auditor and the Director of Finance and Management are each hereby authorized to act on behalf of the Trustees of the Sinking Fund in connection with the execution of any of the duties and responsibilities of such Trustees as Bond Registrar.

Any Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or

Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

If at any time the City Auditor or the Director of Finance and Management determine that it is in the best interests of the Municipality that a bank or other appropriate financial institution experienced in providing the services of authenticating agent, bond registrar, transfer agent and paying agent should serve as Bond Registrar, or co-Bond Registrar in addition to the Bond Registrar, then the Director of Finance and Management or the City Auditor shall, and each is hereby authorized to, execute on behalf of the Municipality a Bond Registrar Agreement with such entity, pursuant to which such bank or financial institution shall agree to serve as Bond Registrar or co-Bond Registrar for the Bonds. If at any time such bank or financial institution shall be unable or unwilling to serve as Bond Registrar or co-Bond Registrar, or the City Auditor or the Director of Finance and Management, in such officers' discretion, shall determine that it would be in the best interest of the Municipality for such functions to be performed by another party, the Director of Finance and Management or the City Auditor may, and each is hereby authorized and directed to, enter into an agreement with another banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar or co-Bond Registrar hereunder. Each such successor Bond Registrar (or co-Bond Registrar) shall promptly advise all bondholders of the change in identity and its address.

Section 9. The Bonds, or any portion thereof, may be initially issued to a Depository for use in a book entry system (each as hereinafter defined), and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) the Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Bond in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on the Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (a) in the case of interest, on each Interest Payment Date, and (b) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City Auditor or the Director of Finance and Management, enter into an agreement with the beneficial owner or registered owner of a Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if

any, and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for the Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance and Management of the Municipality is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system.

If any Depository determines not to continue to act as a depository for the Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Bonds, and to effect transfers of Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 10. The sale and award of the Bonds shall be evidenced by a Certificate of Award (the "Certificate of Award") signed by the Director of Finance and Management or the City Auditor. The Certificate of Award shall identify the original purchaser of the Bonds (the "Original Purchaser"), the aggregate principal amount of the Bonds to be issued, the dated date of the Bonds, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds, Term Maturity Dates, the Earliest Optional Redemption Date, and the Optional Redemption Prices (all as hereinafter defined), shall identify the Verification Agent, and shall set forth and determine such additional terms and other matters pertaining to the Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

As used in this Section 10 and Section 5 hereof:

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the dates to be specified in the Certificate of Award in which such Bonds that are Term Bonds are to be redeemed pursuant to applicable Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Bonds on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Bonds shall be as set forth in the Certificate of Award.

"Original Purchasers" means such purchaser or purchasers as are identified in the Certificate of Award.

"Principal Retirement Dates" means the dates on which Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award, provided that the Principal Retirement Dates shall be such that the final maturity of the Bonds shall not be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired, which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than 98% of the aggregate principal amount of the Bonds, together with accrued interest on such Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five and one half per centum (5.50%) per annum.

"Term Bonds" means those Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the dates on which Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award; provided that no such date shall be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Verification Agent" means the certified public accounting firm specified within the Certificate of Award that will deliver reports on the arithmetical accuracy of certain computations contained in schedules provided to them by the Original Purchasers on behalf of the Municipality relating to the refunding purposes of the Bonds.

The Bonds shall be sold to the Original Purchasers in accordance with the terms of the Bond Purchase Agreement (the "Bond Purchase Agreement"), at the Purchase Price, plus any accrued interest on the principal amount of the Bonds from the date of the Bonds to the date of delivery of and payment therefor. The Bond Purchase Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance and permitted by applicable law as shall be approved by the City Auditor or the Director of Finance and Management and approved as to form by the City Attorney. The approval of such Bond Purchase Agreement shall be conclusively evidenced by the execution of the Bond Purchase Agreement by such officers. It is hereby determined that the Purchase Price and the Specified Interest Rates for the Bonds, the manner of sale and the terms of the Bonds, all as provided herein, in the Certificate of Award and in the Bond Purchase Agreement, will be in the best interests of the Municipality and consistent with all legal requirements.

The Director of Finance and Management, the City Auditor and the City Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Bonds to the Original Purchasers. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Bonds under the terms of this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Director of Finance and Management and the City Auditor, or either of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and he is authorized and directed to advise the Original Purchasers in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance and Management, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds of the Bonds, including premium, if any, received from the sale of the Bonds, but excluding costs of issuance and any accrued interest, shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award.

The Municipality shall deposit with the Escrow Trustee, hereinafter identified, proceeds of the Bonds paid to the Municipality pursuant to the Bond Purchase Agreement, and such other amounts available to the Municipality for such purpose, in an amount sufficient to defease the Refunded Bonds, and such monies shall be applied in accordance with the terms of the Escrow Deposit Agreement, hereinafter identified. The balance of such proceeds, including any accrued interest received from such sale, shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of general obligation Bonds of the Municipality in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

To provide for the payment of the costs of issuance of the Bonds, and any other refunding bonds authorized by separate ordinances of this Council adopted on the date of this Ordinance and to be issued at the same time as the Bonds (as used herein, the "2012 Refunding Bonds"), which shall include, but shall not be limited to, the fees and expenses of the Municipality's bond counsel, the fees and expenses of the Municipality's financial advisor, rating agency fees, the fees and expenses associated with the sale of the 2012 Refunding Bonds and printing fees, the Municipality is hereby authorized to expend a sum not

to exceed Five Hundred Thousand Dollars (\$500,000), and such amount is hereby deemed appropriated, which amount shall be allocated to, and paid from, the benefiting funds as determined by the City Auditor. Initial funds for the payment of such costs of issuance are hereby appropriated from Debt Service Fund #430, which fund shall then be reimbursed by the benefiting funds as determined by the City Auditor. In the alternative, the City Auditor is hereby authorized to pay the costs of issuance of the 2012 Refunding Bonds from the proceeds of the sale of the 2012 Refunding Bonds.

All moneys necessary to carry out the purpose of this Ordinance, including all principal of and interest on the Bonds, are hereby deemed appropriated.

This Council hereby declares that the Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data that will constitute the "annual information" for purposes of said Section 323.07.

Section 11. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity Bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder or (the "Regulations").

The City Auditor or the Director of Finance and Management, or any other officer, including the City Clerk, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Municipality with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor or the Director of Finance and Management, which action shall be in writing and signed by the City Auditor or the Director of Finance and Management, or any other officer, including the City Clerk, on behalf of the Municipality; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the Municipality, as may be appropriate to assure such exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the Municipality, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the Municipality pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the Municipality regarding compliance by the Municipality with Sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of Bond proceeds which may be invested at an unrestricted yield or requires the Municipality to rebate arbitrage profits (or penalties in lieu thereof) to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits (or penalties in lieu thereof) to, the United States Department of the Treasury,

to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates, and moneys necessary to make such rebates are hereby appropriated for such purpose. The payment of any rebate arbitrage profits (or penalties in lieu thereof) made to the United States Department of the Treasury shall be authorized and paid from such fund or funds as determined by the City Auditor.

Section 12. The Director of Finance and Management and the City Auditor, and either of them acting alone, are hereby authorized and directed, for and in the name of the Municipality and on its behalf, to give, or cause to be given, such notices as may be required in order to effect the defeasance of the Refunded Bonds, including, but not limited to, giving such notices of redemption as may be necessary to redeem the Refunded Bonds on their first optional redemption dates. The Director of Finance and Management and the City Auditor and each of them, acting alone, are hereby authorized and directed to execute and deliver an Escrow Deposit Agreement with such banking association selected by the City Auditor to serve as Escrow Trustee (the "Escrow Trustee"), pursuant to which the Escrow Trustee shall: (i) maintain a trust fund for the proceeds of the Bonds deposited with the Escrow Trustee for the defeasance of the Refunded Bonds, in accordance with the terms of the Escrow Deposit Agreement; and (ii) be appointed and serve as the co-paying agent for the Refunded Bonds. The Escrow Deposit Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance as shall be approved by the officer executing the same and as shall be approved as to form by the City Attorney. The approval of the Escrow Deposit Agreement shall be conclusively evidenced by the execution thereof by those officials.

Section 13. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 14. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 15. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 16. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

City of Columbus
City Bulletin Report

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

Legislation Number: 1764-2012

Drafting Date: 7/24/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$82,305,000.00 for the purpose of providing funding to refund certain outstanding general obligation bonds of the City. This sale will be conducted on a negotiated basis.

Authorizing this issuance of limited tax bonds in an amount not to exceed \$82,305,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City (\$82,305,000.00). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - LT Bond Ordinance (tax-exempt)

WHEREAS, pursuant to various ordinances passed by City Council (the "Council") of the City of Columbus, Ohio (the "Municipality" or the "City"), the Municipality issued and sold certain limited tax general obligation bonds of the Municipality, to wit:

<u>Title</u>	<u>Dated Date</u>	<u>Outstanding Amount</u>	<u>Refundable Amount</u>
Various Purpose Limited Tax Bonds, Series 2004-2	July 27, 2004	\$24,850,000	\$ 8,280,000
Various Purpose Limited Tax Bonds, Series 2005E	December 14, 2005	24,300,000	14,800,000
Various Purpose Limited Tax Bonds, Series 2006B	December 12, 2006	56,600,000	27,355,000
Various Purpose Limited Tax Bonds, Series 2007B	November 28, 2007	54,190,000	16,870,000

and the Municipality issued and sold certain unlimited tax general obligation bonds of the Municipality, to wit:

<u>Title</u>	<u>Dated Date</u>	<u>Outstanding Amount</u>	<u>Refundable Amount</u>
Various Purpose Unlimited Tax Bonds, Series 2004-1	July 27, 2004	\$ 29,715,000	\$ 9,900,000
Various Purpose Unlimited Tax Bonds, Series 2005D	December 14, 2005	94,425,000	38,505,000
Various Purpose Unlimited Tax Bonds, Series 2006A	December 12, 2006	67,670,000	19,005,000
Various Purpose Unlimited Tax Bonds, Series 2007A	November 28, 2007	126,030,000	43,445,000

(the above-referenced bonds are collectively referred to herein as the "Outstanding Bonds"), for the purposes described in those ordinances and in the Outstanding Bonds; and

WHEREAS, the Municipality can achieve a reduction in the debt service associated with the Outstanding Bonds by providing for the refunding of all or a portion of the "Refundable Amount" of such Outstanding Bonds (the "Refunded Bonds"); and

WHEREAS, due to current market conditions, this Council believes that it is in the best interest of the Municipality to refund the Refunded Bonds using the proceeds of refunding bonds, authorized by Section 133.34(A)(3) of the Ohio Revised Code, together with other moneys available for that purpose, if any;

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

Section 1. Bonds of the Municipality shall be issued in one or more series, in the aggregate principal sum not to exceed Eighty-Two Million Three Hundred Five Thousand Dollars (\$82,305,000)

(the "Bonds"), or such lesser amount as shall be determined by the Director of Finance and Management or City Auditor and certified to this Council, the proceeds of which Bonds, together with other funds available therefor, will be used for the purpose of refunding all or a portion of the Refunded Bonds and to pay all or a portion of the financing costs associated with such purpose.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same fall due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. The Bonds shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Refunding Bonds, Series 2012-4" or as otherwise provided in the Certificate of Award, as hereinafter defined, in order to distinguish one series of bonds from another.

Section 5. The Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award provided for in Section 10 hereof; shall bear interest payable semi-annually on the dates specified in the Certificate of Award (the "Interest Payment Dates"), until the principal sum is paid; and shall bear interest at the rates, shall mature, shall be subject to mandatory redemption in the amounts and on the dates, and shall be subject to optional redemption in the years and at the redemption prices, as shall be set forth in the Certificate of Award.

If less than all of the then outstanding Bonds are called for redemption, the Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Bonds is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

The right of redemption shall be exercised by notice specifying by numbers the Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance, and shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that either or both of those signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar (as defined in Section 8 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

Section 7. The principal of and premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register (as defined in Section 8 hereof) at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each registered owner, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 7, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Bonds. So long as any of the Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 7 hereof, the person in whose name any Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid. The City Auditor and the Director of Finance and

Management are each hereby authorized to act on behalf of the Trustees of the Sinking Fund in connection with the execution of any of the duties and responsibilities of such Trustees as Bond Registrar.

Any Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

If at any time the City Auditor or the Director of Finance and Management determine that it is in the best interests of the Municipality that a bank or other appropriate financial institution experienced in providing the services of authenticating agent, bond registrar, transfer agent and paying agent should serve as Bond Registrar, or co-Bond Registrar in addition to the Bond Registrar, then the Director of Finance and Management or the City Auditor shall, and each is hereby authorized to, execute on behalf of the Municipality a Bond Registrar Agreement with such entity, pursuant to which such bank or financial institution shall agree to serve as Bond Registrar or co-Bond Registrar for the Bonds. If at any time such bank or financial institution shall be unable or unwilling to serve as Bond Registrar or co-Bond Registrar, or the City Auditor or the Director of Finance and Management, in such officers' discretion, shall determine that it would be in the best interest of the Municipality for such functions to be performed by another party, the Director of Finance and Management or the City Auditor may, and each is hereby authorized and directed to, enter into an agreement with another banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar or co-Bond Registrar hereunder. Each such successor Bond Registrar (or co-Bond Registrar) shall promptly advise all bondholders of the change in identity and its address.

Section 9. The Bonds, or any portion thereof, may be initially issued to a Depository for use in a book entry system (each as hereinafter defined), and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) the Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book entry form shall have no right to receive Bonds in the form of physical

securities or certificates; (iii) ownership of beneficial interests in any Bond in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on the Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (a) in the case of interest, on each Interest Payment Date, and (b) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City Auditor or the Director of Finance and Management, enter into an agreement with the beneficial owner or registered owner of a Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for the Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance and Management of the Municipality is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system.

If any Depository determines not to continue to act as a depository for the Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial

ownership of Bonds, and to effect transfers of Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 10. The sale and award of the Bonds shall be evidenced by a Certificate of Award (the "Certificate of Award") signed by the Director of Finance and Management or the City Auditor. The Certificate of Award shall identify the original purchaser of the Bonds (the "Original Purchaser"), the aggregate principal amount of the Bonds to be issued, the dated date of the Bonds, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds, Term Maturity Dates, the Earliest Optional Redemption Date, and the Optional Redemption Prices (all as hereinafter defined), shall identify the Verification Agent, and shall set forth and determine such additional terms and other matters pertaining to the Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

As used in this Section 10 and Section 5 hereof:

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the dates to be specified in the Certificate of Award in which such Bonds that are Term Bonds are to be redeemed pursuant to applicable Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Bonds on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Bonds shall be as set forth in the Certificate of Award.

"Original Purchasers" means such purchaser or purchasers as are identified in the Certificate of Award.

"Principal Retirement Dates" means the dates on which Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award, provided that the Principal Retirement Dates shall be such that the final maturity of the Bonds shall not be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired, which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than 98% of the aggregate principal amount of the Bonds, together with accrued interest on such Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five and one half per centum (5.50%) per annum.

"Term Bonds" means those Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the dates on which Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award; provided that no such date shall be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Verification Agent" means the certified public accounting firm specified within the Certificate of Award that will deliver reports on the arithmetical accuracy of certain computations contained in schedules provided to them by the Original Purchasers on behalf of the Municipality relating to the refunding purposes of the Bonds.

The Bonds shall be sold to the Original Purchasers in accordance with the terms of the Bond Purchase Agreement (the "Bond Purchase Agreement"), at the Purchase Price, plus any accrued interest on the principal amount of the Bonds from the date of the Bonds to the date of delivery of and payment therefor. The Bond Purchase Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance and permitted by applicable law as shall be approved by the City Auditor or the Director of Finance and Management and approved as to form by the City Attorney. The approval of such Bond Purchase Agreement shall be conclusively evidenced by the execution of the Bond Purchase Agreement by such officers. It is hereby determined that the Purchase Price and the Specified Interest Rates for the Bonds, the manner of sale and the terms of the Bonds, all as provided herein, in the Certificate of Award and in the Bond Purchase Agreement, will be in the best interests of the Municipality and consistent with all legal requirements.

The Director of Finance and Management, the City Auditor and the City Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Bonds to the Original Purchasers. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Bonds under the terms of this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Director of Finance and Management and the City Auditor, or either of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and he is authorized and directed to advise the Original Purchasers in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance and Management, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds of the Bonds, including premium, if any, received from the sale of the Bonds, but excluding costs of issuance and any accrued interest, shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award.

The Municipality shall deposit with the Escrow Trustee, hereinafter identified, proceeds of the Bonds paid to the Municipality pursuant to the Bond Purchase Agreement, and such other amounts available to the Municipality for such purpose, in an amount sufficient to defease the Refunded Bonds, and such monies shall be applied in accordance with the terms of the Escrow Deposit Agreement, hereinafter identified. The balance of such proceeds, including any accrued interest received from such sale, shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of general obligation Bonds of the Municipality in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

All moneys necessary to carry out the purpose of this Ordinance, including all principal of and interest on the Bonds, are hereby deemed appropriated.

With respect to any Bonds that are issued to refund Refunded Bonds, the proceeds of which were originally issued for projects that are not considered to be enterprise operations of the Municipality, the Municipality hereby covenants, pursuant to Ohio Revised Code Section 133.05(B)(7), to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on such Bonds in each year until full payment is made.

This Council hereby declares that the Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data that will constitute the "annual information" for purposes of said Section 323.07.

Section 11. The Municipality hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity Bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder or (the "Regulations").

The City Auditor or the Director of Finance and Management, or any other officer, including the City Clerk, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Municipality with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor or the Director of Finance and Management, which action shall be in writing and signed by the City Auditor or the Director of Finance and Management, or any other officer, including the City Clerk, on behalf of the Municipality; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the Municipality, as may be appropriate to assure such exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the Municipality, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the Municipality pertaining to Section 148 and the Regulations, and the

representations, warranties and covenants of the Municipality regarding compliance by the Municipality with Sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the Municipality to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of Bond proceeds which may be invested at an unrestricted yield or requires the Municipality to rebate arbitrage profits (or penalties in lieu thereof) to the United States Department of the Treasury. The City Auditor is hereby authorized and directed to file such reports with, and rebate arbitrage profits (or penalties in lieu thereof) to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates, and moneys necessary to make such rebates are hereby appropriated for such purpose. The payment of any rebate arbitrage profits (or penalties in lieu thereof) made to the United States Department of the Treasury shall be authorized and paid from such fund or funds as determined by the City Auditor.

Section 12. The Director of Finance and Management and the City Auditor, and either of them acting alone, are hereby authorized and directed, for and in the name of the Municipality and on its behalf, to give, or cause to be given, such notices as may be required in order to effect the defeasance of the Refunded Bonds, including, but not limited to, giving such notices of redemption as may be necessary to redeem the Refunded Bonds on their first optional redemption dates. The Director of Finance and Management and the City Auditor and each of them, acting alone, are hereby authorized and directed to execute and deliver an Escrow Deposit Agreement with such banking association selected by the City Auditor to serve as Escrow Trustee (the "Escrow Trustee"), pursuant to which the Escrow Trustee shall: (i) maintain a trust fund for the proceeds of the Bonds deposited with the Escrow Trustee for the defeasance of the Refunded Bonds, in accordance with the terms of the Escrow Deposit Agreement; and (ii) be appointed and serve as the co-paying agent for the Refunded Bonds. The Escrow Deposit Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance as shall be approved by the officer executing the same and as shall be approved as to form by the City Attorney. The approval of the Escrow Deposit Agreement shall be conclusively evidenced by the execution thereof by those officials.

Section 13. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 14. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 15. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 16. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

City of Columbus
City Bulletin Report

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

Legislation Number: 1765-2012

Drafting Date: 7/24/2012

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$56,980,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligations of the City. This sale will be conducted on a negotiated basis.

Authorizing this issuance of unlimited tax bonds in an amount not to exceed \$56,980,000.00 for the purpose of providing funds to refund certain outstanding unlimited tax general obligation bonds of the City (\$56,980,000.00) (Taxable). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - UT Bond Ordinance (TAXABLE)

WHEREAS, pursuant to various ordinances passed by City Council (the "Council") of the City of Columbus, Ohio (the "Municipality" or the "City"), the Municipality issued and sold certain unlimited tax general obligation advance refunding bonds of the Municipality, to wit:

<u>Title</u>	<u>Dated Date</u>	<u>Outstanding Amount</u>	<u>Refundable Amount</u>
Unlimited Tax General Obligation Refunding Bonds, Series 2003A	June 17, 2003	\$ 11,545,000	\$ 8,775,000
Various Purpose Unlimited Tax Refunding Bonds, Series 2005A	February 23, 2005	168,715,000	48,205,000

(collectively, the "Outstanding Bonds"), for the purposes described in those ordinances and in the Outstanding Bonds; and

WHEREAS, the Municipality can achieve a reduction in the debt service associated with the Outstanding Bonds by providing for the refunding of all or a portion of the "Refundable Amount" of such Outstanding Bonds (the "Refunded Bonds"); and

WHEREAS, due to current market conditions, this Council believes that it is in the best interest of the Municipality to refund the Refunded Bonds using the proceeds of refunding bonds, authorized by Section 133.34(A)(3) of the Ohio Revised Code, together with other moneys available for that purpose, if any; and

WHEREAS, because (a) the Outstanding Bonds were issued to advance refund certain prior bonds of the Municipality, and (b) the Internal Revenue Code of 1986, as amended, and the regulations prescribed thereunder permit only one tax-exempt advance refunding of tax-exempt bonds, the bonds authorized by this Ordinance must be issued as bonds, the interest on which is not excluded from gross income for federal tax purposes;

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

Section 1. Bonds of the Municipality shall be issued in one or more series, in the aggregate principal sum not to exceed Fifty-Six Million Nine Hundred Eighty Thousand Dollars (\$56,980,000) (the "Bonds"), or such lesser amount as shall be determined by the Director of Finance and Management or City Auditor and certified to this Council, the proceeds of which Bonds, together with other funds

available therefor, will be used for the purpose of refunding all or a portion of the Refunded Bonds and to pay all or a portion of the financing costs associated with such purpose.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and outside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same fall due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. The Bonds shall be designated "City of Columbus, Ohio Various Purpose Unlimited Tax Refunding Bonds, Series 2012-5 (Taxable)" or as otherwise provided in the Certificate of Award, as hereinafter defined, in order to distinguish one series of bonds from another.

Section 5. The Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award provided for in Section 10 hereof; shall bear interest payable semi-annually on the dates specified in the Certificate of Award (the "Interest Payment Dates"), until the principal sum is paid; and shall bear interest at the rates, shall mature, shall be subject to mandatory redemption in the amounts and on the dates, and shall be subject to optional redemption in the years and at the redemption prices, as shall be set forth in the Certificate of Award.

If less than all of the then outstanding Bonds are called for redemption, the Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Bonds is authorized, the Bond Registrar shall select Bonds or portions thereof by lot within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

The right of redemption shall be exercised by notice specifying by numbers the Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance, and shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that either or both of those signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar (as defined in Section 8 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

Section 7. The principal of and premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register (as defined in Section 8 hereof) at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each registered owner, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 7, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond Registrar") for the Bonds. So long as any of the Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 7 hereof, the person in whose name any Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid. The City Auditor and the Director of Finance and

Management are each hereby authorized to act on behalf of the Trustees of the Sinking Fund in connection with the execution of any of the duties and responsibilities of such Trustees as Bond Registrar.

Any Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

If at any time the City Auditor or the Director of Finance and Management determine that it is in the best interests of the Municipality that a bank or other appropriate financial institution experienced in providing the services of authenticating agent, bond registrar, transfer agent and paying agent should serve as Bond Registrar, or co-Bond Registrar in addition to the Bond Registrar, then the Director of Finance and Management or the City Auditor shall, and each is hereby authorized to, execute on behalf of the Municipality a Bond Registrar Agreement with such entity, pursuant to which such bank or financial institution shall agree to serve as Bond Registrar or co-Bond Registrar for the Bonds. If at any time such bank or financial institution shall be unable or unwilling to serve as Bond Registrar or co-Bond Registrar, or the City Auditor or the Director of Finance and Management, in such officers' discretion, shall determine that it would be in the best interest of the Municipality for such functions to be performed by another party, the Director of Finance and Management or the City Auditor may, and each is hereby authorized and directed to, enter into an agreement with another banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar or co-Bond Registrar hereunder. Each such successor Bond Registrar (or co-Bond Registrar) shall promptly advise all bondholders of the change in identity and its address.

Section 9. The Bonds, or any portion thereof, may be initially issued to a Depository for use in a book entry system (each as hereinafter defined), and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) the Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book entry form shall have no right to receive Bonds in the form of physical

securities or certificates; (iii) ownership of beneficial interests in any Bond in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on the Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (a) in the case of interest, on each Interest Payment Date, and (b) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City Auditor or the Director of Finance and Management, enter into an agreement with the beneficial owner or registered owner of a Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for the Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance and Management of the Municipality is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system.

If any Depository determines not to continue to act as a depository for the Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial

ownership of Bonds, and to effect transfers of Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 10. The sale and award of the Bonds shall be evidenced by a Certificate of Award (the "Certificate of Award") signed by the Director of Finance and Management or the City Auditor. The Certificate of Award shall identify the original purchaser of the Bonds (the "Original Purchaser"), the aggregate principal amount of the Bonds to be issued, the dated date of the Bonds, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds, Term Maturity Dates, the Earliest Optional Redemption Date, and the Optional Redemption Prices (all as hereinafter defined), shall identify the Verification Agent, and shall set forth and determine such additional terms and other matters pertaining to the Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

As used in this Section 10 and Section 5 hereof:

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the dates to be specified in the Certificate of Award in which such Bonds that are Term Bonds are to be redeemed pursuant to applicable Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Bonds on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Bonds shall be as set forth in the Certificate of Award.

"Original Purchasers" means such purchaser or purchasers as are identified in the Certificate of Award.

"Principal Retirement Dates" means the dates on which Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award, provided that the Principal Retirement Dates shall be such that the final maturity of the Bonds shall not be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired, which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than 98% of the aggregate principal amount of the Bonds, together with accrued interest on such Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five and one half per centum (5.50%) per annum.

"Term Bonds" means those Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the dates on which Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award; provided that no such date shall be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Verification Agent" means the certified public accounting firm specified within the Certificate of Award that will deliver reports on the arithmetical accuracy of certain computations contained in schedules provided to them by the Original Purchasers on behalf of the Municipality relating to the refunding purposes of the Bonds.

The Bonds shall be sold to the Original Purchasers in accordance with the terms of the Bond Purchase Agreement (the "Bond Purchase Agreement"), at the Purchase Price, plus any accrued interest on the principal amount of the Bonds from the date of the Bonds to the date of delivery of and payment therefor. The Bond Purchase Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance and permitted by applicable law as shall be approved by the City Auditor or the Director of Finance and Management and approved as to form by the City Attorney. The approval of such Bond Purchase Agreement shall be conclusively evidenced by the execution of the Bond Purchase Agreement by such officers. It is hereby determined that the Purchase Price and the Specified Interest Rates for the Bonds, the manner of sale and the terms of the Bonds, all as provided herein, in the Certificate of Award and in the Bond Purchase Agreement, will be in the best interests of the Municipality and consistent with all legal requirements.

The Director of Finance and Management, the City Auditor and the City Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Bonds to the Original Purchasers. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Bonds under the terms of this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Director of Finance and Management and the City Auditor, or either of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and he is authorized and directed to advise the Original Purchasers in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance and Management, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds of the Bonds, including premium, if any, received from the sale of the Bonds, but excluding costs of issuance and any accrued interest, shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award.

The Municipality shall deposit with the Escrow Trustee, hereinafter identified, proceeds of the Bonds paid to the Municipality pursuant to the Bond Purchase Agreement, and such other amounts available to the Municipality for such purpose, in an amount sufficient to defease the Refunded Bonds, and such monies shall be applied in accordance with the terms of the Escrow Deposit Agreement, hereinafter identified. The balance of such proceeds, including any accrued interest received from such sale, shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of general obligation Bonds of the Municipality in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

All moneys necessary to carry out the purpose of this Ordinance, including all principal of and interest on the Bonds, are hereby deemed appropriated.

This Council hereby declares that the Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data that will constitute the "annual information" for purposes of said Section 323.07.

Section 11. The Director of Finance and Management and the City Auditor, and either of them acting alone, are hereby authorized and directed, for and in the name of the Municipality and on its behalf, to give, or cause to be given, such notices as may be required in order to effect the defeasance of the Refunded Bonds, including, but not limited to, giving such notices of redemption as may be necessary to redeem the Refunded Bonds on their first optional redemption dates. The Director of Finance and Management and the City Auditor and each of them, acting alone, are hereby authorized and directed to execute and deliver an Escrow Deposit Agreement with such banking association selected by the City Auditor to serve as Escrow Trustee (the "Escrow Trustee"), pursuant to which the Escrow Trustee shall: (i) maintain a trust fund for the proceeds of the Bonds deposited with the Escrow Trustee for the defeasance of the Refunded Bonds, in accordance with the terms of the Escrow Deposit Agreement; and (ii) be appointed and serve as the co-paying agent for the Refunded Bonds. The Escrow Deposit Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance as shall be approved by the officer executing the same and as shall be approved as to form by the City Attorney. The approval of the Escrow Deposit Agreement shall be conclusively evidenced by the execution thereof by those officials.

Section 12. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 13. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 14. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 15. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

City of Columbus
City Bulletin Report

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

Legislation Number: 1766-2012

Drafting Date: 7/24/2012

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$15,290,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City. This sale will be conducted on a negotiated basis.

Authorizing this issuance of limited tax bonds in an amount not to exceed \$15,290,000.00 for the purpose of providing funds to refund certain outstanding general obligation bonds of the City (\$15,290,000.00) (Taxable). Section 55(b) of the City Charter.

See attached file: City of Columbus - 2012 (3rd Qtr) Refunding Bonds - LT Bond Ordinance (TAXABLE)(4)

WHEREAS, pursuant to various ordinances passed by City Council (the "Council") of the City of Columbus, Ohio (the "Municipality" or the "City"), the Municipality issued and sold certain limited tax general obligation advance refunding bonds of the Municipality, to wit:

<u>Title</u>	<u>Dated Date</u>	<u>Outstanding Amount</u>	<u>Refundable Amount</u>
Various Purpose Unlimited Tax Refunding Bonds, Series 2005B	February 23, 2005	\$30,290,000	\$4,290,000

and the Municipality issued and sold certain unlimited tax general obligation bonds of the Municipality, to wit:

<u>Title</u>	<u>Dated Date</u>	<u>Outstanding Amount</u>	<u>Refundable Amount</u>
Unlimited Tax General Obligation Refunding Bonds, Series 2003A	June 17, 2003	\$ 11,545,000	\$ 8,775,000
Various Purpose Unlimited Tax Refunding Bonds, Series 2005A	February 23, 2005	168,715,000	48,205,000

(the above-referenced bonds are collectively referred to herein as the "Outstanding Bonds"), for the purposes described in those ordinances and in the Outstanding Bonds; and

WHEREAS, the Municipality can achieve a reduction in the debt service associated with the Outstanding Bonds by providing for the refunding of all or a portion of the "Refundable Amount" of such Outstanding Bonds (the "Refunded Bonds"); and

WHEREAS, due to current market conditions, this Council believes that it is in the best interest of the Municipality to refund the Refunded Bonds using the proceeds of refunding bonds, authorized by Section 133.34(A)(3) of the Ohio Revised Code, together with other moneys available for that purpose, if any; and

WHEREAS, because (a) the Outstanding Bonds were issued to advance refund certain prior bonds of the Municipality, and (b) the Internal Revenue Code of 1986, as amended, and the regulations prescribed thereunder permit only one tax-exempt advance refunding of tax-exempt bonds, the bonds

authorized by this Ordinance must be issued as bonds, the interest on which is not excluded from gross income for federal tax purposes;

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

Section 1. Bonds of the Municipality shall be issued in one or more series, in the aggregate principal sum not to exceed Fifteen Million Two Hundred Ninety Thousand Dollars (\$15,290,000) (the "Bonds"), or such lesser amount as shall be determined by the Director of Finance and Management or City Auditor and certified to this Council, the proceeds of which Bonds, together with other funds available therefor, will be used for the purpose of refunding all or a portion of the Refunded Bonds and to pay all or a portion of the financing costs associated with such purpose.

Section 2. There shall be and is hereby levied annually on all the taxable property in the Municipality, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 3. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same fall due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the Municipality shall appropriate such funds to the payment of the Bonds in accordance with law.

Section 4. The Bonds shall be designated "City of Columbus, Ohio Various Purpose Limited Tax Refunding Bonds, Series 2012-6 (Taxable)" or as otherwise provided in the Certificate of Award, as hereinafter defined, in order to distinguish one series of bonds from another.

Section 5. The Bonds shall be issued only as fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award provided for in Section 10 hereof; shall bear interest payable semi-annually on the dates specified in the Certificate of Award (the "Interest Payment Dates"), until the principal sum is paid; and shall bear interest at the rates, shall mature, shall be subject to mandatory redemption in the amounts and on the dates, and shall be subject to optional redemption in the years and at the redemption prices, as shall be set forth in the Certificate of Award.

If less than all of the then outstanding Bonds are called for redemption, the Bonds so called shall be selected by lot by the Municipality in such manner as it shall determine. When partial redemption of a single maturity of Bonds is authorized, the Bond Registrar shall select Bonds or portions thereof by lot

within such maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Bond so selected will be in the amount of \$5,000 or an integral multiple thereof.

The right of redemption shall be exercised by notice specifying by numbers the Bonds to be called, the redemption price to be paid, the date fixed for redemption and the places where amounts due upon such redemption are payable. The Municipality shall cause such notice to be given by first class mail, postage prepaid, to the registered holder or holders of the Bonds to be redeemed, mailed to the address shown on the registration books, not less than thirty (30) days prior to such redemption date. All Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Bonds shall set forth the purposes for which they are issued and that they are issued pursuant to this Ordinance, and shall be executed by the Mayor and the City Auditor of the Municipality, in their official capacities, provided that either or both of those signatures may be a facsimile. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar (as defined in Section 8 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

Section 7. The principal of and premium, if any, and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register (as defined in Section 8 hereof) at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each registered owner, at his address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section 7, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

Section 8. The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent (collectively, the "Bond

Registrar") for the Bonds. So long as any of the Bonds remain outstanding, the Municipality will cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 7 hereof, the person in whose name any Bonds shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and premium, if any, and interest on any Bond shall be made only to or upon the order of that person. Neither the Municipality nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid. The City Auditor and the Director of Finance and Management are each hereby authorized to act on behalf of the Trustees of the Sinking Fund in connection with the execution of any of the duties and responsibilities of such Trustees as Bond Registrar.

Any Bond, upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the principal office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Bond Registrar shall not be required to transfer or exchange any Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Municipality or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the Municipality, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

If at any time the City Auditor or the Director of Finance and Management determine that it is in the best interests of the Municipality that a bank or other appropriate financial institution experienced in providing the services of authenticating agent, bond registrar, transfer agent and paying agent should serve as Bond Registrar, or co-Bond Registrar in addition to the Bond Registrar, then the Director of Finance and Management or the City Auditor shall, and each is hereby authorized to, execute on behalf of the Municipality a Bond Registrar Agreement with such entity, pursuant to which such bank or financial institution shall agree to serve as Bond Registrar or co-Bond Registrar for the Bonds. If at any time such bank or financial institution shall be unable or unwilling to serve as Bond Registrar or co-Bond Registrar, or the City Auditor or the Director of Finance and Management, in such officers' discretion, shall determine that it would be in the best interest of the Municipality for such functions to be performed by another party, the Director of Finance and Management or the City Auditor may, and each is hereby

authorized and directed to, enter into an agreement with another banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar or co-Bond Registrar hereunder. Each such successor Bond Registrar (or co-Bond Registrar) shall promptly advise all bondholders of the change in identity and its address.

Section 9. The Bonds, or any portion thereof, may be initially issued to a Depository for use in a book entry system (each as hereinafter defined), and the provisions of this Section shall apply notwithstanding any other provision of this Ordinance: (i) the Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Bond in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the Municipality. Principal of and premium, if any, and interest on the Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative (a) in the case of interest, on each Interest Payment Date, and (b) in all other cases, upon presentation and surrender of Bonds as provided in this Ordinance.

The Bond Registrar may, with the approval of the City Auditor or the Director of Finance and Management, enter into an agreement with the beneficial owner or registered owner of a Bond in the custody of a Depository providing for making all payments to that owner of principal of and premium, if any, and interest on that Bond or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Ordinance, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Bond Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Bond Registrar will furnish a copy of each of these agreements, certified to be correct by the Bond Registrar, to other paying agents for the Bonds and to the Municipality. Any payment of principal, premium or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

The City Auditor or the Director of Finance and Management of the Municipality is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the Municipality, a letter agreement among the Municipality, the Bond Registrar and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the Bonds to the Depository for use in a book entry system.

If any Depository determines not to continue to act as a depository for the Bonds for use in a book entry system, the Municipality and the Bond Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Bond Registrar do not or are unable to do so, the Municipality and the Bond Registrar, after the Bond Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository, and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by the Municipality or the Bond Registrar, of those persons requesting such issuance.

For purposes of this Ordinance the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Bonds "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Bonds.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Bonds, and to effect transfers of Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 10. The sale and award of the Bonds shall be evidenced by a Certificate of Award (the "Certificate of Award") signed by the Director of Finance and Management or the City Auditor. The Certificate of Award shall identify the original purchaser of the Bonds (the "Original Purchaser"), the aggregate principal amount of the Bonds to be issued, the dated date of the Bonds, the Purchase Price, the Specified Interest Rates, the Principal Retirement Dates, the Principal Retirement Schedule, Mandatory Redemption Dates, Mandatory Sinking Fund Requirements, Term Bonds, Term Maturity Dates, the Earliest Optional Redemption Date, and the Optional Redemption Prices (all as hereinafter defined), shall identify the Verification Agent, and shall set forth and determine such additional terms and other matters pertaining to the Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

As used in this Section 10 and Section 5 hereof:

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the dates to be specified in the Certificate of Award in which such Bonds that are Term Bonds are to be redeemed pursuant to applicable Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Bonds on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Bonds shall be as set forth in the Certificate of Award.

"Original Purchasers" means such purchaser or purchasers as are identified in the Certificate of Award.

"Principal Retirement Dates" means the dates on which Bonds are to be retired in accordance with their stated terms, which dates are to be specified in the Certificate of Award, provided that the Principal Retirement Dates shall be such that the final maturity of the Bonds shall not be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Bonds on the Principal Retirement Dates, in accordance with their stated terms, in the years of Principal Retirement Dates and in the amounts to be retired, which shall be determined in the Certificate of Award.

"Purchase Price" means that amount which is to be determined in the Certificate of Award, but such amount is to be no less than 98% of the aggregate principal amount of the Bonds, together with accrued interest on such Bonds from their date to the date of their delivery and payment therefor.

"Specified Interest Rates" means the interest rate or rates at which the Bonds bear interest, which rates are to be determined in the Certificate of Award, provided the true interest cost of the Bonds shall not exceed five and one half per centum (5.50%) per annum.

"Term Bonds" means those Bonds, as are determined in the Certificate of Award, that are to mature on Term Maturity Dates, unless previously redeemed pursuant to Mandatory Sinking Fund Requirements.

"Term Maturity Dates" means the dates on which Bonds that are Term Bonds are to be retired in accordance with their stated terms, which date or dates are to be determined in the Certificate of Award; provided that no such date shall be later than the year of the last maturity permitted by law for the Outstanding Bonds.

"Verification Agent" means the certified public accounting firm specified within the Certificate of Award that will deliver reports on the arithmetical accuracy of certain computations contained in schedules provided to them by the Original Purchasers on behalf of the Municipality relating to the refunding purposes of the Bonds.

The Bonds shall be sold to the Original Purchasers in accordance with the terms of the Bond Purchase Agreement (the "Bond Purchase Agreement"), at the Purchase Price, plus any accrued interest on the principal amount of the Bonds from the date of the Bonds to the date of delivery of and payment therefor. The Bond Purchase Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance and permitted by applicable law as shall be approved by the City Auditor or the Director of Finance and Management and approved as to form by the City Attorney. The approval of such Bond Purchase Agreement shall be conclusively evidenced by the execution of the Bond Purchase Agreement by such officers. It is hereby determined that the Purchase Price and the Specified Interest Rates for the Bonds, the manner of sale and the terms of the Bonds, all as provided herein, in the Certificate of Award and in the Bond Purchase Agreement, will be in the best interests of the Municipality and consistent with all legal requirements.

The Director of Finance and Management, the City Auditor and the City Clerk are authorized and directed to make the necessary arrangements on behalf of the Municipality to establish the date, location, procedure and conditions for the delivery of the Bonds to the Original Purchasers. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Bonds under the terms of this Ordinance, the Certificate of Award, and the Bond Purchase Agreement.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Bonds is hereby authorized, and the Director of Finance and Management and the City Auditor, or either of them acting alone, is hereby authorized and directed to negotiate, prepare and execute, on behalf of the Municipality and in his official capacity, the Official Statement and any supplements thereto as so executed in connection with the original issuance of the Bonds, and he is authorized and directed to advise the Original Purchasers in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Bonds as he deems necessary or appropriate to protect the interests of the Municipality. The Director of Finance and Management, the City Auditor, the City Attorney and any other official of the Municipality are each authorized to execute and deliver, on behalf of the Municipality and in their official capacities, such certificates in connection with the accuracy of the Official Statement, in either

preliminary or final form, and any supplements thereto as may, in their judgment, be necessary or appropriate.

The proceeds of the Bonds, including premium, if any, received from the sale of the Bonds, but excluding costs of issuance and any accrued interest, shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award.

The Municipality shall deposit with the Escrow Trustee, hereinafter identified, proceeds of the Bonds paid to the Municipality pursuant to the Bond Purchase Agreement, and such other amounts available to the Municipality for such purpose, in an amount sufficient to defease the Refunded Bonds, and such monies shall be applied in accordance with the terms of the Escrow Deposit Agreement, hereinafter identified. The balance of such proceeds, including any accrued interest received from such sale, shall be deposited in the City Treasury and shall be credited to the proper Bond Retirement Fund to be applied to the payment of the principal and interest of general obligation Bonds of the Municipality in the manner provided by law. Said proceeds are hereby appropriated for such purposes.

All moneys necessary to carry out the purpose of this Ordinance, including all principal of and interest on the Bonds, are hereby deemed appropriated.

With respect to any Bonds that are issued to advance refund Refunded Bonds, the proceeds of which were originally issued for projects that are not considered to be enterprise operations of the Municipality, the Municipality hereby covenants, pursuant to Ohio Revised Code Section 133.05(B)(7), to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on such Bonds in each year until full payment is made.

This Council hereby declares that the Bonds are "obligations" within the meaning of Section 323.07(a)(7) of the Columbus City Codes. The Certificate of Award shall identify the annual financial information and operating data that will constitute the "annual information" for purposes of said Section 323.07.

Section 11. The Director of Finance and Management and the City Auditor, and either of them acting alone, are hereby authorized and directed, for and in the name of the Municipality and on its behalf, to give, or cause to be given, such notices as may be required in order to effect the defeasance of the Refunded Bonds, including, but not limited to, giving such notices of redemption as may be necessary to redeem the Refunded Bonds on their first optional redemption dates. The Director of Finance and Management and the City Auditor and each of them, acting alone, are hereby authorized and directed to execute and deliver an Escrow Deposit Agreement with such banking association selected by the City Auditor to serve as Escrow Trustee (the "Escrow Trustee"), pursuant to which the Escrow Trustee shall: (i) maintain a trust fund for the proceeds of the Bonds deposited with the Escrow Trustee for the defeasance of the Refunded Bonds, in accordance with the terms of the Escrow Deposit Agreement; and (ii) be appointed and serve as the co-paying agent for the Refunded Bonds. The Escrow Deposit Agreement shall be in such form and shall contain such terms, covenants and conditions not inconsistent with this Ordinance as shall be approved by the officer executing the same and as shall be approved as to form by the City Attorney. The approval of the Escrow Deposit Agreement shall be conclusively evidenced by the execution thereof by those officials.

Section 12. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the Municipality have happened, been done and been performed in regular and due form as required by law; that the faith, credit and revenue of the Municipality are hereby irrevocably pledged for

the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

Section 13. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 14. The City Clerk is hereby directed to forward certified copies of this Ordinance to the County Auditors of Franklin, Fairfield and Delaware Counties, Ohio.

Section 15. In accordance with Section 55(b) of the Charter of the City of Columbus, Ohio, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

City of Columbus
City Bulletin Report

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

Legislation Number: 0336-2011

Drafting Date: 2/22/2011

Version: 1

Current Status: Defeated

Matter Type: Ordinance

BACKGROUND: One parcel currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. 2131 Watkins Road (010-113131) will be sold to Raymond and Regina Hall, the owners of the adjacent house, who will demolish the existing structure and use the lot as a side-yard expansion. The property will be transferred by deed and recorded in the Official Records of the Franklin County Recorder's Office.

FISCAL IMPACT: The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a parcel of real property (2131 Watkins Road) held in the Land Bank pursuant to the Land Reutilization Program.

WHEREAS, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

WHEREAS, a proposal for the sale of one parcel which has been acquired pursuant to Section 5722.03 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

WHEREAS, such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

WHEREAS, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land.

WHEREAS, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and **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 execute any and all necessary agreements and deeds to convey title of the following parcel of real estate:

PARCEL NUMBER: 010-113131

ADDRESS: 2131 Watkins Road, Columbus, Ohio 43207

USE: Residential side yard

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

Being Lot Number Twenty-one (21) in Parson's South Addition, as recorded in Plat Book No. 16, Page 1, Recorder's Office, Franklin County, Ohio.

Section 2. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

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

Legislation Number: 0459-2011

Drafting Date: 3/14/2011

Current Status: Defeated

Version: 1

Matter Type: Ordinance

Background: The following legislation authorizes the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Alum Creek Trail-Mock Road to I-670 Project.

Fiscal Impact: Funding for this project is from the Recreation and Parks Department Voted 1999/2004 Recreation and Parks Bond.

Emergency Justification: Emergency action is requested by the Recreation and Parks Department as not to delay the increased non-motorized transportation alternatives and health benefits related to walking and cycling that the project will provide.

To authorize the City Attorney to file the necessary complaints for the appropriation of permanent easements in and to real estate necessary for the Alum Creek Trail-Mock Road to I-670 Project, and to declare an emergency.

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Alum Creek Trail-Mock Road to I-670 Project; and

WHEREAS, the easements needed for this project will create non-motorized transportation alternatives for the public and promote the health benefits related to walking and cycling; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 0005X-2011, on the 24th day of January, 2011, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; and,

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is 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 permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Alum Creek Trail-Mock Road to I-670 Project, # 510316, 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 3P

The land herein described is situated in Franklin County, The City of Columbus, Original Mifflin Township, Quarter Township 3, Township 1, Range 17, United States Military Lands, and being within that 30.91-acre tract of land conveyed to Only Just an LLC by deed recorded in Instrument Numbered 200312230402074 and being located within the following described points in the boundary thereof;

Commencing at a point on the existing easterly right-of-way line of Sunbury Road, on the northerly property line of that 11.5-acre tract of land conveyed to The Arlington Company by deed recorded in Official Record 02773C09, the southerly property line of that 5.796-acre tract of land conveyed to Sandra Ackley Kirk by deed recorded in Deed Book 3452, Page 126 and conveyed to Sandra Ackley Kirk, Sandra Ackley Kirk and Gilman D. Kirk, Jr. as co-trustees of the Amended and Restated Trust created by Irma L. Ackley dated July 30, 1990, as last amended and restated May 16, 1996 by deed recorded in Instrument Numbered 200004280083166, said point shown upon QUEENSLAND SUBDIVISION, Plat Book 42, Page 124 as the intersection of the existing easterly right-of-way line of Sunbury Road with the southerly property line of a 0.83-acre tract of land owned by Wallace F. Ackley;

Thence South 85 degrees 46 minutes 31 seconds East for a distance of 113.47 feet, with a northerly property line of said 11.5-acre tract, a southerly property line of said 5.796-acre tract, to a point in Alum Creek;

Thence South 10 degrees 02 minutes 24 seconds West for a distance of 23.00 feet, down Alum Creek, with a westerly property line of said 5.796-acre tract, an easterly property line of said 11.5-acre tract, to a northwesterly property corner of said 30.91-acre tract, a southwesterly property corner of said 5.796-acre tract;

Thence South 85 degrees 48 minutes 27 seconds East for a distance of 133.33 feet, with a northerly property line of said 30.91-acre tract, a southerly property line of said 5.796-acre tract to the True Place of Beginning of the herein described PARCEL 3;

Thence South 85 degrees 48 minutes 27 seconds East for a distance of 25.23 feet, with a northerly property line of said 30.91-acre tract, a southerly property line of said 5.796-acre tract to a point;

Thence crossing said 30.91-acre tract the following 9 courses and distances:

1. South 03 degrees 36 minutes 27 seconds East for a distance of 230.74 feet, to a point of curvature;
2. South 24 degrees 22 minutes 01 seconds East for a chord distance of 97.47 feet, with an arc length of 99.64 feet curving to the left, having a radius of 137.50 feet, a central angle of 40 degrees 31 minutes 04 seconds, to a point of tangency;
3. South 45 degrees 07 minutes 35 seconds East for a distance of 112.99 feet, to a point of curvature;
4. South 15 degrees 04 minutes 06 seconds East for a chord distance of 212.87 feet, with an arc length of 222.96 feet curving to the right, having a radius of 212.50 feet, a central angle of 60 degrees 06 minutes 55 seconds, to a point of tangency;
5. South 14 degrees 59 minutes 22 seconds West for a distance of 132.94 feet, to a point of curvature;
6. South 25 degrees 25 minutes 36 seconds West for a chord distance of 76.99 feet, with an arc length of 77.42 feet curving to the right, having a radius of 212.50 feet, a central angle of 20 degrees 52 minutes 29 seconds, to a point of tangency;
7. South 35 degrees 51 minutes 51 seconds West for a distance of 98.58 feet, to a point of curvature;
8. South 44 degrees 11 minutes 21 seconds West for a chord distance of 32.58 feet, with an arc length of 32.70 feet curving to the right, having a radius of 112.50 feet, a central angle of 16 degrees 39 minutes 05 seconds, to a point of tangency;

9. South 52 degrees 30 minutes 51 seconds West for a distance of 137.25 feet, to a point on a southerly property line of said 30.91-acre tract, a northerly property line of that 37.38-acre tract of land conveyed to City of Columbus by deed recorded in Official Record 21179C16;

Thence North 86 degrees 54 minutes 01 seconds West for a distance of 38.43 feet, with a southerly property line of said 30.91-acre tract, a northerly property line of said 37.38-acre tract to point;

Thence crossing said 30.91-acre tract the following 9 courses and distances:

1. North 52 degrees 30 minutes 51 seconds East for a distance of 166.43 feet, to a point of curvature;
2. North 44 degrees 11 minutes 21 seconds East for a chord distance of 25.34 feet, with an arc length of 25.43 feet curving to the left, having a radius of 87.50 feet, a central angle of 16 degrees 39 minutes 05 seconds, to a point of tangency;
3. North 35 degrees 51 minutes 51 seconds East for a distance of 98.58 feet, to a point a point of curvature;
4. North 25 degrees 25 minutes 36 seconds East for a chord distance of 67.94 feet, with an arc length of 68.32 feet curving to the left, having a radius of 187.50 feet, a central angle of 20 degrees 52 minutes 34 seconds, to a point of tangency;
5. North 14 degrees 59 minutes 22 seconds East for a distance of 132.94 feet, to a point of curvature;
6. North 15 degrees 04 minutes 06 seconds West for a chord distance of 187.83 feet, with an arc length of 196.73 feet curving to the left, having a radius of 187.50 feet, a central angle of 60 degrees 06 minutes 59 seconds, to a point of tangency;
7. North 45 degrees 07 minutes 35 seconds West for a distance of 112.99 feet, to a point of curvature;
8. North 24 degrees 22 minutes 01 seconds West for a chord distance of 115.19 feet, with an arc length of 117.75 feet curving to the right, having a radius of 162.50 feet, a central angle of 41 degrees 31 minutes 02 seconds, to a point of tangency;
9. North 03 degrees 36 minutes 27 seconds West for a distance of 234.16 feet, to the Place of Beginning, and containing 0.660 Acres of Land, more or less.;

It is understood that the above described area contains a total of 0.660 acres, more or less, a part of Auditor's Parcel Number 010-258021-00.

Grantor claims title by Instrument Numbered 200312230402074 (for Auditor's Parcel Number 010-258021-00) of the Franklin County Recorder's Office.

The Basis of Bearing in this description is the Ohio State Plane Coordinate System, South Zone.

Description prepared from and actual field survey and from records obtained from the Offices of the Franklin County Engineer and Auditor, under the supervision of Dwight D. Stuckey, Ohio Registered Surveyor Number 4992.

Dwight D. Stuckey, P.S. No. 4992

Section 2. That permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Alum Creek Trail-Mock Road to I-670 Project, # 510316, 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 4P

The land herein described is situated in Franklin County, The City of Columbus, Original Mifflin Township, Quarter Township 3, Township 1, Range 17, United States Military Lands, part of Farm Lot Survey in Plat Book 4, Page 353, and being within that 5.796-acre tract of land conveyed to Sandra Ackley Kirk by deed recorded in Deed Book 3452, Page 126 and conveyed to Sandra Ackley Kirk, Sandra Ackley Kirk and Gilman D. Kirk, Jr. as co-trustees of the Amended and Restated Trust created by Irma L. Ackley dated July 30, 1990, as last amended and restated May 16, 1996 by deed recorded in Instrument Numbered 200004280083166, Auditor's Parcel Number 010-166722-00 containing 0.83 acres being a part of said 5.796-acre tract and now containing 0.796 acres by a new survey REVISED 1-28-91 on file in the office of The Franklin County Engineer, and being located

within the following described points in the boundary thereof;

Commencing at a point on the existing easterly right-of-way line of Sunbury Road, on the northerly property line of said 5.796-acre tract, the southerly property line of that 8.92-acre tract of land conveyed to the City of Columbus by deed recorded in Instrument Numbered 200108100185368, said point shown upon QUEENSLAND SUBDIVISION, Plat Book 42, Page 124 as the intersection of the existing easterly right-of-way line of Sunbury Road with the northerly property line of a 0.83-acre tract of land owned by Wallace F. Ackley;

Thence South 85 degrees 46 minutes 38 seconds East for a distance of 35.75 feet, with a northerly property line of said 5.796-acre tract and northerly line of said Auditor's Parcel 010-166722-00, the southerly property line of said 8.92-acre tract, to the True Place of Beginning of the herein described PARCEL 4;

Thence South 85 degrees 46 minutes 38 seconds East for a distance of 28.17 feet, with a northerly property line of said 5.796-acre tract and northerly line of said Auditor's Parcel 010-166722-00, the southerly property line of said 8.92-acre tract, to a point;

Thence South 09 degrees 26 minutes 47 seconds West for a distance of 46.26 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-166722-00, to a point on the end of a curve, not tangent;

Thence South 06 degrees 36 minutes 57 seconds East for a chord distance of 24.79 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-166722-00 with an arc length of 26.74 feet curving to the left, having a radius of 20.00 feet, a central angle of 76 degrees 35 minutes 45 seconds, to a point of tangency;

Thence South 44 degrees 54 minutes 27 seconds East for a distance of 161.91 feet, crossing said 5.796-acre tract and said Auditor's Parcels 010-166722-00 and 010-258016-00, to a point of curvature within said Auditor's Parcel 010-258016-00;

Thence South 24 degrees 15 minutes 27 seconds East for a chord distance of 56.43 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-258016-00, with an arc length of 57.67 feet curving to the right, having a radius of 80.00 feet, a central angle of 41 degrees 18 minutes 13 seconds, to a point on the end of the curve;

Thence South 33 degrees 52 minutes 34 seconds West for a distance of 28.76 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-258016-00, to a point on a southerly property line of said 5.796-acre tract and a southerly line of said Auditor's Parcel 010-258016-00, on a northerly property line of that 30.91-acre tract of land conveyed to Only Just an LLC by deed recorded in Instrument Numbered 200312230402074;

Thence North 85 degrees 48 minutes 27 seconds West for a distance of 25.23 feet, with a southerly property line of said 5.796-acre tract and a southerly line of said Auditor's Parcel 010-258016-00, a northerly property line of said 30.91-acre tract to a point;

Thence North 45 degrees 41 minutes 17 seconds West for a distance of 26.11 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-258016-00, to a point on the end of a curve, not tangent;

Thence North 24 degrees 15 minutes 27 seconds West for a chord distance of 14.11 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-258016-00, with an arc length of 14.42 feet curving to the left, having a radius of 20.00 feet, a central angle of 41 degrees 18 minutes 41 seconds, to a point of tangency;

Thence North 44 degrees 54 minutes 27 seconds East for a distance of 161.91 feet, crossing said 5.796-acre tract and said Auditor's Parcels 010-258016-00 and 010-166722-00 and Alum Creek, to a point of curvature within said Auditor's Parcel 010-166722-00;

Thence North 06 degrees 36 minutes 57 seconds West for a chord distance of 99.15 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-166722-00 with an arc length of 106.94 feet curving to the right, having a radius of 80.00 feet, a central angle of 76 degrees 35 minutes 12 seconds, to a point on the end of the curve;

Thence North 62 degrees 03 minutes 43 seconds East for a distance of 34.59 feet, crossing said 5.796-acre tract and said Auditor's Parcel 010-166722-00, to the Place of Beginning, and containing 0.421 Acres of Land, more or less.

It is understood that the above described area contains a total of 0.421 acres, more or less, which is further described as being:

0.184 acres, more or less, including the present road which occupies 0.000 acres, more or less, being in Auditor's Parcel Number 010-166722-00.

0.237 acres, more or less, including the present road which occupies 0.000 acres, more or less, being in Auditor's Parcel Number 010-258016-00.

Grantor claims title by Deed Book 3452, Page 126 and Instrument Numbered 200004280083166 (for Auditor's Parcel Numbers 010-166722-00 and 010-258016-00) of the Franklin County Recorder's Office.

The Basis of Bearing in this description is the Ohio State Plane Coordinate System, South Zone.

Description prepared from an actual field survey and from records obtained from the Offices of the Franklin County Engineer and Auditor, under the supervision of Dwight D. Stuckey, Ohio Registered Surveyor Number 4992.

Dwight D. Stuckey, P.S. No. 4992 Date

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

Section 4. That the Council of the City of Columbus hereby fixes the value of said permanent easements as follows:

- | | |
|-------|-------------|
| 1. 3P | \$14,850.00 |
| 2. 4P | \$9,473.00 |

Section 5. 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 6. That for the reasons state 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: 0503-2008

Drafting Date: 3/12/2008

Current Status: Defeated

Version: 1

Matter Type: Ordinance

BACKGROUND: One property currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of such real property. One vacant lot at 494 West Rich Street (010-040655) will be sold to Fedora Investment Corporation. The property will be transferred by deed, which will be recorded in the Official Records of the County Recorder's Office. The buyer intends to purchase this small 2,500 square foot parcel to consolidate with a larger redevelopment project, which includes B and T Metals building.

FISCAL IMPACT: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of a vacant parcel of real property located at 494 West Rich Street held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

WHEREAS, by Ordinance 2161-93 Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use; and

WHEREAS, a proposal for the sale of one parcel which has been acquired pursuant to Section 5722.03 for this program meet the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved; and

WHEREAS, such parcel of real estate is being sold at not less than fair market value in conformity with Ohio Revised Code Section 5722.07, competitive bidding is not required; and

WHEREAS, under 5722.07 "fair market value" means the appraised value of the nonproductive land made with reference to such redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may be otherwise applicable to such land; and

WHEREAS, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for such real property; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate in order to accommodate the construction schedule of the purchaser, all for the immediate preservation of the public health, peace, property, safety and welfare; and now therefore,

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

Section 1. That the Director of the Department of Development is hereby authorized and directed to execute any and all necessary agreements and deeds to convey title of the following parcel of real estate:

PARCEL NUMBER: 010-040655
ADDRESS: 494 West Rich St.
PRICE: \$3,500 plus recording fee of \$35.00
USE: Consolidate parcels for redevelopment.

Being Lot Number One Hundred Ninety-Three (193) of FRANCIS C. SESSIONS WESTERN ADDITION to the City of Columbus, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 2, page 243, Recorder's Office, Franklin County, Ohio.

Section 2. That for good cause shown, the requirements contained in Section 329.29 of the Columbus City Codes, 1959, are hereby waived.

Section 3. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

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

Legislation Number: 0983-2007

Drafting Date: 6/12/2007

Version: 1

Current Status: Defeated

Matter Type: Ordinance

BACKGROUND:

The City of Columbus currently has an excessive amount of vacant office space in our downtown market. This high vacancy rate is having a negative impact on all business activity downtown and throughout the city. Stanbery Development LLC is currently exploring downtown Columbus as a potential site for their expansion. They anticipate bringing an estimated 12 new positions downtown. This new job creation is estimated to generate \$900,000 of payroll and \$18,000 annually in City income tax revenue. Based on this estimate, they would qualify for a Columbus Downtown Office Incentive of an amount equal to 50% of the payroll taxes paid or \$9,000 each year for five (5) years. The Downtown Development Office recommends granting the Columbus Downtown Office Incentive Program to Stanbery Development LLC.

FISCAL IMPACT:

No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with Stanbery Development LLC as provided in Columbus City Council Resolution 0088X-2007, adopted June 4, 2007.

WHEREAS, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Resolution 0088X-2007, adopted June 4, 2007, authorized the Department of Development to establish the Columbus Downtown Office Incentive Program; and

WHEREAS, the Department of Development has received a completed application for the Columbus Downtown Office Incentive Program from Stanbery Development LLC; and

WHEREAS, Stanbery Development LLC estimates that it will create 12 new positions at 328 South Civic Center Dr., with a projected payroll of \$900,000 generating estimated City of Columbus income tax revenue of \$18,000 annually; **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 Columbus Downtown Office Incentive Program agreement with Stanbery Development LLC, pursuant to Columbus City Council Resolution 0088X-2007, adopted June 4, 2007, for an annual cash payment equal to 50% of the total income tax withholding for the new positions located in downtown Columbus for a term of five (5) years based on the estimated addition of 12 jobs at 328 South Civic Center Dr.
- Section 2.** This employment at Stanbery Development LLC is the result of creating 12 new jobs at the Downtown site as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.
- Section 3.** As provided in the program guidelines the proposed purchase of 328 South Civic Center Dr., qualifies

Stanbery Development LLC for a five (5) year incentive term. The term beginning in calendar year 2008, with the incentive payment made in the first quarter of the following year based on actual City of Columbus income tax withholding paid by employees for the preceding year.

Section 4. Each year of the term of the agreement with Stanbery Development LLC that a payment is due, the City's obligation to pay the incentive is expressly contingent upon the passing of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 1092-2011

Drafting Date: 6/29/2011

Current Status: Defeated

Version: 1

Matter Type: Ordinance

BACKGROUND: The Department of Development is proposing to enter into a Jobs Growth Incentive Agreement with ExpressPoint Technology Services, Inc. (ExpressPoint) equal to twenty-five percent (25%) of the amount of personal income tax withheld on new employees to Columbus for a term of five (5) years. The company will invest approximately \$125,000 to establish a new service center operation in Columbus and to create 30 new full-time permanent positions.

ExpressPoint Technology Services, Inc. (ExpressPoint) was founded in 1996 and provides PC-based depot and point-of-sale repairs, along with inventory management services. The company offers repair services for computers, laptops, servers, wireless and network products, monitors, printers, and point-of-sale equipment. It also provides logistics services, including packaging, inbound receipt and outbound shipment processes. The company delivers high service solutions that enable its customers to grow their service revenue by expanding the diversity of their products. ExpressPoint is headquartered in Golden Valley, MN and has a repair depot in Juarez, MX and a parts distribution facility in El Paso, TX.

ExpressPoint conducted an extensive search for the site of its next operation. The project in Columbus involves the lease of 75,000 square feet of operational space. Leasehold improvements will be made to the facility by the landlord and the company will enter into a lease for a minimum of seven (7) years at the project site. ExpressPoint will invest \$125,000 in machinery, equipment, furniture and fixtures. A total of 30 new full-time permanent jobs will be created as a result of the project.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into a Jobs Growth Incentive Agreement with ExpressPoint equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years in consideration of the company's proposed investment of \$125,000.00 and the creation of 30 new full-time permanent positions within the City of Columbus.

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, the Department of Development has received a completed Jobs Growth Incentive Agreement Application from ExpressPoint; and

WHEREAS, ExpressPoint is proposing to lease and equip 75,000 square feet to accommodate a new service center operation; and

WHEREAS, ExpressPoint will enter into a seven (7) year lease term at the site; and

WHEREAS, ExpressPoint has indicated that a Jobs Growth Incentive is crucial to its decision to locate the aforementioned service center operation in Columbus; and

WHEREAS, the City of Columbus desires to facilitate ExpressPoint's future growth at the project site by providing a Jobs Growth Incentive; and

WHEREAS, in consideration of ExpressPoint's proposed investment of \$125,000 and the creation of 30 new full-time permanent positions within the City of Columbus; 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 Jobs Growth Incentive Agreement equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years with ExpressPoint.

Section 2. Each year of the term of the agreement with ExpressPoint, the City's obligation to pay the incentive is expressly contingent upon the passage of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to Section 159 of the Columbus City Charter.

Section 3. That the City of Columbus Jobs Growth Incentive Agreement is signed by ExpressPoint within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

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

Legislation Number: 1588-2011

Drafting Date: 9/21/2011

Version: 1

Current Status: Defeated

Matter Type: Ordinance

BACKGROUND: The Department of Development is proposing to enter into a Jobs Growth Incentive Agreement with SCR-Tech, LLC equal to twenty-five percent (25%) of the amount of personal income tax withheld on new employees for a term of five (5) years. SCR-Tech, LLC proposes to make a fixed-asset investment of approximately \$9 million including, \$7.5 million in new machinery and equipment, \$1 million in renovation and leasehold improvements, \$75,000 in new furniture and fixtures, and \$425,000 in inventory. The company will also create 50 new full-time permanent positions.

SCR-Tech, LLC is the leading provider of SCR management and catalyst regeneration technologies for selective catalytic reduction (SCR) systems used by coal and gas fired power plants to reduce nitrogen oxides (NOx) emissions. Based in Charlotte, North Carolina, SCR-Tech is the only company in North America offering a commercial process capable of fully restoring catalyst activity and NOx reduction performance. The company provides catalyst management and consulting services including computer simulation, inspection,

testing and analysis to help utilities, independent power producers, and other SCR operators optimize their NOx reduction performance and achieve regulatory compliance.

SCR-Tech, LLC is proposing to expand its operations into the City of Columbus by entering into a 7-year lease agreement on a vacant commercial facility located at 5303 Fisher Road to meet its increased growth and consumer demand.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of Development to enter into a Jobs Growth Incentive Agreement with SCR-Tech, LLC equal to 25% of the amount of new income tax withheld on employees for a term of five years in consideration of the company's proposed investment of \$9 million and the creation of 50 new permanent full-time jobs.

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, the Department of Development has received a completed Jobs Growth Incentive Agreement Application from SCR-Tech, LLC; and

WHEREAS, SCR-Tech, LLC is proposing to enter into 7-year lease agreement on a vacant commercial office facility located at 5303 Fisher Road, to accommodate the company's expansion into the Columbus community; and

WHEREAS, SCR-Tech, LLC has indicated that a Jobs Growth Incentive is crucial to its decision to locate the aforementioned project expansion in Columbus; and

WHEREAS, the City of Columbus desires to facilitate SCR-Tech, LLC's future growth at the project site; and

WHEREAS, the Department of Development is proposing to enter into a Jobs Growth Incentive Agreement equal to twenty-five (25%) of the amount of personal income tax withheld on new employees for a term of 5 years in consideration of SCR-Tech LLC's proposed investment of \$9.0 million, and the creation of 50 new full-time permanent positions; 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 Jobs Growth Incentive Agreement equal to twenty-five percent (25%) of the amount of new income tax withheld on employees for a term of five (5) years with SCR-Tech, LLC.

Section 2. Each year of the term of the agreement with SCR-Tech, LLC, the City's obligation to pay the incentive is expressly contingent upon the passage of an ordinance appropriating and authorizing the expenditure of monies sufficient to make such payment and the certification of the City Auditor pursuant to

Section 159 of the Columbus City Charter.

Section 3. That the City of Columbus Jobs Growth Incentive Agreement is signed by SCR-Tech, LLC within 90 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void.

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

Legislation Number: 1826-2003

Drafting Date: 7/8/2003

Current Status: Defeated

Version: 1

Matter Type: Ordinance

BACKGROUND: Chapter 3115, Columbus Art Commission, established by City Council Ordinance 1136-60 and amended by Ordinance 387-86, allows for the creation of the Columbus Art Commission. Chapter 3115 is being replaced by a new Chapter 3115 to allow for the creation of the Columbus Public Art Commission and to establish a public art program to provide for the inclusion of public art in public buildings, facilities, and spaces. In consultation with affected city departments, the Commission will recommend public art for specific city capital improvement projects.

FISCAL IMPACT: Enactment of this ordinance will not alter the amount of money available for capital improvements. It will result in some of the available capital improvement funds being expended upon public art associated with particular capital improvements projects.

To amend the Columbus City Codes, 1959, by enacting proposed Chapter 3115 in order to create the Columbus Public Art Commission and to establish a public art program to provide for the inclusion of public art in public buildings, facilities, and spaces by recommending the acquisition, commission, and/or construction and installation of public art to enhance specific capital improvement projects and to repeal existing Chapter 3115; to amend the Columbus City Codes, 1959, by enacting proposed Chapter 3359.07 Plaza Areas and 3359.27 Downtown Commission in order to give the Columbus Public Art Commission exclusive jurisdictional authority over freestanding works of public art that is not integrated into the architecture of a building and is proposed to be placed on property owned or leased by the city of Columbus, including in, on or over the public right of way and to repeal existing Chapter 3359.07 and Chapter 3359.27.

Whereas, public art [i] is the result of a process that incorporates original works of art by visual artists in public spaces and which involves the public from selection process to dedication. [ii] is integrated with the work of other design professionals [iii] is of the highest quality and serves the city by enhancing the quality of life for its citizens; and [iv] contributes to the city's image and prestige; and

Whereas, public art enhances good urban design by creating attractive and friendly streetscapes and public amenities that improve the city's livability and potential for economic development; and

Whereas, public art can define and animate public spaces by providing opportunities for surprise, humor and introspection; and

Whereas, public art provides viable mitigation for large-scale capital construction projects and the disruption these projects may cause to the community; and

Whereas, the public art program will operate citywide and with a primary focus on Downtown Columbus; and

Whereas, for the Department of Public Utilities' capital improvement budget, which is subject to restrictions under the

Columbus Charter and Ohio law, it is an appropriate goal to include acquisition of public art on a case-by-case basis subject to those restrictions; and

Whereas, the Commission, as established by this ordinance, shall be an official Commission of the city of Columbus and whose membership shall be appointed by the Mayor with the approval of City Council; and

Whereas, through the adoption of this ordinance the Commission shall conduct a site and collections inventory and produce a maintenance plan for the city's public art collection; and

Whereas, a public hearing was held on July 24, 2003 at which time the Development Commission voted to recommend the adoption of this ordinance to create a Public Art Commission and establish a public art program; and

Whereas, a public hearing was held on July 24, 2003 at which time the Downtown Commission voted to recommend the adoption of this ordinance to create a Public Art Commission and establish a public art program; and

Whereas, on June 24, 2003 the Board of Trustees for The Greater Columbus Arts Council voted to recommend the adoption of this ordinance to create a Public Art Commission and establish a public art program; and

Whereas, it is the purpose of this ordinance to replace Chapter 3115, to establish a public art commission and to provide for the inclusion of public art and artistic enhancements in and to public buildings, facilities and spaces in the city of Columbus; now, therefore,

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

Section 1. That existing Chapter 3115 of the Columbus City Codes, 1959, is hereby repealed.

Section 2. That the Columbus City Codes, 1959, are hereby amended by enacting proposed chapter 3115, "Columbus Public Art Commission and to establish a public art program" consisting of ten (10) sections numbered 3115.01 through 3115.10, reading as follows:

3115.01 Purpose

Establish a public art commission and program to provide for the inclusion of public art in public buildings, facilities and spaces by recommending a percentage of the funds expended on specified capital improvement projects be expended for works of public art.

3115.02 Definitions

- a. "Arts Project Panel" means a group of representatives from such areas as the Columbus residential community, the city, private development, artists, and arts professionals who are charged by the Columbus Public Art Commission with the selection of art for sites within their geographic district that have been specified in the Public Art Project Plan.
- b. "Capital Improvements Budget" means the ordinance approved by City Council that includes all annual capital improvement projects and their respective funding levels, excluding the Department of Public Utilities' projects.
- c. "Capital Improvements Program" means the budgetary planning document approved through resolution by City Council, which lists those capital improvement projects planned for a five-year period.
- d. "Columbus Public Art Commission," "Public Art Commission" or "Commission" means the Public Art Commission established pursuant to section 3115.03 of the Columbus City Codes.
- e. "Deaccession" Deaccessioning is the process of removing a piece of public art permanently from the collection, usually through sale or exchange or any other transactions by which title of outgoing works of public art are transferred from the collection to another institution or individual. Under certain conditions, it may also include disposal by intentional

destruction.

f. "GCAC" means Greater Columbus Arts Council

g. "Public Art" is all forms of visual arts conceived in any medium, material or combination thereof. Public artwork may be commissioned or purchased and can take the form of discrete, site-specific installations or be integrated into the design and physical development of a capital improvement to which it is attached.

h. "Public Art Collection" means all existing city-owned art and all future art acquired by the city of Columbus or by the Public Art Commission on behalf of the city of Columbus

i. "Public Art Focus Project" means a public art project for which a particular focus has been identified and for which an amount greater than one percent (1%) of the total cost of the particular capital improvements project is necessary for the public art enhancements to have the effect desired.

j. "Public Art Master Plan" means a citywide arts master plan that suggests ways of thinking about, talking about and doing public art that incorporates urban design, community history and current conditions into area specific goals, and larger community building, education, cultural, and citywide goals.

k. "Public Art Projects" are projects that involve visual artists working through the public art process and resulting in the placement or creation of original works of art in public spaces. Public art projects also include artists serving on design and development teams to identify opportunities to incorporate art in the public space. Works of art designed by artists in collaboration with architects, landscape architects and engineers and initiated by the Public Art Commission may be funded under this ordinance.

l. "Public Art Project Plan" or "Plan" means a yearly report developed by the Public Art Commission in consultation with the affected city departments. The Plan shall recommend new art projects, including budget and time frame for development, report on the status of on-going projects, identify potential future projects, and list completed projects.

3115.03 Creation - Membership terms

The Columbus Public Art Commission is created and established. The Commission shall consist of nine (9) members appointed by the Mayor with the approval of City Council. The members shall serve without compensation for a term of three years, except that the initial terms of the original members shall be: three (3) for one (1) year; three (3) for two (2) years; and three (3) for three (3) years. No member shall serve more than two consecutive terms. The membership shall be broadly representative of the Columbus community and all fields of the visual arts and fine crafts. They shall include persons who are widely known for their professional competence and experience in the arts and knowledgeable lay persons. The membership shall include three (3) representatives from the Board of Trustees of The Greater Columbus Arts Council. The Commission shall annually select from its membership a chair who shall preside over its meetings and a vice chair who shall serve in the absence of the chairman. A majority of the members shall constitute a quorum and a majority vote of those present shall be required for any action by the Commission. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term in the same manner as original appointments are made.

3115.04 Commission duties

a. The Public Art Commission shall be responsible for: (1) the oversight and submission of an annual public art project plan for review and approval by the Mayor and City Council for consideration in the Capital Improvements Program; (2) the annual review and determination of appropriateness of buildings, structures, sites, and facilities for the inclusion of public art therein; (3) maintaining a site and collections inventory; (4) maintaining the highest standards for acquisitions to the city's art collection; (5) prioritizing the maintenance and preservation of the art collection; (6) establishing and maintaining a written policy for acquisition of new and/or donated work and deaccessioning of existing works; (7) establishing a Public Art Program which includes guidelines for insurance, maintenance, preservation and conservation of public art, and for public information and education programs; (8) appointing public arts project panelists who will represent the Columbus community and the professional arts community and adhere to the highest standards of artistic quality; (9) adhering to existing city policies for affirmative action and conflicts of interest; (10) creating guidelines which

provide for artwork that has relevancy to the site and enhances the quality of life for citizens; (11) conducting appropriate public meetings in the administration of a Public Art Program; (12) development and submission of a public art master plan to the Mayor; (13) seeking private donations and grants to the public art program; (14) advising the Mayor on additional sources of income for the program; and (15) upon request, advising on public art projects beyond city of Columbus public art projects and inventory or those projects for which Commission approval is required.

b. With specific references to the administration of city funds identified for public art projects in the approved city capital improvements budget, the Commission shall:

1. Make periodic reviews, at least annually, of all appropriate city capital improvement projects in cooperation with the Mayor and City Council, the Department of Finance, the Auditor's Office, and appropriate city department representatives for the purposes of recommending schedules and budgets for eligible public art projects.

2. Administer the method or methods of selection and commissioning of artists with respect to the design, execution and placement of public art projects as identified in the public art project plan and approved by City Council.

3. Recommend to the Mayor and City Council, through the Department of Finance as part of the city's annual budget process, and in consultation with affected city departments, public art projects and project budgets with a projected schedule for the completion of those art projects in connection with specific capital improvement projects.

4. Recommend to the Mayor and City Council, public art policies and guidelines for accepting, selecting, purchasing, commissioning, placing and preserving public art projects and other city art acquisitions, gifts or extended loans for art.

5. In developing public art project concepts and designs, make every effort to involve a representation of citizens who reside near each public art project or who use the facility to which the project relates.

6. Develop methods to encourage the development of Greater Columbus and Ohio artists.

7. Ensure that qualified artists of all genders and ethnic groups are represented.

c. In addition, the Commission shall have such other powers and duties as may be appropriate in carrying out the purposes and goals of chapter 3115.

3115.05 Public art funding

a. Without imposing any limitation on the cost of acquisition of public art for any particular capital improvements project, it is recognized that it is an appropriate goal to expend one percent of the capital improvements budget on the acquisition of public art. To that end, each City Department, except for the Department of Public Utilities, shall include in its budget recommendations for the Capital Improvements Program recommendations for public art projects consistent with the Public Art Project Plan. The Department of Public Utilities may also include recommendations for public art projects in its recommended capital improvements program, to the extent such recommendations are consistent with the Charter and applicable Ohio law. The Columbus Public Art Commission shall, as part of the annual budgetary process of the city, recommend to the Mayor, through the Department of Finance, and City Council the acquisition of public art for specified capital improvement projects. In making such recommendations the Commission shall review the capital improvements projects proposed by city departments for inclusion in the capital improvements program pursuant to C.C.C. Section 333.05.

b. Capital improvement projects eligible for public art funding shall be those projects in which the inclusion of a public art project is a legally permissible expenditure under the laws regulating the expenditure of funds for such capital improvement projects and which are identified by the Commission as appropriate for public art projects. To the extent legally permissible, public art funds expended with respect to a capital improvement project may be pooled on a department or multi-department basis into one or more public art projects, including public art focus projects.

3115.06 Placement of public art projects

a. Each public art project recommended by the Public Art Commission and approved by City Council for implementation, pursuant to the provisions of this chapter 3115, shall be placed at a site that relates substantially to the capital improvement. The department responsible for the funding of a capital improvement project shall include the commissioned artist on the design team and make appropriate space available for the placement of the related public art project. Public art projects shall be placed in full public view on property owned or leased by the city unless the Commission recommends otherwise.

b. Placement of a public art project shall be recommended to the City Council by the Public Art Commission, in the public art project plan, after consultation with the appropriate city department responsible for the funding of the capital improvement project or projects to which the public art project is related.

3115.07 Commission Approval Required

a. Public art acquired by the city shall require the approval of the Commission of the design, acquisition and location thereof, and no existing work of art in the possession of the city shall be in any way removed, relocated, sold or altered without the approval of the Commission.

b. No person shall change the design or location of anything requiring the approval of the Commission of its original design or location without the approval of the Commission.

c. Privately owned public art proposed for placement on property owned or leased by the city of Columbus, including in, on, or over the public right Of way shall require the approval of the Commission for its design and location.

d. Public art requiring the issuance of a special permit at the time of installation shall need to receive the approval of the Commission for the permit to be issued and upon each subsequent application for renewal.

e. During the process of approval, the Commission shall consult with other city Administrative Commissions with binding approval authority.

3115.08 Determinations by Commission

In making the approvals and performing the duties set forth in C.C. 3115.01 to 3115.07, inclusive, it shall be guided by the Council- adopted Public Art Project Plan, the preserving of the proper decor of the city, the maintenance of the proper aesthetic values, the providing for the orderly growth of the city and its artistic treasures, the providing and maintenance of an orderly balance in the location and design of public art, the preservation of property and the uses and condition thereof, and the prevention of blight or deterioration in and around public buildings and public art. All determinations of the commission shall be in accordance and consistent with the Council-adopted Public Art Project Plan and Commission adopted policies and procedure. If the commission shall fail to act upon any matter submitted to it within sixty (60) days after such submission its approval thereof shall be presumed. (Ord. 1136-60.)

3115.09 Severability

The provisions of this chapter shall be deemed severable; and if any such provision shall be held unconstitutional by a court of competent jurisdiction the decision of such court shall not impair any of the remaining provisions. (Ord. 1515-89)

3115.10 Exclusions

Nothing in this chapter shall be construed to exclude, supersede, or exempt public art approved by the Columbus Public Art Commission from other city of Columbus regulations and requirements, unless otherwise noted in this chapter.

Section 3. That existing Chapter 3359.07 and 3359.27 of the Columbus City Codes, 1959, is hereby repealed.

Section 4. That the Columbus City Codes, 1959, are hereby amended by enacting proposed Chapter 3359.07 Plaza Areas and 3359.27 Downtown Commission consisting of two (2) sections numbered 3359.07 and 3359.27, reading as follows:

3359.07 Plaza Areas

For the purposes of this section plaza areas shall mean any outdoor area that is immediately adjacent to the public right-of-way, excluding alleys, open or covered areas between buildings, or indoor atriums. Plaza areas essentially function as or appears to be an extension of the public right-of-way leading to a building's public entrance. Such improvements shall be:

- (1) Free from heating, ventilating, air conditioning, telecommunications, and other mechanical equipment, unless the downtown commission approves screening such equipment from the public view;
- (2) Accessible to the public;
- (3) Illuminated during hours of darkness;
- (4) Handicapped accessible; and
- (5) Reviewed and approved by the downtown commission pursuant to Section 3359.27(D), Design Review, with due consideration given to the entire provision for pedestrian amenities and their appropriateness to the site and surrounding area, including but not limited to, the provision of seating, lighting, public art that is not on property owned or leased by the city of Columbus including in, on or above the public right of way, walkways, landscaping, fountains, and other public plaza features.

3359.27 Downtown Commission

The downtown commission shall concern itself with the development of the downtown, compliance with the purpose and intent of the downtown district, and the implementation of downtown plans and vision for downtown. The actions and decisions of the downtown commission shall be governed by the principals for downtown development as stated in Section 3359.01, Purpose.

(A) Creation, Membership, and Terms. The downtown commission is created consisting of up to nine (9) members. All members shall work or reside downtown or have substantial involvement in downtown business, planning or development activities. At least one (1) member shall reside downtown. Each member shall be appointed by the mayor, and serve staggered terms. One (1) member shall be appointed for an initial term of one (1) year; three (3) members shall be appointed for an initial term of two (2) years; three (3) members shall be appointed for an initial term of three (3) years; and two (2) members shall be appointed for an initial term of four (4) years. All subsequent terms shall be for a period of four (4) years. There shall be no restriction on the serving of multiple terms. Appointments shall be made so as to include on the commission at all times at least one (1) member engaged as a developer or realtor with experience in the sale or management of downtown properties; one (1) member who is an architect or landscape architect with experience in downtown scale projects; one (1) member who is a professional with historic resources rehabilitation experience; and, one (1) member who is a lawyer with land use law experience. A member of the commission may be removed from service for missing four (4) consecutive meetings or a total of five (5) meetings in one (1) calendar year. Members shall not be paid for commission service.

(B) Rules of Procedure. The downtown commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of the downtown district. Four (4) members shall constitute a quorum for the purpose of conducting business. With a quorum, the majority vote of those members present shall be necessary to reverse or modify any condition, requirement, decision or determination; to grant a certificate of appropriateness, recommend approval or disapproval of an area plan, or to take any other action. Whenever a quorum is present and an applicant fails to obtain the majority votes in favor of a certificate of appropriateness then such decision or determination shall be final.

(C) Duties. The downtown commission shall hear and decide on applications for certificates of appropriateness; hear and decide appeals from any person affected by an order, requirement, decision or determination made by the director of the department of trade and development in the administration or enforcement of Chapter 3359, Downtown District; and recommend to Columbus city council the approval or disapproval of a public plan or downtown district code amendment. The downtown commission shall review, based on standards contained in the graphics code or an adopted graphics plan, all graphics associated with any new project requiring a certificate of appropriateness as per city codes 3359, all graphics for any project already receiving a certificate of appropriateness as per city codes 3359, requests for all graphic variances and special permits as provided for by the Graphics Code, all graphics mounted over two (2) stories or twenty-four (24) feet above grade, and all graphics plans.

(D) Design Review. The downtown commission shall hear and decide on applications for certificates of appropriateness within the jurisdiction of the commission. The commission shall have the authority to grant an approval of certificates of appropriateness for the following uses or circumstances: (1) for accessory or nonaccessory surface parking lots; (2) for all

parking structures; (3) for projects in which the total floor area exceeds three (3) times the first floor area, and for such other projects that are determined by the director of the department of trade and development to be major projects or are determined to have major effects on other properties, public or private, such determination shall be issued in writing within ten (10) days of the filing of an application for a zoning clearance; (4) for encroachments into the public right-of-way; (5) plaza areas; (6) skywalks; (7) building setbacks abutting the riverfront public right-of-way and any improvements within the setback; (8) height, massing, and orientation of buildings on sites that are adjacent to the riverfront public right-of-way; (9) for the location and design of public parks and the siting of works of public art not on property owned or leased by the city of Columbus including in, on or above the public right of way ; (10) when an applicant or the commission proposes an alternative to any provision or standard within Chapter 3359, Downtown District; (11) uses listed in Section 3359.04(C), Uses Permitted Only By Certificate of Appropriateness; (12) uses listed in Section 3359.19(D), Uses Permitted Only By Certificate of Appropriateness; (13) uses listed in Section 3359.20(D), Uses Permitted Only By Certificate of Appropriateness; (14) for the enlargement or expansion of any buildings or parking lot approved prior to the adoption of Chapter 3359, Downtown District; and, (15) for any use listed in Chapter 3389 as a use permitted city-wide by a special permit. The commission will utilize the following criteria in the design review process:

(1) That all the provisions and standards, including any established by the commission, of a district, sub-district, or overlay district have been met.

(2) That the proposed building or structure shall not be approved if it is inappropriate to the site and surrounding area. The commission may also consider such things as the provision of parking and loading areas, vehicular access, traffic generation, sun reflectance and sun access to streets and other public areas, building materials, shadows, open space or plazas, public art, lighting, graphics, colors, pedestrian orientation, proximity to residential uses, or any other design features.

(3) That the proposed building or structure is consistent with guidelines prepared by the commission. Such guidelines shall be adopted by city council within one (1) year after the commission is established. In the granting of a certificate of appropriateness, the downtown commission may impose reasonable requirements and conditions regarding the location, character, and other features of the proposed uses or structures to carry out the intent and purpose of Chapter 3359, Downtown District and to otherwise safeguard the public safety and welfare.

(E) Appeals to the Commission. The downtown commission shall hear appeals from any person affected by an order, requirement, decision or determination made by the director of the department of trade and development in the administration or enforcement of Chapter 3359, Downtown District upon application and within such time as shall be set by rule of the commission. The commission may reverse, affirm, or modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination, as in its opinion and consistent with Chapter 3359 ought to be made and to that end shall have the powers of the office from which the appeal is taken. The commission shall not entertain any appeal applied for more than twenty (20) days after the date of the order, requirement, decision or determination appealed from or within such different time as may be specifically provided in Chapter 3359.

(F) Appeals of Commission Decisions. Upon the request of an applicant, any commission decision including denial of a certificate of appropriateness, will be forwarded to city council for reconsideration by the filing of a notice of appeal with the clerk of city council within thirty (30) days after the date of the commission's decision.

(G) Plan Approval. The downtown commission shall recommend approval or disapproval to Columbus city council within the jurisdiction of the commission for any public plan, including but not limited to area plans, streetscape plans, park plans, and major street circulation plans.

(H) Downtown District Amendments. The downtown commission may, at any time, recommend that the department of trade and development prepare minor amendments to Chapter 3359, Downtown District. The downtown commission, with the assistance of the department of trade and development, shall undertake a complete review of Chapter 3359, Downtown District every five (5) years. The first such review shall take place five (5) years from the date the Downtown District was first adopted. Such reviews will be undertaken in order to ensure that it remains relevant and up-to-date. Upon completion of a five (5) year review, the commission shall recommend that the department of trade and development prepare the necessary amendments to bring Chapter 3359, Downtown District, up-to-date.

(I) Exclusions. Expressly excluded from the purview of this Chapter shall be freestanding works of public art, as defined in Section 3115.01(f) not integrated into the architecture of a building and that are proposed to be placed on property owned or leased by the city of Columbus including, in, on or above the public right of way. Such public art shall be within the exclusive jurisdictional authority of the Columbus Public Art Commission pursuant to Sections 3115.07(a), 3115.07(b) and 3115.07(c).

Section 5. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Legislation Number: 1922-2008

Drafting Date: 11/20/2008

Current Status: Defeated

Version: 1

Matter Type: Ordinance

Background: On November 28, 2005, ordinance 1678-2005 passed by the Columbus City Council, authorized the Franklin County Municipal Court, Clerk of Court to enter into contract EL005707 with 3SG Corporation for the provision of converting existing civil, criminal, environmental, and traffic case files into electronic images.

This ordinance authorizes the Franklin County Municipal Court Clerk to modify and amend the maximum obligation of the contract with 3SG Corporation for additional funds for services rendered and to declare an emergency.

Contract Modification

1. Amount of additional funds to be expended under this modification is \$28,363.23.
2. Additional funds are needed to pay for said amount that exceeded the contract, as a result of an accounting of funds error by 3SG Corporation.
3. The work under this third contract modification is for services previously performed by the Contractor.
4. The Clerk deemed that the additional services rendered were necessary.
5. The third contract modification will allow the Contractor to be paid for services rendered.

Contract Compliance Number: 3SG Corporation, 31-1651723, expiration date 11/3/2010.

Emergency: 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: Funds totaling \$28,363.23 are available within the Franklin County Municipal Court Clerk's computer fund.

Contract Modifications:

Original Contract: ordinance 1678-2005; contract EL005707; \$1,066,907.00

First Modification: ordinance 1127-2006; contract EL006171; \$1,133,093.00

Second Modification: ordinance 0970-2007; contract EL007103; \$1,500,000.00

Third Modification: \$28,363.23

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

Whereas, that on November 28, 2005, ordinance 1678-2005 passed by the Columbus City Council, authorized the Franklin County Municipal Court, Clerk of Court to enter into the original contract EL005707 with 3SG Corporation for the provision of converting existing civil, criminal, environmental, and traffic case files into electronic images; and

Whereas, that additional funds are needed to pay for services rendered; and

Whereas, that due to an accounting of funds error by 3SG Corporation, services rendered exceed the contract amount; and

Whereas, the Clerk deemed that the additional services rendered were necessary; and

Whereas, an emergency exists in the daily operations of the Franklin County Municipal Court Clerk, in that it is immediately necessary to modify and amend the maximum obligation of the contract to pay for imaging services rendered, for the immediate preservation of the public peace, health, safety and welfare, now therefore

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

Section 1. That the Franklin County Municipal Court, Clerk of Court be and is hereby authorized to modify and increase the maximum obligation of the contract with 3SG Corporation for additional imaging services, for the amount not to exceed \$28,363.23.

Section 2. That the expenditure of \$28,363.23 or so much thereof as may be necessary is hereby authorized from the Franklin County Municipal Court Clerk, organization 2601, computer fund, fund 227, subfund 002, oca 260208, object level one - 03, object level three - 3336.

Section 3. That in accordance with 329.27 of the Columbus City Code, this Council finds the best interest of the city is served by waiving, and does hereby waive Section 329.06 (Competitive Sealed Bidding) 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.

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: PN0001-2012

Drafting Date: 1/3/2012

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: 2012 Meeting Schedule - City of Columbus Records Commission

Contact Name: Monique Goins-Ransom, Records Commission Coordinator

Contact Telephone Number: 614- 645-0845

Contact Email Address: mlgoins-ransom@columbus.gov

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2012 are scheduled as follows:

Monday, January 23, 2012

Monday, May 14, 2012

Monday, September 24, 2012

These meetings will take place at: City Hall, 90 West Broad Street, 2nd Floor, in the City Council Conference Room (226). They will begin promptly at 10:00 am.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-0845.

Advertise: 01/14/2012 to 09/29/2012

Legislation Number: PN0009-2012

Drafting Date: 1/9/2012

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Downtown Commission 2012 Meeting Schedule

Contact Name: Daniel Thomas

Contact Telephone Number: 614-645-8404

Contact Email Address: djthomas@columbus.gov

Downtown Commission 2012 Meetings

Business Meeting
109 N. Front St.
1st Fl. Conf. Room
8:30am - 10:00am

Regular Meeting
109 N. Front St.
Training Center
8:30am - 11:00am

February 9, 2012

April 12, 2012

June 14, 2012

August 9, 2012

October 11, 2012

December 13, 2012

January 24, 2012

February 28, 2012

March 27, 2012

April 24, 2012

May 22, 2012

June 26, 2012

July 24, 2012

August 28, 2012

September 25, 2012

October 23, 2012

November 27, 2012

December 18, 2012

A Sign Language Interpreter will be made available for anyone with a need for this service, provided the Planning Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036.

Legislation Number: PN0060-2005

Drafting Date: 2/23/2005

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Published Columbus City Health Code

Contact Name: Roger Cloern

Contact Telephone Number: 654-6444

Contact Email Address: rogerc@columbus.gov

"The Columbus City Health Code is updated and maintained by the Columbus Health Department.
To view the most current City Health Code, please visit:
www.publichealth.columbus.gov

Legislation Number: PN0220-2012

Drafting Date: 7/19/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

OFFICIAL NOTICE

Notice/Advertisement Title:

CIVIL SERVICE COMMISSION
COMPETITIVE EXAMINATION ANNOUNCEMENTS
APPLY ONLINE 24 HOURS A DAY, 7 DAYS A WEEK OR APPLY IN PERSON 9:00 A.M. TO 4:00 P.M. MONDAY
THROUGH FRIDAY

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 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: PN0224-2012

Drafting Date: 7/25/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Development Commission Zoning Meeting Agenda- August 9, 2012

Contact Name: Shannon Pine

Contact Telephone Number: (614) 645-2208

Contact Email Address: spine@columbus.gov

AGENDA

DEVELOPMENT COMMISSION

ZONING MEETING

CITY OF COLUMBUS, OHIO

AUGUST 9, 2012

The Development Commission of the City of Columbus will hold a public hearing on the following applications on **Thursday, AUGUST 9, 2012**, beginning at **6:00 P.M.** at the **CITY OF COLUMBUS, I-71 NORTH COMPLEX** at 757 Carolyn Avenue, Columbus, OH 43224 in the lower level **HEARING ROOM**.

Further information may be obtained by visiting the City of Columbus Zoning Office website at

<http://bzs.columbus.gov/commission.aspx?id=20698> or by calling the Department of Building and Zoning Services, Council Activities section at 645-4522.

THE FOLLOWING APPLICATIONS WILL BE HEARD ON THE 6:00 P.M. AGENDA:

1. APPLICATION: Z12-033 (12325-00000-00237)

Location: 3433 GENDER ROAD (43110), being 4.9± acres located on the west side of Gender Road, 265± feet north of Refugee Road (530-248754, Southeast Community Coalition).

Existing Zoning: L-C-4, Limited Commercial District.

Request: L-ARLD, Limited Apartment Residential District.

Proposed Use: Multi-unit dwellings.

Applicant(s): New Village Communities LLC; c/o Jeffrey L. Brown, atty; 37 West Broad Street; Suite 725; Columbus, Ohio 43215.

Property Owner(s): BJM Co. Inc; 6128 Inverurie Dr. E; Dublin, Ohio 43017.

Planner: Dana Hitt, 645-2395; dahitt@columbus.gov

2. APPLICATION: Z12-035 (12335-00000-00311)

Location: 1018 MARSALA AVENUE (43228), being 4.4± acres located on the east side of Marsala Avenue, 520± feet south of Feder Road (010-243602).

Existing Zoning: L-AR-12, Limited Apartment Residential District.

Request: L-ARLD, Limited Apartment Residential District.

Proposed Use: Multi-unit residential development.

Applicant(s): Hartford Village Commons, LLC; c/o Jeffrey L. Brown and David Hodge, Attys.; Smith & Hale, LLC; 37 West Broad Street, Suite 725; Columbus, OH 43215.

Property Owner(s): Hartford Village Commons, LLC; 470 Olde Worthington Road, Suite 100; Westerville, OH 43082.

Planner: Shannon Pine; 645-2208; spine@columbus.gov <<mailto:spine@columbus.gov>>.

3. APPLICATION: Z12-034 (12335-00000-00301)

Location: 5509 NORTH HAMILTON ROAD (43230), being 1.85± acres located on the west side North Hamilton Road, 792± feet south of Blendon Brook Lane. (010-210808).

Existing Zoning: L-C-4, Limited Commercial District.

Request: L-C-4, Limited Commercial District.

Proposed Use: Pet Daycare with outside runs and boarding.

Applicant(s): The Myers Y. Cooper Company; c/o Jeffrey L. Brown & David L. Hodge, Attys.; Smith and Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

Property Owner(s): Suburban Improvement of Columbus, Inc; P.O. Box 490; New Albany, OH 43054

Planner: Dana Hitt, 645-2395; dahitt@columbus.gov

Legislation Number: PN0225-2012

Drafting Date: 7/30/2012

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

[Civil Service Commission Public Notice](#)

Notice/Advertisement Title:

Civil Service Commission Public Notice

Contact Name:

Annette Bigham

Contact Telephone Number:
614-645-7531

Contact Email Address:
eabigham@columbus.gov

During its regular meeting held on Monday, July 30, 2012, the Civil Service Commission passed a motion to create the specification for the classification Training Coordinator, designate the examination type as noncompetitive, assign a probationary period of 365 days, and amend Rule XI accordingly.

During its regular meeting held on Monday, July 30, 2012, the Civil Service Commission passed a motion to create the specification for the classification Public Health Peer Advocate, designate the examination type as noncompetitive, assign a probationary period of 365 days, and amend Rule XI accordingly.

Legislation Number: PN0228-2012

Drafting Date: 7/31/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Department of Public Safety Vehicle for Hire Rules and Regulations

Contact Name: Sharon Gadd

Contact Telephone Number: 645-6009

Contact Email Address: SKGadd@columbus.gov

DEPARTMENT OF PUBLIC SAFETY

VEHICLE FOR HIRE

RULES & REGULATIONS

Published - 8/4/2012

Effective - 8/18/2012

TAXICAB OWNER LICENSES

Taxicab Vehicle Age Limits

No Taxicab Owner's License shall be issued, transferred or renewed after January 1, 2013, to any vehicle that is older than eleven (11) vehicle years as determined by the Vehicle Identification Number.

No Taxicab Owner's License shall be issued, transferred or renewed after January 1, 2014, to any vehicle that is older than ten (10) vehicle years as determined by the Vehicle Identification Number.

No Taxicab Owner's License shall be issued, transferred or renewed after January 1, 2015, to any vehicle that is older than nine (9) vehicle years as determined by the Vehicle Identification Number.

No Taxicab Owner's License shall be issued, transferred or renewed after January 1, 2016, to any vehicle that is older than eight (8) vehicle years as determined by the Vehicle Identification Number.

Advertising

- (a) No passenger vehicle for hire shall display any advertising assemblies other than specifically by Rule & Regulations.
- (b) Each passenger vehicle for hire may display one advertising assembly. The advertising assembly may only be mounted on the top of the vehicle roof. All advertising assemblies must be approved in advance by the License Section Manager prior to mounting on any passenger vehicle for hire. In reviewing advertising assemblies for approval, the License Section Manager shall approve only those advertising assemblies that:
- 1) Do not obscure any required vehicle markings, including the color scheme.
 - 2) Do not add more than 18 inches to the overall height of the vehicle.
 - 3) Do not extend beyond the top of the front windshield or rear window.
 - 4) Are securely mounted to the top of the vehicle and lighting cannot exceed 300 candle power.
 - 5) Advertising Assemblies do not present a safety issue to the riding public or driver.
 - 6) Advertising Assemblies does not interfere or alter the vehicle's safety features.

Legislation Number: PN0229-2012

Drafting Date: 8/1/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Communications 08/01/12

Contact Name: Bessie Twyman

Contact Telephone Number: 645-7264

Contact Email Address: bmtwyman@columbus.gov

THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF,
WEDNESDAY, AUGUST 1, 2012:

New Type: D3
To Clintonville Café Inc
DBA Wildflower Café
3420 Indianola Ave & Patio
Columbus OH 43214
Permit #1560733

New Type: D5
To: Wood Torn Inc

1880 Hard Rd & Patio
Columbus OH 43235
Permit #9767408

New Type: D2
To: Carlo Lombardi
DBA Panzeras Pizza
1354 Grandview Av & Patio
Columbus OH 43212
Permit #5255089

New Type: C1, C2
To: Moni & Sami LLC
1475 E Livingston Av
Columbus OH 43205
Permit #6103115

New Type: D5
To: Yu Ronin Inc
DBA Ronin Restaurant
6300 Parkcenter Cir
Columbus OH 43017
Permit #9864947

New Type: D2
To: MD Management LLC
DBA Dempseys
346 S High St & Bsmt
Columbus OH 43215
Permit #5791397

New Type: D1
To: Tamarkin Co
DBA Grandview Yard Giant Eagle 6539
NE COR Edgehill Rd & W Third Av
Columbus OH 43212
Permit #87906900785

New Type: D1
To: Cameron Mitchell Restaurants LLC
DBA The Ivory Room
Two Miranova Pl
Columbus OH 43215
Permit #12046700115

Transfer Type: D5, D6
To: Ajisai Japanese Grill & Sushi
Restaurant LLC
3939 Ridge Mill Dr
Columbus OH 43026

From: Club Fusion LLC
6312 Busch Blvd & Patios
Columbus OH 43229
Permit #00839570005

Transfer Type: C1, C2
To: 3253 McKinley Inc
DBA San Margherita Market
3253-55 McKinley Av
Columbus OH 43204
From: Hom Market Inc
DBA San Margherit Market
3253-55 McKinley Av
Columbus OH 43204
Permit #8871288

Advertise: 08/04/12
Return: 08/10/12

Legislation Number: PN0230-2012

Drafting Date: 8/2/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Public Service Director's Orders -- Placement of Traffic Control Devices as recommended by the Divisions of Design and Construction, Mobility Options, and Planning and Operations - Effective Date: July 20, 2012

Contact Name: Patricia Rae Grove

Contact Telephone Number: (614) 645-0653

Contact Email Address: prgrove@columbus.gov

Please see Public Service Director's Orders -- Placement of Traffic Control Devices as recommended by the Divisions of Design and Construction, Mobility Options, and Planning and Operations - Effective Date: July 20, 2012

Legislation Number: PN0231-2012

Drafting Date: 8/2/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Public Service Director's Orders -- Placement of Traffic Control Devices as recommended

by the Divisions of Design and Construction, Mobility Options, and Planning and Operations -- Effective Date: August 1, 2012

Contact Name: Patricia Rae Grove
Contact Telephone Number: (614) 645-0653
Contact Email Address: prgrove@columbus.gov

Please see Public Service Director's Orders -- Placement of Traffic Control Devices as recommended by the Divisions of Design and Construction, Mobility Options, and Planning and Operations - Effective Date: August 1, 2012

Legislation Number: PN0232-2012

Drafting Date: 8/3/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Public Notice

Notice/Advertisement Title: Stormwater Drainage Manual Regulation

Contact Name: Tom Russell

Contract Telephone Number: (614) 645-6311

Contract E-mail: TARussell@columbus.gov

OFFICIAL NOTICE

STORMWATER DRAINAGE MANUAL REGULATION

FINAL ADOPTION

Pursuant to Columbus City Code 1145.11 and 1145.71, the Department of Public Utilities hereby provides notice that the Director has adopted the Stormwater Drainage Manual regulation. The Manual provides the water quality and quantity control standards for development or redevelopment of public and private property. Pursuant to Columbus City Code 121.05, this regulation will be effective 10 days after this publication. The revised Stormwater Drainage Manual can be found online by selecting "Publications - Sewer Reports, Guides & Brochures" from the webpage, <http://publicutilities.columbus.gov> or by contacting Tom Russell at TARussell@columbus.gov or 614-645-6311.

Legislation Number: PN0234-2012

Drafting Date: 8/3/2012

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Recreation and Parks Commission Meeting

Contact Name: Eric Brandon

Contact Telephone Number: 614.645.5253

Contact Email Address: ebrandon@columbus.gov

NOTICE OF COLUMBUS RECREATION AND PARKS COMMISSION MEETING

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.

Typically, the Recreation and Parks Commission is on recess during the month of August. Please take notice that the Recreation and Parks Commission has scheduled a planning retreat from **8:00 a.m. to noon on Tuesday, August 28th, 2012**. The location is **Griggs Boathouse, 3033 Thoburn Rd., 43221**.

Legislation Number: PN0309-2011

Drafting Date: 12/5/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: German Village Commission 2012 Meeting Schedule

Contact Name: Cristin Moody

Contact Telephone Number: (614) 645-8040

Contact Email Address: camoody@columbus.gov

The German Village Commission has its Regular Meeting the 1st Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-8040 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date German Village Meeting Haus (588 S Third St.) 4:00pm
December 20, 2011	December 27, 2011	January 3, 2012
January 24, 2012	January 31, 2012	February 7, 2012
February 21, 2012	February 28, 2012	March 6, 2012
March 20, 2012	March 27, 2012	April 3, 2012
April 17, 2012	April 24, 2012	May 1, 2012
May 22, 2012	May 29, 2012	June 5, 2012
June 19, 2012	June 26, 2012	July 10, 2012
July 24, 2012	July 31, 2012	August 7, 2012
August 21, 2012	August 28, 2012	September 11, 2012
September 18, 2012	September 25, 2012	October 2, 2012
October 23, 2012	October 30, 2012	November 13, 2012
November 20, 2012	November 27, 2012	December 4, 2012
December 18, 2012	December 20, 2012	January 8, 2013
January 22, 2013	January 29, 2013	February 5, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0310-2011

Drafting Date: 12/5/2011

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Brewery District Commission 2012 Meeting Schedule

Contact Name: James Goodman

Contact Telephone Number: (614) 645-7920

Contact Email Address: jagoodman@columbus.gov

The Brewery District Commission has its Regular Meeting the 1st Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-7920 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
December 22, 2011	December 29, 2011	January 5, 2012
January 19, 2012	January 26, 2012	February 2, 2012
February 16, 2012	February 23, 2012	March 1, 2012
March 22, 2012	March 29, 2012	April 5, 2012
April 19, 2012	April 26, 2012	May 3, 2012
May 24, 2012	May 31, 2012	June 7, 2012
June 21, 2012	June 28, 2012	July 5, 2012
July 19, 2012	July 26, 2012	August 2, 2012
August 23, 2012	August 30, 2012	September 6, 2012
September 20, 2012	September 27, 2012	October 4, 2012
October 18, 2012	October 25, 2012	November 1, 2012
November 21, 2012	November 29, 2012	December 6, 2012
December 20, 2012	December 27, 2012	January 3, 2013
January 24, 2013	January 31, 2013	February 7, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0311-2011

Drafting Date: 12/5/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Victorian Village Commission 2012 Meeting Schedule

Contact Name: James Goodman

Contact Telephone Number: (614) 645-7920

Contact Email Address: jgoodman@columbus.gov

The Victorian Village Commission has its Regular Meeting the 2nd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-7920 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
December 29, 2011	January 5, 2012	January 12, 2012
January 26, 2012	February 2, 2012	February 9, 2012
February 23, 2012	March 1, 2012	March 8, 2012
March 29, 2012	April 5, 2012	April 12, 2012
April 26, 2012	May 3, 2012	May 10, 2013
May 31, 2012	June 7, 2012	June 14, 2012
June 28, 2012	July 5, 2012	July 12, 2012
July 26, 2012	August 2, 2012	August 9, 2012
August 30, 2012	September 6, 2012	September 13, 2012
September 27, 2012	October 4, 2012	October 11, 2012
October 25, 2012	November 1, 2012	November 8, 2012
November 29, 2012	December 6, 2012	December 13, 2012
December 27, 2012	January 3, 2013	January 10, 2013
January 31, 2013	February 7, 2013	February 14, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0312-2011

Drafting Date: 12/5/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Italian Village Commission 2012 Meeting Schedule

Contact Name: Connie Torbeck

Contact Telephone Number: (614) 645-0664

Contact Email Address: cltorbeck@columbus.gov

The Italian Village Commission has its Regular Meeting the 3rd Tuesday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-0664 or by e-mail to ljipoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Date (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
January 3, 2012	January 10, 2012	January 17, 2012
February 7, 2012	February 14, 2012	February 21, 2012
March 6, 2012	March 13, 2012	March 20, 2012
April 3, 2012	April 10, 2012	April 17, 2012
May 1, 2012	May 8, 2012	May 15, 2012
June 5, 2012	June 12, 2012	June 19, 2012
July 3, 2012	July 10, 2012	July 17, 2012
August 7, 2012	August 14, 2012	August 21, 2012
September 4, 2012	September 11, 2012	September 18, 2012
October 2, 2012	October 9, 2012	October 16, 2012
November 6, 2012	November 13, 2012	November 20, 2012
December 4, 2012	December 11, 2012	December 18, 2012
January 2, 2013	January 8, 2013	January 15, 2013
February 5, 2013	February 12, 2013	February 19, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0313-2011

Drafting Date: 12/5/2011

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Historic Resource Commission 2012 Meeting Schedule

Contact Name: Connie Torbeck

Contact Telephone Number: (614) 645-0664

Contact Email Address: cltorbeck@columbus.gov

The Historic Resource Commission has its Regular Meeting the 3rd Thursday of every month (barring Holiday exceptions). Copies of the Agenda may be obtained by calling 645-0664 or by e-mail to ljpoulton@columbus.gov.

A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Application Deadline	Business Meeting Dates (1st fl. Conf. Rm, 109 N. Front St.) 12:00pm	Regular Meeting Date (Training Center, 109 N. Front St.) 6:15pm
January 5, 2012	January 12, 2012	January 19, 2012
February 2, 2012	February 9, 2012	February 16, 2012
March 1, 2012	March 8, 2012	March 15, 2012
April 5, 2012	April 12, 2012	April 19, 2012
May 3, 2012	May 10, 2012	May 17, 2012
June 7, 2012	June 14, 2012	June 21, 2012
July 5, 2012	July 12, 2012	July 19, 2012
August 2, 2012	August 9, 2012	August 16, 2012
September 6, 2012	September 13, 2012	September 20, 2012
October 4, 2012	October 11, 2012	October 18, 2012
November 1, 2012	November 8, 2012	November 15, 2012
December 6, 2012	December 13, 2012	December 20, 2012
January 3, 2013	January 10, 2013	January 17, 2013
February 7, 2013	February 14, 2013	February 21, 2013

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
109 N. Front St. - Ground Floor
Columbus OH 43215-9031

Legislation Number: PN0314-2011

Drafting Date: 12/5/2011

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Board of Commission Appeals 2012 Meeting Schedule

Contact Name: Randy F Black

Contact Telephone Number: (614) 645-6821

Contact Email Address: rfblack@columbus.gov

The Board of Commission Appeals has its Business Meeting the last Wednesday of every other month (as necessary and barring Holiday exceptions). Special hearing dates may also be scheduled on an “as needed basis” in accordance with Columbus City Code 3118. Copies of the Agenda may be obtained by calling 645-8620 or by e-mail to ljpoulton@columbus.gov. A Sign Language Interpreter will be made available provided the Historic Preservation Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036.

Business Meeting Dates
 (1st fl. Conf. Rm, 109 N. Front St.)
 12:00pm

January 25, 2012
 March 28, 2012
 May 30, 2012
 July 25, 2012
 September 26, 2012
 November 28, 2012
 January 30, 2013

Legislation Number: PN0325-2011

Drafting Date: 12/14/2011

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: UPDATED Columbus Art Commission 2012 Meeting Schedule

Contact Name: Lori Baudro

Contact Telephone Number: (614) 645-6986

Contact Email Address: lsbaudro@columbus.gov

A Sign Language Interpreter will be made available provided the Planning Division Office is given a reasonable notice of at least forty-eight (48) hours prior to the scheduled Regular meeting time. To schedule, please call 645-8036. To confirm the meetings, please contact Lori Baudro at 645-6986 or lsbaudro@columbus.gov.

Application Deadline	Business Meeting Dates (King Arts Complex.) 867 Mt. Vernon Ave. 8:30am to 10:00am	Hearing Dates City of Columbus 109 N. Front St., Training Center 6:00pm
July 6, 2012	July 11, 2012	July 26, 2012
August 3, 2012	August 8, 2012	August 23, 2012
September 7, 2012	September 12, 2012	September 27, 2012
October 5, 2012	October 10, 2012	October 25, 2012
November 9, 2012	November 14, 2012	November 29, 2012

December 7, 2012

December 12, 2012

December 20, 2012*

*Hearing Location Venue Change
Columbus Health Department
240 Parsons Avenue

Legislation Number: PN0330-2011

Drafting Date: 12/20/2011

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title:

NOTICE OF REGULAR COLUMBUS RECREATION AND PARKS COMMISSION MEETINGS
2012

Contact Name: Eric L.Brandon
Contact Telephone Number: 614-645-5253
Contact Email Address: ebrandon@columbus.gov

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 11, 2012 - 1111 East Broad Street, 43205

Wednesday, February 8, 2012 - 1111 East Broad Street, 43205

Wednesday, March 14, 2012 - 1111 East Broad Street, 43205

Wednesday, April 11, 2012 - 1111 East Broad Street, 43205

Wednesday, May 9, 2012 - 1111 East Broad Street, 43205

Wednesday, June 13, 2012 - 1111 East Broad Street, 43205

Wednesday, July 11, 2012 - 1111 East Broad Street, 43205

August Recess - No meeting

Wednesday, September 12, 2012 - 1111 East Broad Street, 43205

Wednesday, October 10, 2012 - 1111 East Broad Street, 43205

Wednesday, November 14, 2012 - 1111 East Broad Street, 43205

Wednesday, December 12, 2012 - 1111 East Broad Street, 43205

In the event no proper business exists the meeting may be cancelled without further notice. For more information you may contact the Columbus Recreation and Parks Department, 1111 East Broad Street, Suite 200, Columbus, Ohio 43205 (Telephone: 614-645-3319).

Alan D. McKnight, Executive Director
Columbus Recreation and Parks Department

**PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE
DIVISIONS OF DESIGN AND CONSTRUCTION, MOBILITY OPTIONS, AND
PLANNING AND OPERATIONS
EFFECTIVE DATE: JULY 20, 2012**

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, and/or Division of Mobility Options, and/or Division of Planning and Operations, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Placement of Traffic Control Devices as recommended by the Division of Design and Construction, and/or the Division of Mobility Options, and/or the Division of Planning and Operations, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

PARKING REGULATIONS

The parking regulations on the 776 foot long block face along the W side of BURGESS AVE from WICKLOW AVE extending to FREMONT ST shall be

Range in feet	Code Section	Regulation
0 - 510	2151.01	(STATUTORY RESTRICTIONS APPLY)
510 - 533	2105.03	HANDICAPPED PARKING ONLY
533 - 776	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 380 foot long block face along the E side of HAMLET ST from LINCOLN ST extending to WARREN ST shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 137	2105.17	NO PARKING 8AM - 4PM THIRD TUESDAY OF MAY, AUGUST, & NOVEMBER FOR STREET SWEEPING
137 - 224	2105.17	NO STOPPING ANYTIME
224 - 335	2105.17	NO PARKING ANY TIME
335 - 380	2105.17	NO STOPPING ANYTIME

The parking regulations on the 393 foot long block face along the N side of MAYNARD AVE from FINDLEY AVE extending to ADAMS AVE shall be

Range in feet	Code Section	Regulation
0 - 393	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 299 foot long block face along the S side of OAK ST from SEVENTEENTH ST extending to EIGHTEENTH ST shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 264	2151.01	(STATUTORY RESTRICTIONS APPLY)
264 - 299	2105.17	NO STOPPING ANYTIME

The parking regulations on the 340 foot long block face along the S side of OAK ST from MONROE AVE extending to SEVENTEENTH ST shall be

Range in feet	Code Section	Regulation
0 - 78	2105.14	BUS STOP ONLY
78 - 310	2151.01	(STATUTORY RESTRICTIONS APPLY)
310 - 340	2105.17	NO STOPPING ANYTIME

The parking regulations on the 870 foot long block face along the W side of OGDEN AVE from OLIVE ST extending to BROAD ST shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 48	2105.03	HANDICAPPED PARKING ONLY
48 - 133	2151.01	(STATUTORY RESTRICTIONS APPLY)
133 - 156	2105.03	HANDICAPPED PARKING ONLY
156 - 725	2151.01	(STATUTORY RESTRICTIONS APPLY)
725 - 738		NAMELESS ALLEY
738 - 870	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 316 foot long block face along the S side of REINHARD AVE from PARSONS AVE extending to WAGER ST shall be

Range in feet	Code Section	Regulation
0 - 29	2105.17	NO STOPPING ANYTIME
29 - 131	2151.01	(STATUTORY RESTRICTIONS APPLY)
131 - 145		NAMELESS ALLEY
145 - 316	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 1255 foot long block face along the S side of RICH ST from MCDOWELL ST extending to FLOOD WALL TRACK @ MAIN ST shall be

Range in feet	Code Section	Regulation
0 - 36	2105.17	NO STOPPING ANYTIME
36 - 258	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
258 - 424	2105.14	BUS STOP ONLY
424 - 588	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
588 - 922	2105.17	NO STOPPING ANYTIME
922 - 1006	2105.14	BUS STOP ONLY
1006 - 1255	2105.17	NO STOPPING ANYTIME

The parking regulations on the 796 foot long block face along the E side of SEYMOUR AVE from KOSSUTH ST extending to FOREST ST shall be

Range in feet	Code Section	Regulation
0 - 796	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 266 foot long block face along the S side of SULLIVANT AVE from WARREN AVE extending to OGDEN AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 186	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
186 - 266	2105.14	BUS STOP ONLY

The parking regulations on the 335 foot long block face along the S side of SULLIVANT AVE from OGDEN AVE extending to BURGESS AVE shall be

Range in feet	Code Section	Regulation
0 - 35	2105.17	NO STOPPING ANYTIME
35 - 300	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
300 - 335	2105.17	NO STOPPING ANYTIME

The parking regulations on the 264 foot long block face along the W side of THIRD ST from BLENKNER ST extending to LIVINGSTON AVE shall be

Range in feet	Code Section	Regulation
0 - 15	2105.17	NO STOPPING ANYTIME
15 - 219	2105.17	NO PARKING 8AM - 10AM 2ND TUES APR-OCT FOR STREET CLEANING
15 - 36	2105.21	2 HR PARKING 10AM - 8PM EXCEPT CITY PERMIT A
36 - 52	2105.17	NO STOPPING ANYTIME
52 - 193	2105.21	2 HR PARKING 10AM - 8PM EXCEPT CITY PERMIT A
193 - 219	2105.15	NO PARKING LOADING ZONE
219 - 264	2105.17	NO STOPPING ANYTIME

The parking regulations on the 502 foot long block face along the E side of TWENTY-FIRST ST from GAY ST extending to LONG ST shall be

Range in feet	Code Section	Regulation
0 - 264	2151.01	(STATUTORY RESTRICTIONS APPLY)
264 - 291	2105.03	HANDICAPPED PARKING ONLY
291 - 330	2151.01	(STATUTORY RESTRICTIONS APPLY)
330 - 343		NAMELESS ALLEY
343 - 455	2151.01	(STATUTORY RESTRICTIONS APPLY)
455 - 502	2105.17	NO STOPPING ANYTIME

The parking regulations on the 659 foot long block face along the W side of WASHINGTON BLVD from BELLE ST extending to TOWN ST shall be

Range in feet	Code Section	Regulation
0 - 126	2105.17	NO STOPPING ANYTIME
126 - 245	2155.03	12 HR PARKING METERS 6AM - 10PM EXCEPT SUNDAYS AND HOLIDAYS
245 - 290	2105.17	NO STOPPING ANYTIME
290 - 354	2155.03	12 HR PARKING METERS 6AM - 10PM EXCEPT SUNDAYS AND HOLIDAYS
354 - 374	2151.01	(STATUTORY RESTRICTIONS APPLY)
374 - 589	2155.03	12 HR PARKING METERS 6AM - 10PM EXCEPT SUNDAYS AND HOLIDAYS
589 - 659	2105.17	NO STOPPING ANYTIME

The parking regulations on the 672 foot long block face along the E side of WASHINGTON BLVD from FLOOD WALL TRACK extending to TOWN ST shall be

Range in feet	Code Section	Regulation
0 - 130	2105.17	NO STOPPING ANYTIME
130 - 272	2155.03	12 HR PARKING METERS 6AM - 10PM EXCEPT SUNDAYS AND HOLIDAYS
272 - 294	2105.17	NO STOPPING ANYTIME
294 - 597	2155.03	12 HR PARKING METERS 6AM - 10PM EXCEPT SUNDAYS AND HOLIDAYS
597 - 672	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: **MARK KELSEY, PUBLIC SERVICE DIRECTOR**

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE
DIVISIONS OF DESIGN AND CONSTRUCTION, MOBILITY OPTIONS, AND
PLANNING AND OPERATIONS

EFFECTIVE DATE: AUGUST 1, 2012

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, and/or Division of Mobility Options, and/or Division of Planning and Operations, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby determine that based on studies conducted by and recommendations made by the Placement of Traffic Control Devices as recommended by the Division of Design and Construction, and/or the Division of Mobility Options, and/or the Division of Planning and Operations, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

SECTION 2105.06 TRAFFIC CONTROL SIGNALS

Traffic control signals shall be placed in flashing operation as follows:

HAWKES AVE at TOWN ST

SECTION 2105.12 CROSSWALKS

Crosswalks shall be removed at:

HINES RD at TUSSING RD
across the west leg

PARKING REGULATIONS

The parking regulations on the 2637 foot long block face along the N side of BELCHER DR from WALFORD ST extending to CLEVELAND AVE shall be

Range in feet	Code Section	Regulation
0 - 77	2105.17	NO STOPPING ANYTIME
77 - 2637	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 327 foot long block face along the N side of GATES ST from SEVENTEENTH ST extending to EIGHTEENTH ST shall be

Range in feet	Code Section	Regulation
0 - 327	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 734 foot long block face along the E side of HOWEY RD from WEBER RD extending to COMO AVE shall be

Range in feet	Code Section	Regulation
0 - 144	2151.01	(STATUTORY RESTRICTIONS APPLY)
144 - 160		NAMELESS ALLEY
160 - 734	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 743 foot long block face along the S side of LENORE AVE from HIAWATHA ST extending to ATWOOD TERRACE shall be

Range in feet	Code Section	Regulation
0 - 743	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 283 foot long block face along the S side of MOUND ST from TERMINUS extending to MONROE AVE shall be

Range in feet	Code Section	Regulation
0 - 73	2151.01	(STATUTORY RESTRICTIONS APPLY)
73 - 101	2105.03	HANDICAPPED PARKING ONLY
101 - 283	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 531 foot long block face along the S side of NEFF ST from TERMINUS extending to HIGH ST shall be

Range in feet	Code Section	Regulation
0 - 309	2151.01	(STATUTORY RESTRICTIONS APPLY)
309 - 333	2105.17	NO STOPPING ANYTIME
333 - 346		NAMELESS ALLEY
346 - 531	2105.17	NO STOPPING ANYTIME

The parking regulations on the 721 foot long block face along the N side of PREDMORE PLACE from BEEHIVE LANE extending to WAGON WHEEL LANE shall be

Range in feet	Code Section	Regulation
0 - 721	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 439 foot long block face along the S side of THURMAN AVE from SEVENTEENTH ST extending to EIGHTEENTH ST shall be

Range in feet	Code Section	Regulation
0 - 149	2151.01	(STATUTORY RESTRICTIONS APPLY)
149 - 163		NAMELESS ALLEY
163 - 304	2151.01	(STATUTORY RESTRICTIONS APPLY)
304 - 316		NAMELESS ALLEY
316 - 439	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 743 foot long block face along the W side of WAVERLY ST from MOUND ST extending to MAIN ST shall be

Range in feet	Code Section	Regulation
0 - 776	2151.01	(STATUTORY RESTRICTIONS APPLY)
776 - 794		NAMELESS ALLEY
794 - 928	2151.01	(STATUTORY RESTRICTIONS APPLY)

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

BY ORDER OF: MARK KELSEY, PUBLIC SERVICE DIRECTOR

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 11, 2012 – 1111 East Broad Street, 43205

Wednesday, February 8, 2012 – 1111 East Broad Street, 43205

Wednesday, March 14, 2012 – 1111 East Broad Street, 43205

Wednesday, April 11, 2012 – 1111 East Broad Street, 43205

Wednesday, May 9, 2012 – 1111 East Broad Street, 43205

Wednesday, June 13, 2012 – 1111 East Broad Street, 43205

Wednesday, July 11, 2012 – 1111 East Broad Street, 43205

August Recess – No meeting

Wednesday, September 12, 2012 – 1111 East Broad Street, 43205

Wednesday, October 10, 2012 – 1111 East Broad Street, 43205

Wednesday, November 14, 2012 – 1111 East Broad Street, 43205

Wednesday, December 12, 2012 – 1111 East Broad Street, 43205

In the event no proper business exists the meeting may be cancelled without further notice. For more information you may contact the Columbus Recreation and Parks Department, 1111 East Broad Street, Suite 200, Columbus, Ohio 43205 (Telephone: 614-645-3319).



**Alan D. McKnight, Executive Director
Columbus Recreation and Parks Department**