

Columbus City Bulletin



Bulletin #21
May 24, 2014

Proceedings of City Council

Saturday, May 24, 2014



SIGNING OF LEGISLATION

(Legislation was signed by Council President Andrew J. Ginther on the night of the Council meeting, Monday, May 19, 2014, by Mayor, Michael B. Coleman on Wednesday, May 21, 2014; 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, May 19, 2014

5:00 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 28 OF COLUMBUS CITY COUNCIL, MONDAY, MAY 19, 2014 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, and Andrew Ginther

READING AND DISPOSAL OF THE JOURNAL

A motion was made by Craig, seconded by Paley, 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 C0015-2014 THE CITY CLERK'S OFFICE RECEIVED THE FOLLOWING COMMUNICATIONS AS OF, WEDNESDAY, MAY 14, 2014:

New Type: D1
To: Lanlee Properties Inc
1st Fl East End
2530 W Broad St
Columbus OH 43204
Permit #50212400005

New Type: C1, C2
To: Dolgen Midwest LLC
DBA Dollar General Store
#14679
2100 Sullivant Ave
Columbus OH 43207
Permit # 22348151855

New Type: D3A

To: Matt The Millers Gemini LLC
DBA Matt The Millers Tavern
1436 Gemini Pl
Columbus OH 43240
Permit # 563334970

Transfer Type: D5
To: S & P Chestnut Mills LLC
DBA B Spot
5091 N Hamilton
Columbus OH 43230
From: Meijin LLC
DBA Ichiban Japanese Steakhouse
2760 Brice Rd
Columbus OH 43068
Permit #7642467

Advertise Date: 05/24/14
Agenda Date: 05/19/14
Return Date: 05/29/14

Read and Filed

RESOLUTIONS OF EXPRESSION

KLEIN

- 2 **0084X-2014** To declare the week of May 18-24, 2014 to be Emergency Medical Services Week in Columbus, Ohio.

A motion was made by Klein, 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

ADDITIONS OR CORRECTIONS TO THE AGENDA

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

Finance Committee: Ordinance #0925-2014

Environment Committee: Ordinance #1086-2014

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

FR FIRST READING OF 30-DAY LEGISLATION

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

- FR-1 1070-2014** To authorize the Director of the Department of Finance and Management to enter into a five year lease agreement with the United States Postal Service for a portion of that City-owned property commonly known as Franklin County Tax Parcel 010-017011 and described as Lots 20, 21, and 22 of Ruhwedel's South Side Addition.

Read for the First Time

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

- FR-2 1129-2014** To authorize: the City to formally accept certain real property interests donated or conveyed to the City that are being used for various public purposes, including but not limited to public sewer and water utilities, parkland, conservation, access, sidewalks, walkways, bikeways, shared-use paths, pedestrian walk bridges, parking garages, and development; and enter into associated tax agreements, as approved by the City Attorney's Office, when necessary. (\$0.00)

Read for the First Time

PUBLIC UTILITIES: KLEIN, CHR. CRAIG PALEY GINTHER

- FR-3 0802-2014** To authorize the Director of Public Utilities to enter into a professional engineering services agreement with Black and Veatch, Inc. for the Big Walnut Augmentation/Rickenbacker Interceptor Biofilter project, to authorize the transfer within of \$490,831.82 and expenditure of up to \$990,831.82 from the Sanitary Sewer Obligation Bond Fund for the Division of Sewerage and Drainage, and to amend the 2014 Capital Improvements Budget; (\$990,831.82).

Read for the First Time

- FR-4 0846-2014** To authorize the Director of Public Utilities to enter into an agreement for professional engineering services with Advanced Engineering Consultants, Ltd. for the design of the Jefferson Park Street Lighting Improvements; to authorize the transfer of \$25,991.00 within the Electricity G. O. Bonds Fund; to amend the 2014 Capital

Improvements Budget; and to authorize the expenditure of \$25,991.00 within the Electricity G. O. Bonds Fund. (\$25,991.00)

Read for the First Time

- FR-5 0930-2014** To authorize the Director of Finance and Management to establish a Blanket Purchase Order for Plumbing Supplies from an existing Universal Term Contract with Westwater Supply Corp., for the Division of Sewerage & Drainage and to authorize the expenditure of \$27,000.00 from the Sewerage System Operating Fund. (\$27,000.00)

Read for the First Time

- FR-6 0975-2014** To authorize the Director of Public Utilities to enter into a planned modification to an engineering agreement with CDM Smith Inc. for professional engineering services for the Wastewater Treatment Facilities Instrumentation and Control Integration and Programming Team project; to transfer within and expend \$711,635.00 from the Sanitary Sewer General Obligation Bond Fund; and to amend the 2014 Capital Improvements Budget. (\$711,635.00)

Read for the First Time

RULES & REFERENCE: GINTHER, CHR. KLEIN MILLS CRAIG

- FR-7 1085-2014** To enact new section 219.033 of the Columbus City Code; to amend sections 219.01, 219.02, 219.031, 219.032, 2150.04 of the Columbus City Code and to repeal section 219.03 of the Columbus City Code in order to eliminate the Division of Mobility Options, to rename the Division of Planning and Operations to the Division of Infrastructure Management, and to create a new Division of Traffic Management within the Department of Public Service to reflect the reorganization in the Department of Public Service.

Read for the First Time

CA CONSENT ACTIONS

FINANCE: TYSON, CHR. MILLER PALEY GINTHER

- CA-2 0990-2014** To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to establish purchase orders from previously established Universal Term Contracts (UTCs) with Byers Ford for the purchase of vehicles for use by various City Departments; to authorize the appropriation and expenditure of \$400,000.00 from the Special Income Tax fund; and to declare an emergency. (\$400,000.00)

This item was approved on the Consent Agenda.

CA-3 1038-2014 To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to enter into contract with AA Programmed Janitorial & Building Maintenance, Inc. for janitorial services at the Fleet Management facility located at 4211 Groves Road; to authorize the expenditure of \$23,938.00 from the Fleet Management Fund; and to declare an emergency. (\$23,938.00)

This item was approved on the Consent Agenda.

CA-4 1044-2014 To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to modify and extend an existing contract with Bomar Construction Company, Inc. for professional building maintenance and repair services at the Fleet Management Complex; to authorize the expenditure of \$20,000.00 from the Fleet Management Fund; and to declare an emergency. (\$20,000.00)

This item was approved on the Consent Agenda.

CA-5 1071-2014 To authorize the Finance & Management Director to enter into a contract for the option to purchase Automotive and Truck Spring Repairs with Jones Truck & Spring Repair, Inc, to authorize the expenditure of one (1) dollar to establish the contract from the General Fund, and to declare an emergency. (\$1.00)

This item was approved on the Consent Agenda.

CA-6 1075-2014 To authorize and direct the City Auditor to modify and extend a contract with the Huntington National Bank for lockbox banking services to be performed for the City Auditor, Division of Income Tax through May 31, 2015; to authorize 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 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

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

CA-7 1029-2014 To authorize and direct the Board of Health to accept a grant from The Council on Health Information for the Minority Health program; to authorize the appropriation of \$5,000.00 from the unappropriated balance of the City's Private Grants Fund; and to declare an emergency. (\$5,000.00)

This item was approved on the Consent Agenda.

CA-8 1055-2014 To authorize and direct the Board of Health to accept a grant from

Ohio Humanities Council to continue a guided walking tour program called Columbus Art Walks and Landmark Talks in the amount of \$7,600.00; to authorize the appropriation of \$7,600.00 to the Health Department in the City's Private Grants Fund; and to declare an emergency. (\$7,600.00)

This item was approved on the Consent Agenda.

RECREATION & PARKS: CRAIG, CHR. TYSON KLEIN GINTHER

- CA-9 1045-2014** To authorize and direct the Director of Recreation and Parks to enter into contract with 2K General Company for Columbus Aquatic Center Lobby Improvements; to authorize the expenditure of \$343,225.00 with a contingency of \$44,275.00 for a total of \$387,500.00 from the Recreation and Parks Voted Bond Fund 702; and to declare an emergency. (\$387,500.00)

This item was approved on the Consent Agenda.

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

- CA-10 0996-2014** To amend the 2014 Capital Improvement Budget; to authorize the transfer of \$24,365.04 between projects within the Safety Voted Bond Fund; to authorize the Director of Finance and Management to enter into contract with Weissco Power LLC on behalf of the Division of Support Services for the purchase and installation of twenty-eight (28) American Power Conversion (APC) SYBT4 battery modules, to authorize the expenditure of \$24,365.04 from the Safety Voted Bond Fund; and to declare an emergency. (\$24,365.04).

This item was approved on the Consent Agenda.

PUBLIC UTILITIES: KLEIN, CHR. CRAIG PALEY GINTHER

- CA-11 0917-2014** To authorize the Director of Finance and Management to enter into a contract with Master Meter, Inc. for the purchase of 10 Inch and 12 Inch Ultrasonic Water Meters for the Division of Water; to authorize a transfer and expenditure up to \$138,817.38 within the Water Build America Bonds Fund; to amend the 2014 Capital Improvements Budget; and to declare an emergency. (\$138,817.38)

This item was approved on the Consent Agenda.

- CA-12 0937-2014** To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Andritz Separation, Inc. from a pending Universal Term Contract for the purchase of Andritz Centrifuge Parts and Services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$250,000.00 from the Sewerage System

Operating Fund. (\$250,000.00)

This item was approved on the Consent Agenda.

CA-13 0944-2014

To authorize the Director of Public Utilities to establish a purchase order with Capital Recovery Systems Inc. for collection services for the Department of Public Utilities divisions, to authorize the expenditure of \$55,000.00 from Water Operating Fund, \$5,000.00 from the Electricity Operating Fund, and \$5,000.00 from the Sewer Operating Fund. (\$65,000.00)

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

Abstained: 1 - Eileen Paley

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

CA-14 0955-2014

To authorize the Director of Public Utilities to enter into a contract with T & M Associates for professional services related to Air Compliance Support for the Department of Public Utilities and to authorize the expenditure of \$50,000.00 from the Water Operating Fund and \$200,000.00 from the Sewerage Operating Fund. (\$250,000.00)

This item was approved on the Consent Agenda.

CA-15 0957-2014

To authorize the Director of Public Utilities to enter into a preventative maintenance agreement with GE Analytical Instruments for organic carbon analyzers for the Division of Water in accordance with the provisions of sole source procurement of the Columbus City Code, and to authorize the expenditure of \$36,498.00 from the Water Operating Fund. (\$36,498.00)

This item was approved on the Consent Agenda.

CA-16 0980-2014

To amend the 2014 Capital Improvement Budget; to authorize the City Auditor to transfer funds between projects within the Refuse Bonds Fund; to authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Strawser Paving Company, Inc. for the Alum Creek Stormwater Mitigation and Remediation Phase 2 Project; to authorize the expenditure of \$656,521.00 from the Refuse Bonds Fund; and to declare an emergency. (\$656,521.00)

This item was approved on the Consent Agenda.

**PUBLIC SERVICE & TRANSPORTATION: MILLER, CHR. TYSON PALEY
GINTHER**

CA-17 1033-2014

To authorize the Director of Public Service to modify a professional services agreement with Evans, Mechwart, Hambleton & Tilton, Inc.

(EMH&T) for engineering services in connection with the Warner Road Improvements - Phase 2 project; to authorize the expenditure of up to \$20,000.00 from the Albany Crossing TIF Fund; and to declare an emergency. (\$20,000.00)

This item was approved on the Consent Agenda.

CA-18 1062-2014

To accept the plat titled "Rail Street Section 1", from NRI Equity Land Investments, LLC, an Ohio limited liability company, by Nationwide Realty Investors, LTD, its Member and Manager, by Brian J. Ellis, President and Chief Operating Officer, owner of the platted land; and to declare an emergency.

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-19 1068-2014

This ordinance: (I) authorizes the Columbus City Attorney to file complaints for the appropriation of fee simple title and lesser real property interests necessary for the City's Department of Public Service, Division of Design and Construction, Barnett Road/Main Street ODOT Urban Paving (FRA-40/PID-86649) Public Project; (II) authorizes the Columbus City Attorney to spend Two Thousand, Eight Hundred Fifty-six, and 00/100 U.S. Dollars from the City's Department of Public Service Street and Highway Improvement Fund, Fund Number 766; and (III) declares an emergency. (\$2,856.00)

This item was approved on the Consent Agenda.

CA-20 1077-2014

To authorize the Director of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation for the FRA-40-17.57, PID 86649 construction project and to declare an emergency. (\$0.00)

This item was approved on the Consent Agenda.

CA-21 1099-2014

To authorize the Director of the Department of Public Service to execute those documents necessary to release general utility easements and quit-claim the previously vacated right-of-way as necessary to clear title to the real property; and to declare an emergency. (\$0.00)

This item was approved on the Consent Agenda.

CA-22 1131-2014

To accept the plat titled "Cedar Run Section 4 Part 1", from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Timothy C. Hall., Area President, owner of the platted land; and to declare an emergency.

This item was approved on the Consent Agenda.

DEVELOPMENT: MILLS, CHR. KLEIN TYSON GINTHER

- CA-23 1013-2014** To assess certain properties for the cost for demolishing structures found to be public nuisances.
This item was approved on the Consent Agenda.
- CA-24 1048-2014** To authorize the Director of the Department of Development to enter into a Third Modification to the Participation Agreement with Prairie Township and Brown Township for professional services in connection with the implementation of the Big Darby Town Center; to authorize the expenditure of \$10,500.00 from the Sewer Operating Fund and \$10,500.00 from the Water Operating Fund; and to declare an emergency. (\$21,000.00)
This item was approved on the Consent Agenda.
- CA-25 1076-2014** 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 (185 N. Wheatland 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-26 1078-2014** 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 (399 S. Eureka 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-27 1079-2014** 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 (3210 V Avenue) 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-28 1080-2014** 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 (1078 E. 16th 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.

ENVIRONMENT: MILLS, CHR. MILLER KLEIN GINTHER

- CA-29 1064-2014** To authorize the Director of the Department of Development to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment of the site located at 272 S. Front Street, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$200,000.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$200,000.00)

This item was approved on the Consent Agenda.

- CA-30 1065-2014** To authorize the Director of the Department of Development to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment of the site located at 5450 Riverside Drive, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$121,590.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$121,590.00)

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 1035-2014** To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to enter into contract with AmeriGas Propane for the purchase of propane fueling services; to authorize the expenditure of \$30,000.00 from the Fleet Management Fund; to waive the competitive bidding provisions of Columbus City Codes, 1959; and to declare an emergency. (\$30,000.00)

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-2 1073-2014** To authorize the City Treasurer to modify its contracts for various banking services with JP Morgan Chase Bank, Huntington Bank and Fifth Third Bank; to authorize the expenditure of up to \$1,951,240 from

various funds within the city; and to declare an emergency.
(\$1,951,240.00)

A motion was made by Tyson, 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-3 1110-2014 To authorize the issuance of unlimited tax bonds in an amount not to exceed \$31,945,000.00 for public safety and health projects (\$31,945,000.00) 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-4 1111-2014 To authorize the issuance of unlimited tax bonds in an amount not to exceed \$4,485,000.00 for recreation and parks projects (\$4,485,000.00) 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-5 1112-2014 To authorize the issuance of unlimited tax bonds in an amount not to exceed \$36,540,000.00 for recreation and parks projects (\$36,540,000.00) 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-6 1113-2014 To authorize the issuance of unlimited tax bonds in an amount not to

exceed \$64,405,000.00 for transportation projects (\$64,405,000.00) 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-7 1114-2014 To authorize the issuance of unlimited tax bonds in an amount not to exceed \$40,595,000.00 for public service projects, including transportation and refuse collection projects (\$40,595,000.00) 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-8 1115-2014 To authorize the issuance of unlimited tax bonds in an amount not to exceed \$12,385,000.00 for public utilities projects, including power and storm projects (\$12,385,000.00) 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-9 1116-2014 To authorize the issuance of unlimited tax bonds in an amount not to exceed \$48,265,000.00 for sanitary sewer projects (\$48,265,000.00) 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-10 1117-2014 To authorize the issuance of unlimited tax bonds in an amount not to exceed \$47,605,000.00 for water projects (\$47,605,000.00) 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 1118-2014 To authorize the issuance of limited tax bonds in an amount not to exceed \$1,140,000 for City Attorney, Municipal Court Clerk and Human Resources projects (\$1,140,000.00) 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-12 1119-2014 To authorize the issuance of limited tax bonds in an amount not to exceed \$10,310,000.00 for Office of Construction Management projects (\$10,310,000.00) 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-13 1120-2014 To authorize the issuance of limited tax bonds in an amount not to exceed \$3,415,000.00 for information services projects (\$3,415,000.00) 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-14 1121-2014

To authorize the issuance of limited tax bonds in an amount not to exceed \$1,050,000.00 for fleet management projects (\$1,050,000.00) 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-15 1122-2014

To authorize the issuance of limited tax bonds in an amount not to exceed \$7,810,000.00 for economic and community development projects (\$7,810,000.00) 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-16 1123-2014

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$600,000.00 for Office of Construction Management projects (\$600,000.00) 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-17 1124-2014

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$500,000.00 for fiber optics systems projects

(\$500,000.00) 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-18 1125-2014

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,900,000.00 for fleet fuel site infrastructure projects (\$4,900,000.00) 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-19 1126-2014

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,000,000.00 for economic and community development projects (\$4,000,000.00) 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-20 1127-2014

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$1,600,000.00 for recreation and parks projects (\$1,600,000.00) 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-21 1128-2014 To authorize the issuance of unlimited tax bonds and notes in anticipation of bonds, in one or more series, an amount not to exceed \$163,860,000.00 for water projects (\$163,860,000.00) 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

0925-2014 To authorize and direct the Director of Finance and Management to establish purchase orders for the payment of annual membership dues for the City of Columbus for the National League of Cities, the Ohio Municipal League, the U.S. Conference of Mayors, the National Conference of Black Mayors, the National Civic League, Hannah News Service, the Government Finance Officers' Association, the Central Ohio Organization of Public Purchasers, the National Institute of Governmental Purchasing, and other professional organizations; 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 Tyson, 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 Tyson, 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

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

SR-22 0866-2014 To authorize and direct the Board of Health to enter into contract with WBNS-TV to continue a public awareness campaign to address obesity in central Ohio; to authorize the expenditure of \$67,800.00 from the Health Special Revenue Fund; to waive the provisions for competitive bidding; and to declare an emergency. (\$67,800.00)

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-23 1148-2014 To authorize the Director of the Department of Finance and Management to enter into various agreements, as necessary, to accept payments, grants, contributions, donations and gifts for the construction funding of the renovation of the Reeb Avenue Center; to authorize the City Auditor to deposit any monies received; and to declare an emergency.

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

RECREATION & PARKS: CRAIG, CHR. TYSON KLEIN GINTHER

SR-24 1052-2014 To authorize the appropriation and transfer of \$10,000.00 from the Hotel/Motel Tax Fund to the Recreation and Parks Operating Fund; to appropriate \$10,000.00 in the Recreation and Parks Fund 285; to authorize the Director of Recreation and Parks to enter into a contract with the Asian Festival to conduct health education and screenings to the public during the Asian Festival; to authorize the expenditure of \$24,500.00 from Recreation and Parks Fund 285; and to declare an emergency. (\$10,000.00)

TABLED UNTIL 6/2/2014

A motion was made by Craig, seconded by Tyson, that this Ordinance be Tabled to a Certain Date. 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 1066-2014 To authorize and direct the Director of Recreation and Parks to add additional funds to existing contracts with 30 community agencies to provide social and nutrition services to older adults in Central Ohio during 2014; to authorize the expenditure of \$320,000.00 from the Recreation and Parks Grant Fund; and to declare an emergency. (\$320,000.00)

A motion was made by Craig, 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

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

SR-26 0926-2014 To authorize the Director of the Department of Finance and Management to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses; to authorize the expenditure of \$1,009,439.00 from the General Fund; and to declare an emergency. (\$1,009,439.00)

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

Abstained: 1 - Priscilla Tyson

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

SR-27 1028-2014 To authorize the acceptance of a grant from the U.S. Department of Justice, Bureau of Justice Assistance, Ohio Office of Criminal Justice Services, in the amount of Fifty-two Thousand Six Hundred Dollars for the Cyber Crime Investigator and Domestic Violence Victim Advocate program; to authorize the transfer of matching funds in the amount of Seventeen Thousand Five Hundred Thirty-three and 33/100 Dollars from the General fund; to authorize the appropriation of total funds in the amount of Seventy Thousand One Hundred thirty-three and 33/100 Dollars; and to declare an emergency. (\$70,133.33)

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

PUBLIC UTILITIES: KLEIN, CHR. CRAIG PALEY GINTHER

SR-28 0803-2014 To authorize the Director of Public Utilities to modify a professional engineering services agreement with ARCADIS U.S. Inc., in connection with the Sewer System Capacity Model Update 2014; to authorize the transfer within and an expenditure of up to \$5,328,048.34 from the Sanitary Sewer General Obligation Fund for the Division of Sewerage and Drainage; and to authorize an amendment to the 2014 Capital Improvements Budget; and to declare an emergency. (\$5,328,048.34)

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-29 0929-2014 To authorize the Director of Public Utilities to execute a construction contract with Danbert, Inc. for the Ferris Road Area Water Line

Improvements Project in an amount up to \$2,247,996.30; for the Division of Water; to provide for payment of inspection, material testing and related services to the Design and Construction Division in an amount up to \$280,285.25; to authorize a transfer and expenditure up to \$2,528,281.55 within the Water Works Enlargement Voted Bonds Fund; and to amend the 2014 Capital Improvements Budget. (\$2,528,281.55)

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 0958-2014

To authorize the Director of Public Utilities to pay the State of Ohio Treasurer, Department of Natural Resources for operation and maintenance services and water entitlement of withdrawing water from the Alum Creek Reservoir for the Division of Water; to authorize the expenditure of \$1,302,616.95 from Water Operating Fund. (\$1,302,616.95)

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-31 0999-2014

To authorize the Director of Public Utilities to enter into a planned modification for the Professional Construction Management Services agreement with URS Corporation - Ohio; for the Division of Water; to authorize a transfer and an expenditure up to \$3,800,000.00 within the Water Works Enlargement Voted Bonds Fund; to authorize an amendment to the 2014 Capital Improvements Budget; and to declare an emergency. (\$3,800,000.00)

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

**PUBLIC SERVICE & TRANSPORTATION: MILLER, CHR. TYSON PALEY
GINTHER**

SR-32 1058-2014

To amend the 2014 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$1,703,193.62 from the Special Income Tax Fund to the Streets and Highways Bonds Fund; to authorize the Director of Public Service to enter into a contract with Shelly & Sands, Inc., to provide for the payment of the contract and construction administration and inspection services, in connection with the Resurfacing Program; to authorize the expenditure of \$2,131,921.84 from the Streets and Highways Bonds Fund; and to

declare an emergency. (\$2,131,921.84)

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 PALEY GINTHER

SR-33 0412-2014 To authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health to renew and modify a contract with Netsmart Technologies, Inc. for annual software maintenance and support and hosting services for the Avatar behavioral health and claims billing system; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$30,053.64 from the Department of Technology, internal services fund and \$31,500.00 from the Department of Columbus Public Health, grant fund and to declare an emergency. (\$61,553.64)

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

DEVELOPMENT: MILLS, CHR. KLEIN TYSON GINTHER

SR-34 1031-2014 To authorize the Director of the Department of Development to enter into a contract with the Neighborhood Design Center to provide expanded services and planning activities within the NCR and CDBG service areas; to authorize the appropriation and expenditure of \$150,000.00 from the Neighborhood Initiatives Fund; and to declare an emergency. (\$150,000.00)

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-35 1032-2014 To authorize the Director of the Department of Development to enter into contract with the Franklinton Board of Trade for the purpose of providing continued economic development services to the Franklinton Neighborhood Commercial Revitalization area; to authorize the appropriation and expenditure of \$75,000.00 from the Neighborhood Initiatives Fund; and to declare an emergency. (\$75,000.00)

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-36 1088-2014 To dissolve the Job Creation Tax Credit Agreement between the City of Columbus and Citi Fund Services Ohio, Inc. et al; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

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

Absent@vote: 1 - Zachary Klein

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

SR-37 1090-2014 To dissolve the Enterprise Zone Agreement with Metro City Ventures, LLC and Southwestern Acquisitions, LLC; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

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

Absent@vote: 1 - Zachary Klein

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

SR-38 1091-2014 To dissolve the Enterprise Zone Agreement with Tarrier Foods Corp. and Tarrier Holdings, Inc.; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

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

Absent@vote: 1 - Zachary Klein

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

SR-39 1102-2014 To authorize the Director of the Department of Development to make financial assistance available as grants to homebuyers, renters, for-profit and non-profit organizations to increase the local supply of decent, safe, and sanitary housing and decrease the number of vacant properties as part of the redevelopment efforts within the Franklinton Creative Community District; to authorize the expenditure of \$601,560.67 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$601,560.67)

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

Absent@vote: 1 - Zachary Klein

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

SR-40 1154-2014 To authorize the Director of Development to enter into an agreement with the Central Ohio Community Improvement Corporation to receive additional funds under the Moving Ohio Forward Grant Program; to authorize the Director of the Department of Development, or designee, to modify and extend contracts with various contractors to perform asbestos testing, asbestos remediation, demolition, and deconstruction services on blighted structures; to amend the 2014 Capital Improvement Budget; to authorize the appropriation of \$291,462.00 from the General Government Grant Fund; to authorize the transfer of \$70,000.00 within the General Government Grant Fund; to authorize the expenditure of \$627,624.00 from the General Government Grant Fund; to authorize the transfer \$550,000.00 within the Development Taxable Bond Fund; to authorize the expenditure of \$909,339.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$1,536,963.00)

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

ENVIRONMENT: MILLS, CHR. MILLER KLEIN GINTHER

SR-41 1047-2014 To authorize the Director of Public Utilities to enter into a Multi-Funded Research Agreement with the Water Research Foundation for the "Water Utility Planning Strategies to Mitigate Impacts of Climate Change in Central Ohio" project; to authorize the expenditure of \$50,000.00 from Sewerage System Operating Fund and \$50,000.00 from the Water Operating 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

1086-2014 To authorize the Director of the Department of Development to enter into a grant agreement Woods Development Group for Brownfield assessment and redevelopment of the site located at 122 Parsons Ave., pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$54,600 \$99,671.25 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$54,600) (\$99,671.25)

A motion was made by Mills, 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

1086-2014 To authorize the Director of the Department of Development to enter into a grant agreement Woods Development Group for Brownfield assessment and redevelopment of the site located at 122 Parsons Ave., pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$54,600 \$99,671.25 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$54,600) (\$99,671.25)

A motion was made by Mills, 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

RULES & REFERENCE: GINTHER, CHR. KLEIN MILLS CRAIG

1085-2014 To enact new section 219.033 of the Columbus City Code; to amend sections 219.01, 219.02, 219.031, 219.032, 2150.04 of the Columbus City Code and to repeal section 219.03 of the Columbus City Code in order to eliminate the Division of Mobility Options, to rename the Division of Planning and Operations to the Division of Infrastructure Management, and to create a new Division of Traffic Management within the Department of Public Service to reflect the reorganization in the Department of Public Service.

A motion was made by Mills, 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 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

ADJOURNMENT

ADJOURNED AT 6:34 PM

A motion was made by Craig, seconded by Tyson, 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

(THERE WILL BE NO CITY COUNCIL MEETING HELD ON MONDAY, MAY 26, 2014 IN OBSERVANCE OF MEMORIAL DAY. THE NEXT SCHEDULED CITY COUNCIL MEETING WILL BE HELD MONDAY, JUNE 2, 2014)



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, May 19, 2014

6:30 PM

City Council Chambers, Rm 231

REGULAR MEETING NO. 29 OF CITY COUNCIL (ZONING), MAY 19, 2014 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

1014-2014

To rezone 700 CHILDRENS DRIVE (43205), being 65.0± acres generally bounded by Interstate 70 and Mooberry Street to the north, to the first alley east of and parallel with Eighteenth Street to the east, to Livingston Avenue, Jackson Street, and Denton Alley to the south, and to South Grant Avenue and Parsons Avenue to the west, excluding all of Livingston Park (not all-inclusive), From: I, Institutional and CPD, Commercial Planned Development Districts, To: CPD, Commercial Planned Development District (Rezoning # Z14-004).

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

1019-2014

To amend Ordinance #1274-2005 passed July 25, 2005, as subsequently amended by Ordinance #1532-2006, passed September 11, 2006, for property located at 3558 WEST HENDERSON ROAD (43220), to modify the PUD district development standards regarding attached garages, building materials, landscaping, and screening and to declare an emergency (Z05-019B).

A motion was made by Miller, seconded by Tyson, 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

1020-2014

To rezone 830 EAST FULTON STREET (43205), being 3.3± acres located at the northeast and northwest corners of East Fulton Street and South Eighteenth Street, From: CPD, Commercial Planned Development, P-1, Private Parking, and R-2F, Residential Districts, To: CPD, Commercial Planned Development District (Rezoning # Z14-005).

A motion was made by Miller, seconded by Tyson, 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 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

ADJOURNMENT

ADJOURNED AT 6:53 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

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: 0084X-2014

Drafting Date: 5/15/2014

Current Status: Passed

Version: 1

Matter Type: Ceremonial Resolution

To declare the week of May 18-24, 2014 to be Emergency Medical Services Week in Columbus, Ohio.
WHEREAS, emergency medical service providers perform a vital public service; and

WHEREAS, over 1500 members of the Columbus Division of Fire provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, the members of the Columbus Division of Fire are highly trained paramedics that have the most current training and state of the art equipment so that they can manage any emergency medical situation they may encounter and allowed the Division's firefighters and paramedics to respond to over 126,000 EMS calls in 2013; and

WHEREAS, this year, the theme of Emergency Medical Services Week is "EMS: Dedicated for Life," in recognition of the continuing commitment that EMS providers make to serve Columbus residents in times of need; and

WHEREAS, the Columbus Division of Fire and other emergency personnel will kick off EMS Week with an event at the Center of Science and Industry (COSI) on Sunday, May 18, which will include exhibitions of a fire truck, a Medflight helicopter landing, and a vehicle extrication demonstration; and

WHEREAS, it is important to recognize the value, accomplishments, sacrifices and selfless contributions of emergency medical services providers by designating Emergency Medical Services Week; now, therefore

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

That this Council does hereby declare the week of May 18-24, 2014 to be Emergency Medical Services Week, and expresses its gratitude to all members of the Columbus Division of Fire for their outstanding contributions to the safety and well-being of the citizens of Columbus.

Legislation Number: 0412-2014

Drafting Date: 2/12/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

This legislation will authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health, to renew and modify a contract with Netsmart Technologies, Inc., for annual software maintenance and support and hosting services for the Avatar behavioral health and claims billing system. The system was initially purchased by the Columbus Board of Health by authority of ordinance 2078-2005 (EL005861), and last renewed and modified by authority of ordinance 0791-2013, passed April 22,

2013, through purchase orders EL014377 and EL014378. This renewal will provide software maintenance and support for the period April 1, 2014 to March 31, 2015, at a cost of \$14,355.60. This renewal will also authorize the second year of a five year hosting services agreement for the period April 1, 2014 to March 31, 2015, at a cost of \$15,120.00. The total cost of this term period contract is \$29,475.60.

In addition, this legislation will authorize a modification to the contract for Netsmart to provision a hosted version of Avatar in their data center. Funding for the provisioning service was authorized through ordinance 0791-2013, but more funds are needed to provision additional Avatar functions to enable the Health Department to comply with new ICD10 claims billing requirements from the Franklin County ADAMH Board and Ohio Department of Mental Health and Addiction Services. The modification includes an annual fee of \$578.04 for ICD10 subscriptions (an ongoing cost) as well as one time professional service fees in the amount of \$31,500.00. The total cost of this contract modification is \$32,078.04. The new ICD10 claims billing requirements were unknown last year, so the need for this modification was not known when the original agreement for provisioning services was executed. Netsmart is the sole source provider of its software and application hosting services, so it is not possible for the City to obtain the service through alternate procurement methods. The cost of the additional software subscriptions and one-time professional services were negotiated with Netsmart.

The Avatar system is necessary to meet the requirements of the Franklin County ADAMH Board and the Ohio Department of Mental Health and Addiction Services. Netsmart Technologies, Inc. will provide the Alcohol and Drug Abuse Program operated by the Columbus Public Health Department with ongoing hosting and technical support for the system.

It is not in the City's best interests to procure this service through competitive procurement, as transitioning to another vendor would entail significant start-up costs. Furthermore, there is an immediate need to obtain service with Netsmart Technologies, Inc., for annual software maintenance and support and hosting services for the Avatar behavioral health and claims billing system. As such, this ordinance requests a waiver of competitive bidding requirements of Columbus City Code, in accordance with section 329.27.

EMERGENCY:

Emergency legislation is requested to maintain ongoing and uninterrupted services.

FISCAL IMPACT:

In years 2012 and 2013, the Department of Technology expended \$13,020.00 and \$55,892.00 respectively for the annual renewal of software maintenance and support and hosting services and professional services. The total cost of this agreement is \$61,553.64, bringing the aggregate contract total, including this request to \$225,720.42. Funds are budgeted and available within the Department of Technology, internal services fund (\$30,053.64) and the Department of Columbus Public Health Grants fund (\$31,500.00).

Total amount needed for this ordinance is \$61,553.64: \$30,053.64 from 500147; \$31,500 from 505065. See Spend History spreadsheet, attached

CONTRACT COMPLIANCE:

Vendor: Netsmart Technologies, Inc.
03/05/2015

F.I.D/CC #: 13-3680154

Expiration Date:

To authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health to renew and modify a contract with Netsmart Technologies, Inc. for annual software

maintenance and support and hosting services for the Avatar behavioral health and claims billing system; to waive the competitive bidding provisions of Columbus City Code; to authorize the expenditure of \$30,053.64 from the Department of Technology, internal services fund and \$31,500.00 from the Department of Columbus Public Health, grant fund and to declare an emergency. (\$61,553.64)

WHEREAS, this legislation will authorize the Director of the Department of Technology and the Director of the Department of Columbus Public Health, to renew and modify a contract with Netsmart Technologies, Inc., for annual software maintenance and support and hosting services for the period April 1, 2014 to March 31, 2015 at a total cost of \$14,355.60; and

WHEREAS, the system was initially purchased by the Columbus Board of Health by authority of ordinance 2078-2005 (EL005861), and annual maintenance and support was last renewed by authority of ordinance 0791-2013, passed April 22, 2013, through purchase order EL014378.

WHEREAS, this renewal will also authorize the second year of a five year hosting services agreement for the period April 1, 2014 to March 31, 2015, at a cost of \$15,120.00. The total cost of this renewal is \$29,475.60; and

WHEREAS, this legislation will also authorize a modification to the contract for Netsmart to provision a hosted version of Avatar in their data center. Funding for the provisioning service was authorized through ordinance 0791-2013, but more funds are needed to provision additional Avatar functions to enable the Health Department to comply with new ICD10 claims billing requirements from the Franklin County ADAMH Board and Ohio Department of Mental Health and Addiction Services; and

WHEREAS, the modification includes an annual fee of \$578.04 for ICD10 subscriptions (an ongoing cost) as well as one time professional service fees in the amount of \$31,500.00. The total cost of this contract modification is \$32,078.04; and

WHEREAS, the Avatar system is necessary to meet the requirements of the Franklin County ADAMH Board and the Ohio Department of Mental Health and Addiction Services. Netsmart Technologies, Inc. will provide the Alcohol and Drug Abuse Program operated by the Columbus Public Health Department with ongoing hosting and technical support for the system; and

WHEREAS, this ordinance requests to waive the competitive bidding provisions of Columbus City Code, in accordance with Section 329.27; and

WHEREAS, an emergency exists in the usual daily operation of the city in that it is immediately necessary to renew and modify a contract with Netsmart Technologies for software maintenance and support and hosting services 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 Department of Columbus Public Health be and is hereby authorized to renew and modify a contract with Netsmart Technologies, Inc., in the amount of \$61,553.64 for the Avatar behavioral health and claims billing system for

annual software maintenance and support and hosting services, with the contract coverage term period from April 1, 2014 through March 31, 2015.

SECTION 2. That the expenditure of \$30,053.64 is hereby authorized to be expended from:

Division: 47-01|**Fund:** 514|**Sub-fund:** 010|**OCA Code:** 500147|**Obj. Level 1:**03|**Obj. Level 3:** 3369|**Amount:** \$14,355.60 - Netsmart Support

Division: 47-01|**Fund:** 514|**Sub-fund:** 010|**OCA Code:** 500147|**Obj. Level 1:**03|**Obj. Level 3:** 3358|**Amount:** \$578.04 - Netsmart Subscriptions

Division: 47-01|**Fund:** 514|**Sub-fund:** 010|**OCA Code:** 500147|**Obj. Level 1:**03|**Obj. Level 3:** 3369|**Amount:** \$15,120.00 - Netsmart Hosting Fee

SECTION 3. That the expenditure of \$31,500.00 is hereby authorized to be expended from:

Division: 50-01|**Health Dept. Grants Fund:** 251| **Health Grant No.:** 508320|**OCA Code:** 505065|**Obj. Level 1:**03|**Obj. Level 3:** 3336|**Amount:** \$31,500.00 - Netsmart Hosting/Professional Services

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

SECTION 5: That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 6: That this ordinance authorizes a renewal and modification agreement between Netsmart Technologies, Inc., the Director of the Department of Technology and the Director of the Department of Columbus Public Health, on behalf of the City of Columbus, and to waive the competitive bidding provisions of Columbus City Code, in accordance with Section 329.27.

SECTION 7: That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0803-2014

Drafting Date: 3/29/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. **BACKGROUND:** This legislation authorizes the Director of Public Utilities to modify a professional engineering services agreement with ARCADIS U.S. Inc., for up to \$5,328,048.34 for the Sewer System Capacity Model Update 2014 Project, for the Division of Sewerage and Drainage. The initial contract covered work for the first year with four subsequent annual contract modifications planned for the future. This is modification #1.

The sewer collection system model developed and enhanced by the Model Update Project, is the principle tool used to manage the planning and operations of the City's sewer collection system. Enhancement of this tool is vital to minimizing sewer overflows and backups and thereby minimizing negative impacts to the environment caused by the City's sewer system. The continual updating of this model is also necessary to ensure compliance with the City's consent orders with the Ohio Environmental Protection Agency.

MODIFICATION INFORMATION:

1.1 Amount of additional funds to be expended: \$5,328,048.34

Original contract:	\$4,326,563.00
Modification #1 (2014): Current	<u>\$5,328,048.34</u>
Current Total:	\$9,654,611.38
Future	
Modification #2 (2015):	\$3,000,000.00
Modification #3 (2016):	\$3,000,000.00
Modification #4 (2107):	<u>\$3,000,000.00</u>
Total estimated cost to date:	\$9,000,000.00

Current + Future Total: \$18,654,611.38

1.2. Reasons additional goods/services could not be foreseen:

This is a multi-year agreement with planned modifications.

1.3. Reason other procurement processes are not used:

This was a planned contract modification identified in the original contracting legislation.

1.4. How cost of modification was determined:

A Cost Summary was submitted by the Consultant and reviewed and approved by Department personnel.

2. Project Task Description: Overall project scope elements:

1. Update SWWM 5 models developed under the Sewer System Capacity Model - Update 2006 to year 2013 conditions
2. Create new SWMM 5 reduced pipe model (RPM) from updated detailed models
3. Utilize all existing SWMM 5 models and data from the Sewer System Capacity Model Update 2006 project
4. Utilize all available City data (GIS sewer attribute data, atlas maps, other GIS features/layers, flow monitor data, rain gauge data, PARS, MSIUS, etc.)
5. Review and utilize current Inflow/Infiltration study reports and SWMM 5 models (where applicable)
6. Perform rain gauge: review, data collection/editing and rainfall analysis
7. Perform flow monitoring: review, data collection/editing and dry/wet weather flow analysis

8. Develop improved methodology for representing groundwater in the models
9. Update dry weather flow patterns and time series
10. Perform dry weather flow calibrations
11. Update wet weather RDII analysis (e.g. RTK, Initial Abstraction, Recovery parameters)
12. Perform wet weather flow calibrations, and verification/validation
13. Perform field investigations
14. Enhance City's GIS sewer attribute data as needed
15. Prepare and deliver various technical reports and memorandum
16. Deliver all collected flow monitor and rainfall data
17. Deliver draft and final SWMM 5 models
18. Provide training of City staff
19. Redefine Long Term Control Plan (LTCP) typical year rainfall
20. Redefine 10 year, 5 year and 2 year level of service
21. Perform various model applications (to be defined in each phase)
22. Support Blueprint Columbus program

These tasks will be realized through completion of the Sewer System Capacity Model - Model Update 2012 through a series of five (5) phases hereinafter referred to as: Year 1, Year 2, Year 3, Year 4 and Year 5.

Work completed to date: Items 1, 3, 4, 5, 6(ongoing), 7(ongoing), 8(ongoing), 9(ongoing), part of 10, part of 11, part of 12, 13(ongoing), 14(ongoing), 15(ongoing), 19, 20(ongoing), 21(ongoing), 22(ongoing)

3. **MULTI-YEAR CONTRACT:** The Department anticipates requesting additional future modifications to this contract.
4. **Contract Compliance No.:** 57-0373224 | MAJ | Exp. 07/10/2015
5. **Emergency Designation:** The Department of Public Utilities is requesting emergency legislation so that support of the consent decrees and Blue Print Columbus can continue without any schedule or project delays..
6. **Economic Impact:** The collection system model developed and enhanced by the Model Update Project is the principal tool used to manage the planning and operations of the City's sewer collection system. Enhancement of this tool is vital to minimizing sewer overflows and backups and thereby minimizing negative impacts to the environment caused by the City's sewer system. This contract also is a major component of the City's Blueprint Columbus Clean Waters Strong Neighborhoods program.
7. **Fiscal Impact:** The legislation authorizes the transfer within and a total expenditure of up to \$5,328,048.34 from the Sanitary Sewer General Obligation Fund, Fund 664 and an amendment to the 2014 Capital Improvements Budget.

To authorize the Director of Public Utilities to modify a professional engineering services agreement with ARCADIS U.S. Inc., in connection with the Sewer System Capacity Model Update 2014; to authorize the transfer within and an expenditure of up to \$5,328,048.34 from the Sanitary Sewer General Obligation Fund for the Division of Sewerage and Drainage; and to authorize an amendment to the 2014 Capital Improvements Budget; and to declare an emergency. (\$5,328,048.34)

WHEREAS, the original contract number EL013911 authorized by Ord 2467-2012 was passed by Columbus City Council on January 15, 2013; executed on January 17, 2013; approved by the City Attorney on January 17, 2013; and certified by the City Auditor's office on January 17, 2013; and

WHEREAS, the sewer system model is the principal tool used to manage the planning and operations of the City's sewer collection system; and

WHEREAS, it is necessary to transfer money within the Sanitary Sewer General Obligation Fund, Fund 664 for this project; and

WHEREAS, it is necessary to amend the 2014 Capital Improvements Budget for purposes of providing sufficient budget authority for the project expenditure; and

WHEREAS, it is necessary for City Council to authorize the expenditure of funds from the Sanitary Sewer General Obligation Fund, Fund 664 for the Sewer Sytem Capacity Model Update 2014; 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 requesting that this Council authorize the Director of Public Utilities to modify an engineering agreement with ARCADIS U.S. Inc. for the Sewer System Capacity Model Update 2014 Project 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 modify an engineering agreement with ARCADIS U.S. Inc., 100 East Campus View Blvd, Suite 200, Columbus, Ohio 43235, for professional engineering services for the Sewer System Capacity Model Update 2014, in accordance with the terms and conditions as shown in the contract modification on file in the office of the Division of Sewerage and Drainage.

SECTION 2. That the City Auditor is hereby authorized to transfer 5,328,048.34 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

650259-100001 | JPWWTP Cor. Prev. & Protect Coating Sys | 650259 | -\$3,748,000.00
650695-100000 | Fulton Mound Noble Sewer Rehab | 650695 | -\$1,045,810.18
650260-106000 | Fairwood Facility Small Capital Projects | 642606 | -\$400,000.00
650600-100008 | Franklin / Main Interceptor Rehab Ph3 | 646008 | - \$134,238.16

To:

Project No. | Project Name | OCA Code | Change

650460-100001 | Sewer System Capacity Model | 644601 | +\$5,328,048.34

SECTION 3. That the Director of Public Utilities be and hereby is authorized to expend up to \$5,328,048.34 from the Sanitary Sewer General Obligation Bond Fund, Fund 664 | Div. 60-05 | Obj. Lvl Three - 6676

Project No. | Project Name | OCA Code | Obj. Lvl 3 | Amount (\$)

650460-100001 | Sewer System Capacity Model | 644601 | +\$5,328,048.34

SECTION 4. That the 2014 Capital Improvements Budget is hereby amended as follows:

Fund No. | Proj. No. | Proj. Name | Current Authority | Revised Authority | Change

650259-100001 | JPWWTP Corr. Prev. & Protect Coating Sys (Carryover) | \$3,748,000 | \$0 | (-\$3,748,000)
650695-100000 | Fulton Mound Noble Sewer Rehab (Carryover) | \$1,045,811 | \$0 | (-\$1,045,810)
650260-106000 | Fairwood Facility Small Capital Projects (Carryover) | \$400,000 | \$0 | (-\$400,000)
650600-100008 | Franklin / Main Interceptor Rehab Ph3 | \$0 | \$142,480 | +\$142,480
Increase Authority to Match Cash from Cancellation - Only using \$134,239
650600-100008 | Franklin / Main Interceptor Rehab Ph3 | \$142,480 | \$8241 | (- \$134,239)
650460-100001 | Sewer System Capacity Model | \$0 | \$5,328,049 | (+\$5,328,049)

SECTION 5. That said engineering company, ARCADIS U.S. 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 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, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0866-2014

Drafting Date: 4/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: Columbus Public Health is seeking to continue our partnership with 10 TV's Commit To Be Fit, the only media driven public awareness campaign in central Ohio developed to improve the health of our community. In partnership with Metro Parks, Giant Eagle and the YMCA of Central Ohio, Columbus Public Health will inform viewers and readers with practical, hands-on information utilizing 10 TV's, Facebook, Twitter pages, on-air news and on air promotional spots, providing them with education they can use to help make the necessary changes to live healthier, active lives.

This ordinance authorizes and directs the Board of Health to enter into a \$67,800.00 contract with WBNS-TV, Inc., for a media driven public awareness campaign in central Ohio to improve the health of our community for the period of March 1, 2014 through February 28, 2015. This ordinance waives the competitive bidding

provisions of the City Code, Section 329.06.

The contract compliance number for WBNS-TV, Inc., is 31-0711250 and expires on 05/01/2016.

Emergency action is requested in order to immediately address the scheduled promotional activities for the Commit to be Fit media campaign.

FISCAL IMPACT: An additional contract with The Dispatch Printing Company, TIN 314166990, for \$7,200.00 is required for the web based portion of this media campaign. Funding for this ordinance and the additional contract for web services is made available from the Health Special Revenue Fund.

To authorize and direct the Board of Health to enter into contract with WBNS-TV to continue a public awareness campaign to address obesity in central Ohio; to authorize the expenditure of \$67,800.00 from the Health Special Revenue Fund; to waive the provisions for competitive bidding; and to declare an emergency. (\$67,800.00)

WHEREAS, the Columbus Obesity Prevention Partnership was developed to help curb the current obesity epidemic which will provide residents the tools they need to address this life and death crisis; and,

WHEREAS, the Board of Health wishes to contract with WBNS-TV, Inc. because 10 TV's Commit To Be Fit, is the only media driven public awareness campaign in central Ohio designed to improve the health of our community; and,

WHEREAS, in order to enter into this contract, this ordinance waives the competitive bidding provisions of the City Code, Section 329.06 and,

WHEREAS, an emergency exists in the usual daily operation of Columbus Public Health in that it is immediately necessary to enter into this contract to immediately address the scheduled promotional activities and for the immediate preservation of the public health, peace, property, safety and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to enter into a contract with WBNS-TV, Inc. for the provision of a media driven public awareness campaign in central Ohio designed to improve the health of our community for the period of March 1, 2014 through February 28, 2015, in an amount not to exceed \$67,800.00

SECTION 2. That to pay the cost of said contract the expenditure of \$67,800.00 is hereby authorized from the Health Special Revenue Fund, Fund No. 250, Health Department, Division 50-01, Object Level One 03, Object Level Three 3336, OCA Code - 500135.

SECTION 3. That the competitive bidding provisions of Section 329.06 of the Columbus City Code are hereby waived.

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary and is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 5. That for reasons stated in the preamble hereto, which is hereby made a part 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: 0917-2014

Drafting Date: 4/15/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND: The purpose of this ordinance is to authorize the Director of Finance and Management to enter into a contract with Master Meter, Inc. for the purchase of 10” & 12” Ultrasonic Water Meters for the Division of Water. 10” & 12” Ultrasonic Water Meters are used for installation and replacement of this sized meters for large consumer accounts. The sole bidder is Master Meter, Inc. at \$138,817.38.

2. CONTRACT AWARD: The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation SA005343). Forty-eight (48) vendors (46 MAJ, 2 MBR) were solicited and one (1) bid (1 MAJ) was received and opened on April 10, 2014. A tabulation of that bid is attached.

SUPPLIER: Master Meter, Inc., CC# 75-1739575, expiration date: 1/15/2016, Majority

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Master Meter, Inc.

3. EMERGENCY DESIGNATION: These meters were originally bid in 2013 as a part of the annual establishment of Universal Term Contracts (UTC's). However due to pricing errors and non-responsive bids, the Department of Public Utilities requested that the Purchasing Office re-bid the UTC. The additional time that was added to the process due to the re-bid meant the Division of Water was not able to replenish the inventory of these items. Emergency legislation is being requested so that a Universal Term Contract can be established at the earliest time possible so that inventory levels can be replenished.

4. FISCAL IMPACT: A transfer of funds within the Water Build America Bonds Fund will be necessary as well as an amendment to the 2014 Capital Improvements Budget.

To authorize the Director of Finance and Management to enter into a contract with Master Meter, Inc. for the purchase of 10 Inch and 12 Inch Ultrasonic Water Meters for the Division of Water; to authorize a transfer and expenditure up to \$138,817.38 within the Water Build America Bonds Fund; to amend the 2014 Capital Improvements Budget; and to declare an emergency. (\$138,817.38)

WHEREAS, bids were originally taken in 2013, however bids were non-responsive for various reasons and the Department of Public Utilities decided to re-bid the items, and

WHEREAS, the Purchasing Office opened formal bids on April 10, 2014 for the purchase of 10” & 12” Ultrasonic Water Meters for the Division of Water; and

WHEREAS, the Division of Water recommends an award to be made to the lowest, responsive, and responsible bidder Master Meter, Inc.; and

WHEREAS, 10” & 12” Ultrasonic Water Meters are used for large consumer accounts; and

WHEREAS, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Build America Bonds Fund, for the Division of Water; and

WHEREAS, it is necessary to authorize an amendment to the 2014 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water, in that it is immediately necessary to authorize the Purchasing Office to establish a contract in accordance with the terms, conditions, and specifications of Solicitation Number SA005343 on file in the Purchasing Office, in an emergency manner as these meters are in short supply due to the inability to establish contracts in 2013 due to vendor bidding errors, 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 Director of Finance and Management be and is hereby authorized to establish a contract with Master Meter, Inc. for the purchase of 10” & 12” Ultrasonic Water Meters for the Division of Water, in the amount of \$138,817.38, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the City Auditor is hereby authorized and directed to appropriate the following:

Division: Water

Dept./Div. No.: 60-09

OL3: 6670

Fund No. | Fund Name | Project No. | Project Name | OCA | Amount

609 | Water Build America Bonds Fund | 609999-100000 (carryover) | Unallocated Balance Fund 609 | 609999 | \$27,152.72 (balance as of 4/15/14)

SECTION 3. That the City Auditor is hereby authorized to transfer \$138,817.38 within the Division of Water, Dept/Div. No. 60-09, Object Level One 06, Object Level Three 6670, as indicated on attachment “ORD 0917-2014”.

SECTION 4. That the 2014 Capital Improvements Budget is hereby amended as indicated on attachment “ORD 0917-2014”.

SECTION 5. That an expenditure up to \$138,817.38 is hereby authorized for the purchase of 10” & 12” Ultrasonic Water Meters within the Water Build America Bonds Fund, Fund No. 609, Dept.-Div. 60-09, Project No. 690394-100000 (carryover), OCA 609394, OL3 6670.

SECTION 6. That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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 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: 0925-2014

Drafting Date: 4/15/2014

Current Status: Passed

Version: 2

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the expenditure of \$100,000.00 within the General Fund for membership dues and subscriptions for various organizations. The City maintains memberships with various national, state and regional organizations. This ordinance authorizes the establishment of purchase orders and subsequent payments to the National League of Cities, the Ohio Municipal League, the U.S. Conference of Mayors, the National Conference of Black Mayors, **the African American Mayors Association**, the National Civic League, Hannah News Service, the Government Finance Officers' Association, the Central Ohio Organization of Public Purchasers, the National Institute of Governmental Purchasing, and other professional organizations. As a member of these organizations, the City of Columbus receives many benefits including, but not limited to seminars, publications, and access to a nationwide pool of municipal leaders who share similar challenges, concerns, and initiatives.

Emergency action is requested such that these important memberships continue without interruption, as they are year-long subscriptions and memberships.

FISCAL IMPACT: Funds in the amount of \$100,000.00 were budgeted within the Department of Finance and Management, Financial Management Division General Fund for citywide membership dues.

To authorize and direct the Director of Finance and Management to establish purchase orders for the payment of annual membership dues for the City of Columbus for the National League of Cities, the Ohio Municipal League, the U.S. Conference of Mayors, the National Conference of Black Mayors, the National Civic League, Hannah News Service, the Government Finance Officers' Association, the Central Ohio Organization of Public Purchasers, the National Institute of Governmental Purchasing, and other professional organizations; to authorize the expenditure of \$100,000.00 from the General Fund; and to declare an emergency (\$100,000.00)

WHEREAS, it is in the best interest of the city to maintain memberships in the National League of Cities, the Ohio Municipal League, the U.S. Conference of Mayors, the National Conference of Black Mayors, the National Civic League, Hannah News Service, the Government Finance Officers' Association, the Central

Ohio Organization of Public Purchasers, the National Institute of Governmental Purchasing, and other professional organizations; and

WHEREAS, to maintain these memberships, the City of Columbus must pay dues totaling \$100,000.00; and

WHEREAS, funds are budgeted within the Department of Finance and Management, Division of Financial Management's General Fund budget for citywide memberships; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department, Financial Management Division, in that it is immediately necessary to authorize the Finance and Management Director to pay membership fees for various important professional organizations so these useful memberships may continue without interruption, thereby preserving the public health, peace, property, safety, and welfare; now therefore:

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

SECTION 1. That the Finance and Management Director is hereby authorized to establish purchase orders for membership dues with National League of Cities, the Ohio Municipal League, the U.S. Conference of Mayors, the National Conference of Black Mayors, the National Civic League, Hannah News Service, the Government Finance Officers' Association, the Central Ohio Organization of Public Purchasers, the National Institute of Governmental Purchasing, and other professional organizations.

SECTION 2. That the sum of \$100,000.00, or so much thereof as may be necessary in regard to the action authorized in Section 1, be and is hereby authorized to be expended as follows:

Dept/Div: 45-01
Fund: 10
OCA Code: 450015
Object Level One: 03
Object Level Three: 3333
Amount: \$100,000

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

SECTION 4. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the mayor neither approves or vetoes the same.

Legislation Number: 0926-2014

Drafting Date: 4/15/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

The Franklin County Public Defender Commission performs all the duties and responsibilities under Section

12 of the City Charter, Chapter 173 of the Columbus City Codes, 1959, and Sections 120.13 and 120.14(e) of the Ohio Revised Code in providing legal counsel to indigent persons charged with criminal offenses. Since 1976, the City has contracted with the Commission to represent in the Franklin County Municipal Court all indigent persons (based on poverty guidelines as determined by the United States Department of Health and Human Services) charged with violations of an ordinance of the City of Columbus. Except for State-charged misdemeanors, the City funds the Municipal Unit while the Franklin County Commissioners fund the balance.

Award of this contract meets the procurement provisions of Chapter 329 of the Columbus City Codes, 1959.

Franklin County Public Defender Commission, Contract Compliance #31-0890833

Emergency action is requested since the start of this contract was January 1, 2014. Action prior to this date was not possible until the 2013 contract expenses had been reconciled.

FISCAL IMPACT: This contract is presented on an understanding that the total cost of the program is \$4,681,878, of which the Franklin County Commissioners' portion is 60 percent and the City's portion is 40 percent. After 40 percent reimbursement from the State Public Defender Commission, it is expected that the cost to the City will be \$1,123,651. This amount is reduced by \$114,212 from the 2013 expenditure reconciliation, resulting in a net 2014 contract amount of \$1,009,439. In the event the actual State-charged misdemeanors differ from the estimate, and/or the State reimburses at a different rate, the city may owe the County or be due reimbursement. A reconciliation will be conducted at year-end to determine the final charges. It should also be noted that this contract is a budgeted expense within the Financial Management Division's 2014 general fund operating budget.

To authorize the Director of the Department of Finance and Management to enter into contract with the Franklin County Public Defender Commission to provide legal counsel to indigent persons charged with criminal offenses; to authorize the expenditure of \$1,009,439.00 from the General Fund; and to declare an emergency. (\$1,009,439.00)

WHEREAS, The City of Columbus recognizes its responsibilities as defined in Section 12 of the City Charter, Chapter 173 of the Columbus City Codes, 1959, and Sections 120.13 and 120.14(e) of the Ohio Revised Code to provide legal counsel to indigent persons charged with criminal offenses; and

WHEREAS, the City of Columbus in furtherance of the execution of its legal responsibilities, desires to provide such legal services to the City's indigent citizens and others so situated, and to do so in cooperation with the Franklin County Public Defender Commission; and

WHEREAS, this contract is presented on the understanding that the total contract for services is \$4,681,878, of which the Franklin County Commissioners' portion is 60 percent and the City's portion is 40 percent, and that after a 40% reimbursement from the State Public Defender Commission, and a credit of \$114,212 from the 2013 reconciliation, the net 2014 cost to the City will be \$1,009,439.00; and

WHEREAS, at the completion of the contract a reconciliation is performed based upon actual expenditures vs. anticipated expenditures, actual State-charged misdemeanors vs. anticipated, and actual State Public Defender Commission reimbursement vs. anticipated reimbursements; and

WHEREAS, an emergency exists in the usual daily operation of government of the City of Columbus that it is immediately necessary to authorize a contract with the Franklin County Public Defender Commission in order to assure the continuity of legal services to indigent persons in Columbus 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 the Department of Finance and Management be and is hereby authorized to contract with the Franklin County Public Defender Commission of Columbus, Ohio for the period of January 1, 2014 through December 31, 2014.

SECTION 2. That the sum of \$1,009,439 be and hereby is authorized to be expended from the General Fund as follows:

Dept/Div: 45-01
Fund: 10
OCA Code: 450015
Object Level One: 03
Object Level Three: 3337
Amount: \$1,009,439.00

SECTION 3. That award of this contract meets the procurement provisions of Chapter 329 of the Columbus City Code, 1959.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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: 0929-2014

Drafting Date: 4/16/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. BACKGROUND: This legislation authorizes the Director of Public Utilities to enter into a construction contract with Danbert, Inc. in the amount of \$2,247,996.30; and to encumber funds with the Design and Construction Division for inspection, material testing, and related services in the amount of \$280,285.25 for the Ferris Road Area Water Line Improvements Project, Division of Water Contract Number 1183.

This project consists of open-cut installation of approximately 3,200 linear feet of 6-inch water main and appurtenances and 6,700 linear feet of 8-inch water main and appurtenances, 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.

This project encompasses the following roads: Fenton Street, Beaumont Road, Ferris Road, Melrose Avenue W., and Elmore Avenue.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: The goal of this project is to replace water lines that have a high break frequency. The new lines constructed under this project should eliminate the pattern of frequent water line breaks and will decrease burden on water maintenance operations. The Neighborhood Liaison(s) will be contacted and informed of this project during the construction phase. Further community outreach may result through the Neighborhood Liaison Program.

3. CONSTRUCTION CONTRACT AWARD: The Director of Public Utilities publicly opened seven bids on April 9, 2014 from: Danbert, Inc. - \$2,247,996.30; Shelly and Sands, Inc. - \$2,320,223.18; Underground Utilities, Inc. - \$2,334,727.89; John Eramo & Sons, Inc. - \$2,377,287.00; Elite Excavating Co. of Ohio - \$2,628,193.70; Columbus Asphalt Paving - \$2,649,771.52; and Conie Construction Co. - \$2,911,700.00.

Danbert's bid was deemed the lowest, best, most responsive and responsible bid in the amount of \$2,247,996.30. Their Contract Compliance Number is 31-1029004 (expires 9/10/14, Majority). Additional information regarding all bidders, description of work, contract time frame and detailed amounts can be found on the attached Information form.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Danbert, Inc.

4. FISCAL IMPACT: A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary as well as an amendment to the 2014 Capital Improvements Budget.

To authorize the Director of Public Utilities to execute a construction contract with Danbert, Inc. for the Ferris Road Area Water Line Improvements Project in an amount up to \$2,247,996.30; for the Division of Water; to provide for payment of inspection, material testing and related services to the Design and Construction Division in an amount up to \$280,285.25; to authorize a transfer and expenditure up to \$2,528,281.55 within the Water Works Enlargement Voted Bonds Fund; and to amend the 2014 Capital Improvements Budget. (\$2,528,281.55)

WHEREAS, seven bids for the Ferris Road Area Water Line Improvements Project were received and publicly opened in the offices of the Director of Public Utilities on April 9, 2014; and

WHEREAS, the lowest, best, most responsive and responsible bid was from Danbert, Inc. in the amount of \$2,247,996.30; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Utilities to award and execute a construction contract and to encumber and expend funds to provide for payment of inspection and testing services costs associated with the Ferris Road Area Water Line Improvements Project; and

WHEREAS, it is necessary for this Council to authorize the transfer and expenditure of funds within the Water Works Enlargement Voted Bonds Fund for the Division of Water; and

WHEREAS, it is necessary to authorize an amendment to the 2014 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditures; and

WHEREAS, it has become necessary in the usual daily operation of the Division of Water, Department of Public Utilities, to authorize the Director of Public Utilities to enter into a construction contract with Danbert, Inc. for the Ferris Road Area Water Line Improvements 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 Director of Public Utilities be and hereby is authorized to award and execute a construction contract for the Ferris Road Area Water Line Improvements Project with Danbert, Inc., 8077 Memorial Drive, Plain City, Ohio 43064; in the amount of \$2,247,996.30; in accordance with the terms and conditions of the contract on file in the Office of the Division of Water; and to obtain the necessary inspection, testing and prevailing wage coordination services from the Design and Construction Division and to pay up to a maximum amount of \$280,285.25.

SECTION 2. That said construction company shall conduct the work to the satisfaction of the Director of Public Utilities and the Administrator of the Division of Water.

SECTION 3. That the City Auditor is hereby authorized to transfer \$2,528,281.55 within the Department of Public Utilities, Division of Water, Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept/Div. No. 60-09, Object Level Three 6629, as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

606 | 690384-100000 (carryover) | Watershed Road Imp's | 690384 | -\$2,043,891.38
606 | 690335-100001 (carryover) | DRWP Olentangy River Intake | 663351 | -\$196,972.25
606 | 690278-100000 (carryover) | DRWP Misc. Imp's | 606278 | -\$287,417.92
606 | 690236-100054 (carryover) | Ferris Rd. WL Imp's | 623654 | +\$2,528,281.55

SECTION 4. That the 2014 Capital Improvements Budget is hereby amended as follows:

Fund No. | Project No. | Project Name | OCA Code | Change

606 | 690384-100000 (carryover) | Watershed Road Imp's | \$2,296,872 | \$2,296,873 | +\$1
(establish authority to match cash)
606 | 690384-100000 (carryover) | Watershed Road Imp's | \$2,296,873 | \$252,981 | -\$2,043,892
606 | 690335-100001 (carryover) | DRWP Olentangy River Intake | \$196,972 | \$196,973 | +\$1
(establish authority to match cash)
606 | 690335-100001 (carryover) | DRWP Olentangy River Intake | \$196,973 | \$0 | -\$196,973
606 | 690278-100000 (carryover) | DRWP Misc. Imp's | \$400,000 | \$112,582 | -\$287,418
606 | 690236-100054 (carryover) | Ferris Rd. WL Imp's | \$0 | \$2,528,283 | +\$2,528,283

SECTION 5. That the expenditure of \$2,528,281.55 is hereby authorized for the Ferris Road Area Water Line Improvements Project within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Dept.-Div. 60-09, Project No. 690236-100054 (carryover), OCA 623654, as noted below:

6629 (construction) = \$2,247,996.30

6687 (inspection) = \$280,285.25

Grand Total = \$2,528,281.55

SECTION 6. That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

Legislation Number: 0937-2014

Drafting Date: 4/16/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This legislation authorizes the Director of Finance and Management to establish a blanket purchase order for the Division of Sewerage and Drainage, Southerly Wastewater Treatment Plant to obtain Andritz D7LL and D12LL Centrifuge Parts and Services in accordance with a pending Universal Term Contract with Andritz Separation, Inc.

Andritz D7LL and Andritz D12LL centrifuge parts and services are used by the Southerly Wastewater Treatment Plant to dewater sludge in the sewerage collection and processing system. Items required will be obtained in accordance with the pending Universal Term Contract (SA005304) in process, which will expire May 31, 2016.

SUPPLIER: Andritz Separation, Inc. 59-3773483 Expires 4/8/16

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

FISCAL IMPACT: \$250,000.00 is budgeted and available for this purchase.

\$142,410.30 was spent in 2013

\$0.00 was spent in 2012

To authorize the Director of Finance and Management to establish a Blanket Purchase Order with Andritz Separation, Inc. from a pending Universal Term Contract for the purchase of Andritz Centrifuge Parts and Services for the Division of Sewerage and Drainage, and to authorize the expenditure of \$250,000.00 from the Sewerage System Operating Fund. (\$250,000.00)

WHEREAS, the Purchasing Office is in the process of establishing a Universal Term Contract (SA005304) for the purchase of Andritz D7LL and D12LL Centrifuge Parts and Services with Andritz Separation, Inc., and

WHEREAS, Andritz D7LL and D12LL centrifuge parts and services are used by the Southerly Wastewater Treatment Plant. The equipment is used to dewater sludge in the sewerage collection and processing system, and

WHEREAS, a blanket purchase order will be issued in accordance with the terms, conditions and specifications of the pending Universal Term Contract; now, therefore

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

SECTION 1. That the Director of Finance and Management be and is hereby authorized to establish a blanket purchase order from a pending Universal Term Contract for the purchase of Andritz D7LL and Andritz D12LL Centrifuge Parts and Services with Andritz Separation Inc., for the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$250,000.00 or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, Fund No. 650,

Southerly Wastewater Treatment Plant

OCA: 605063
Object Level 1: 02
Object Level 3: 2245
Amount: \$250,000.00

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

Legislation Number: 0944-2014

Drafting Date: 4/17/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

The purpose of this legislation is to authorize the Director of Public Utilities to establish a purchase order with Capital Recovery System Inc. for fees associated with collection services for the Department of Public Utilities in accordance with a contract established by the City Attorney's Office through Ordinance 0645-2014.

The City Attorney's Office established a contract with Capital Recovery Systems Inc. to provide collection services for various city agencies. The Department of Public Utilities utilizes the contract for the collection of delinquent and small dollar amount accounts receivable, other debts, and judgments. Collections received from Capital Recovery Systems Inc. are deposited in the appropriate enterprise fund.

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

SUPPLIER: Capital Recovery System Inc. (31-1570459) Expires 12/2/2014

FISCAL IMPACT: \$65,000.00 is budgeted and needed for this purchase.

Expenditures for collection services in the Department of Public Utilities in 2012 was \$50,490.38
Expenditures for collection services in the Department of Public Utilities in 2013 was \$49,168.07

To authorize the Director of Public Utilities to establish a purchase order with Capital Recovery Systems Inc. for collection services for the Department of Public Utilities divisions, to authorize the expenditure of \$55,000.00 from Water Operating Fund, \$5,000.00 from the Electricity Operating Fund, and \$5,000.00 from the Sewer Operating Fund. (\$65,000.00)

WHEREAS, the City Attorney's Office established a contract with Capital Recovery Systems Inc. for collection services for various city agencies, and

WHEREAS, the Department of Public Utilities utilizes the contract for the collection of delinquent and small dollar amount accounts receivable, other debts, and judgments, and

WHEREAS, it has become necessary to establish a purchase order for \$65,000.00, and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Utilities to authorize the Director of Public Utilities to enter into a purchase order for the collection of delinquent and small dollar amount accounts receivable, other debts, and judgments with Capital Recovery Systems, Inc. for the preservation of the public health, peace, property and safety; now, therefore

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized to establish a purchase order with Capital Recovery System, Inc. for collection services for the Department of Public Utilities.

SECTION 2. That the expenditure of \$65,000.00 or so much thereof as may be needed, is hereby authorized from Object Level One 03, Object Level Three 3336, Fund Names and Numbers, Departments, OCA Codes and amounts listed below, to pay the cost thereof.

<u>Dept/Div</u>	<u>Fund Name</u>	<u>Fund Number</u>	<u>OCA</u>	<u>Amount</u>
60-07	Electricity Operating	550	600700	\$ 5,000.00
60-09	Water Operating	600	602318	\$50,000.00
60-09	Water Operating	600	601849	\$ 5,000.00
60-05	Sewer Operating	650	605006	<u>\$ 5,000.00</u>
				\$65,000.00

SECTION 3. That the said firm shall conduct the work to the satisfaction of the Director of Public Utilities.

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0955-2014

Drafting Date: 4/17/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

The Department of Public Utilities maintains an effective environmental compliance program in order to reduce any environmental impacts associated with its various activities. As part of the Department's Environmental Management System development process, DPU has identified air compliance as a regulatory subject area which requires additional support.

DPU has ten (10) major facilities with air emission sources requiring some level of permitting. Three facilities are covered under Title V air permits. DPU requires the assistance of qualified and experienced consultant support to assist the Regulatory Compliance Section in managing the air compliance program. The consultant will assist with review and preparation of Ohio EPA and US EPA required reports, surveys of DPU facilities to identify air emission sources, field studies of DPU air emissions to determine types and amounts of pollutants, development of standard operating procedures for chemical usage, emission sources and facility compliance and various other air compliance support functions.

The Department of Public Utilities advertised Requests for Proposals (RFPs) for the subject services in the City Bulletin in accordance with the provisions of Columbus City Code, Section 329.14 (SA005105). One hundred ninety-six (196) vendors were solicited, including nine (9) MBR, thirteen (13) M1A, eleven (11) F1 and four (4) AS1 businesses on September 26, 2013. Four (4) proposals (MAJ) were received on September 26, 2013. The proposals were reviewed based on quality and feasibility. T & M Associates was determined to be best qualified to provide the professional services necessary for the Air Compliance Support Services Project. The contract is for three (3) years with each year not to exceed \$250,000.00 for a total cost of \$750,000.00. Each year of the contract is subject to review and approval by the City Council, the Mayor, and the Auditor's certification of funds.

SUPPLIER: T & M Associates (22-1806708), expires 9/20/2014 (MAJ)

The company is not debarred according to the Excluded Party Listing System of the Federal Government.

FISCAL IMPACT: \$250,000.00 is needed and is budgeted in the 2014 Public Utilities Budget.

Prior Years Expenditures for this project

2012: \$0

2013: \$0

To authorize the Director of Public Utilities to enter into a contract with T & M Associates for professional services related to Air Compliance Support for the Department of Public Utilities and to authorize the expenditure of \$50,000.00 from the Water Operating Fund and \$200,000.00 from the Sewerage Operating Fund. (\$250,000.00)

WHEREAS, the Department of Public Utilities has a need to supplement its environmental management system to ensure that its air compliance requirements are met and its environmental footprint is reduced, and

WHEREAS, the contract provides the Department of Public Utilities professional support of air compliance

requirements including preparation of Ohio EPA and US EPA reports, surveys of DPU air emission sources, field studies of DPU air emissions for determination of potential pollutants, development of standard operating procedures for chemical usage, emission sources and facility compliance and various other air compliance functions; and

WHEREAS, based on the evaluation of the proposals, the Department of Public Utilities accepted the proposal as submitted by T & M Associates; and

WHEREAS, services under this agreement are to be provided over a period of three years with funds being reviewed and approved each year of the three year contract by City Council and the Mayor, and Auditor's certification of funds; and

WHEREAS, the City may, at any time during the performance of the services under this Agreement, propose a modification of the Contract by a properly authorized written instrument. With the approval of City Council and execution of such modification by both parties hereto, it shall be fully incorporated into this Contract and shall govern all subsequent performance under the Contract; and **now, therefore**

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized to enter into contract with T & M Associates, for Air Compliance Support Services in accordance with the terms and conditions on file in the office of the Director of Public Utilities.

SECTION 2. That the expenditure of \$250,000.00 or so much thereof as may be needed, be and the same hereby is authorized as follows:

Fund: 600
OCA: 601849
Object Level: 3336
Amount: \$50,000.00

Fund: 650
OCA: 605378
Object Level: 3336
Amount: \$200,000.00

TOTAL REQUEST: \$250,000.00

SECTION 3. That the said firm shall conduct the work to the satisfaction of the Director of Public Utilities.

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0957-2014

Drafting Date: 4/18/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This legislation authorizes the Director of Public Utilities to enter into contract for a one (1) year preventive maintenance agreement for specialized GE Analytical Instruments testing equipment for the Department of Public Utilities, Division of Water, Water Quality Assurance Laboratory (WQAL) with GE Analytical Instruments. The agreement will be in effect from the date of execution to March 31, 2015. The maintenance agreement will include all service, labor and parts for ten (10) total organic carbon (TOC) analyzers. GE Analytical Instruments is the sole source provider for the preventative maintenance on the TOC analyzers in use at the WQAL.

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

The equipment is vital to the water treatment process. It is used to test for organic carbon at the Dublin Road Water Plant and throughout the water distribution system.

SUPPLIER: GE Analytical Instruments (84-0938585) Expires 1-22-15
GE Analytical Instruments does not hold MBE/FBE status.

FISCAL IMPACT: \$36,498.00 is needed and budgeted for this service.

\$0.00 was spent in 2012
\$33,750.00 was spent in 2013

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

To authorize the Director of Public Utilities to enter into a preventative maintenance agreement with GE Analytical Instruments for organic carbon analyzers for the Division of Water in accordance with the provisions of sole source procurement of the Columbus City Code, and to authorize the expenditure of \$36,498.00 from the Water Operating Fund. (\$36,498.00)

WHEREAS, the Division of Water, Water Quality Assurance Laboratory has ten (10) total organic carbon (TOC) analyzers in use to test for organic carbon that require preventive maintenance, and

WHEREAS, GE Analytical Instruments is the sole source provider of the required preventative maintenance, and

WHEREAS, the agreement will be in effect from date of execution to March 31, 2015, and

WHEREAS, the Division of Water is requesting this agreement to be established in accordance with the provisions of the sole source procurement of the Columbus City Code, Section 329.07(e); now, therefore

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized to enter into contract for a one (1) year preventive maintenance agreement with GE Analytical Instruments for the maintenance of 10 Total Organic Carbon Analyzers for the Department of Public Utilities, Division of Water, Water Quality Assurance Laboratory.

SECTION 2. That this service agreement is being established in accordance with the sole source provisions of the Columbus City Code, Section 329.07(e).

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 4. That the expenditure of \$36,498.00 or so much thereof as may be needed, be and the same hereby is authorized from the Water Operating Fund, Fund No. 600 as follows:

OCA: 601989
Object Level 1: 03
Object Level 03: 3372

SECTION 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Legislation Number: 0958-2014

Drafting Date: 4/17/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: The City of Columbus has an agreement with the State of Ohio, Department of Natural Resources allowing the Division of Water to withdraw raw water from Alum Creek Reservoir, Storage Space #1 and #2 and to pay the State of Ohio, Department of Natural Resources a prorated share of the operation and maintenance costs. This agreement was entered into by the authority of Ordinance 1663-71, passed on November 15, 1971. An annual payment is needed to keep the agreement in effect.

The Federal Identification Number for the State of Ohio, Department of Natural Resources is 31-6402047 (044).

FISCAL IMPACT: This is an annual expenditure and the Division of Water has allocated \$1,302,616.95 for this purpose in the 2014 Budget.

\$1,246,768.49 was expended for this purpose during 2012

\$1,242,056.18 was expended for this purpose during 2013

To authorize the Director of Public Utilities to pay the State of Ohio Treasurer, Department of Natural

Resources for operation and maintenance services and water entitlement of withdrawing water from the Alum Creek Reservoir for the Division of Water; to authorize the expenditure of \$1,302,616.95 from Water Operating Fund. (\$1,302,616.95)

WHEREAS, Ordinance Number 1663-71 passed November 15, 1971, authorized the City of Columbus and the State of Ohio, Department of Natural Resources to enter into an agreement permitting the City of Columbus to withdraw raw water from Alum Creek Reservoir and to pay the State a prorated share of the operation and maintenance costs, and

WHEREAS, it has become necessary in the usual daily operation of the Division of Power and Water, Department of Public Utilities, to authorize the Director of Public Utilities to pay the State of Ohio Treasurer, Department of Natural Resources for operation and maintenance services and water entitlement for the Alum Creek Reservoir, in order to pay the invoice by the due date of June 15, 2014 for the preservation of public health, peace, property and safety; now, therefore,

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

SECTION 1. That the Director of Public Utilities be and is hereby authorized to pay the State of Ohio Treasurer, Department of Natural Resources, for operation and maintenance costs for water entitlement from storage spaces #1 and #2 at Alum Creek Reservoir as indicated in the previously mentioned agreement.

SECTION 2. That the expenditure of \$1,302,616.95 or as much thereof as may be needed is hereby authorized from Water Operating Fund 600, Department 60-09, OCA Code 600965, Object Level One 03, Object Level Three 3401, to pay the cost thereof.

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

Legislation Number: 0980-2014

Drafting Date: 4/22/2014

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 Strawser Paving Company, Inc. for the Alum Creek Stormwater Mitigation and Remediation Phase 2 Project at 2100 Alum Creek Drive. This location is one of three Division of Refuse operations facilities as well as the location of its administrative offices. The pavement conditions at this site have deteriorated over the years since its initial construction and must be rebuilt to satisfy storm water provisions of the Ohio Environmental Protection Agency. The scope of work includes site grading, pavement restoration, new curb and gutter, 4" underdrains, and a new storm water detention pond.

Formal bids were solicited and the City received three proposals on January 10, 2014 as follows (0 FBE, 0 MBE):

Strawser Paving Company, Inc.	\$656,521.00
George J. Igel & Co., Inc.	\$711,900.00
Neff Paving	\$844,292.68

The Office of Construction Management recommends the bid award be made to the most responsible and responsive bidder, Strawser Paving Company, Inc.

Emergency action is requested so that it is possible to complete this project, along with establishing growth of the new permanent seeded areas, by this fall.

Contract Compliance Information: Strawser Paving Company, Inc. Contract Compliance No. 31-4412354, expiration date January 25, 2015.

Fiscal Impact: The cost of this contract \$656,521.00. This legislation authorizes a transfer of \$656,521.00 between projects within the Refuse G.O. Bonds Fund.

To amend the 2014 Capital Improvement Budget; to authorize the City Auditor to transfer funds between projects within the Refuse Bonds Fund; to authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Strawser Paving Company, Inc. for the Alum Creek Stormwater Mitigation and Remediation Phase 2 Project; to authorize the expenditure of \$656,521.00 from the Refuse Bonds Fund; and to declare an emergency. (\$656,521.00)

WHEREAS, it is necessary to amend the 2014 Capital Improvement Budget and to transfer cash between projects in the Refuse G.O. Bonds Fund; and

WHEREAS, the Finance and Management Department, Office of Construction Management needs to enter into a contract with Strawser Paving Company, Inc. for the Alum Creek Stormwater Mitigation and Remediation Phase 2 Project; and

WHEREAS, Strawser Paving Company, Inc., is the lowest, responsive and responsible, and best 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 Strawser Paving Company, Inc. for the Alum Creek Stormwater Mitigation and Remediation Phase 2, so that it is possible to complete this project, along with establishing growth of the new permanent seeded areas, by this fall, thereby protecting 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 2014 Capital Improvements Budget authorized by ordinance 0683-2014 be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

<u>Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended</u>			
703 / 520004-100005 / Alum Creek Remediation - Facility Improvements (unvoted carryover) / \$1,308,546.00 / (\$656,521.00) / \$652,025.00			
703 / 520004-100001 / Alum Creek Stormwater Mitigation and Remediation Phase 2A (unvoted carryover) / \$0.00 / \$656,521.00 / \$656,521.00			

SECTION 2. That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Refuse G.O. Bonds Fund, Fund No. 703, as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

703 / 520004-100005 / Alum Creek Remediation - Facility Improvements / 06-6600 / 730405 / \$656,521.00

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

703 / 520004-100001 / Alum Creek Stormwater Mitigation and Remediation Phase 2A / 06-6600 / 730401 / \$656,521.00

SECTION 3. That the Director of Finance and Management is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Strawser Paving Company, Inc. for the Alum Creek Stormwater Mitigation and Remediation Phase 2 Project.

SECTION 4. That for the purpose of paying the cost of the contract, the sum of up to \$656,521.00 or so much thereof as may be needed, is hereby authorized to be expended from the Refuse G.O. Bonds Fund, Dept.-Div. 59-02 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

703 / 520004-100001 / Alum Creek Stormwater Mitigation and Remediation Phase 2A / 06-6621 / 730401 / \$656,521.00

SECTION 5. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

SECTION 7. That the City Auditor is hereby authorized 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.

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: 0990-2014

Drafting Date: 4/22/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: This ordinance authorizes the Finance and Management Director to establish purchase orders for the purchase of vehicles and light duty trucks for various departments within the City of Columbus. These purchase orders will be issued from Universal Term Contracts (UTCs) that have been previously established by

the City of Columbus Purchasing Office.

This ordinance authorizes the Finance and Management Director to establish purchase orders with Byers Ford, (Contract FL005467- Automobile and Contract FL005473- Light Duty Trucks) for the acquisition of vehicles by the Fleet Management Division for subsequent distribution to various city departments.

These vehicles are to be purchased as replacements for older, high mileage, and high maintenance vehicles currently in service. These vehicles are fuel efficient and will relieve the city of maintenance expenses and general upkeep costs. Investing in these units will reduce overall maintenance costs and petroleum fuel consumption. Companion legislation will follow for up-fitting.

The projected quantities to be purchased by vehicle make/model and quantity are contained in the summary attached to this ordinance. (See Ordinance 0990-2014.xlsx)

Byers Ford Contract Compliance Number is 31-4139860, expires 12/17/2015

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

Fiscal Impact: A total of \$400,000.00 will be spent from the Special Income Tax Fund.

Emergency Action is requested so that older high mileage vehicles can be removed from service and newer vehicles can be placed into service for immediate use by various city departments.

..Title

To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to establish purchase orders from previously established Universal Term Contracts (UTCs) with Byers Ford for the purchase of vehicles for use by various City Departments; to authorize the appropriation and expenditure of \$400,000.00 from the Special Income Tax fund; and to declare an emergency. (\$400,000.00)

To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to establish purchase orders from previously established Universal Term Contracts (UTCs) with Byers Ford for the purchase of vehicles for use by various City Departments; to authorize the appropriation and expenditure of \$400,000.00 from the Special Income Tax fund; and to declare an emergency. (\$400,000.00)

WHEREAS, various city departments have a need to replace older high mileage and high maintenance vehicles; and

WHEREAS, the replacement of these vehicles will reduce maintenance, service, and fuel-related costs associated with ongoing ownership of older vehicles; and

WHEREAS, Byers Ford successfully bid and was awarded contracts FL005467- Automobile and FL005473- Light Duty Trucks (per SA004729 and SA004728 respectfully).

WHEREAS, funding for these vehicles is available in the Special Income Tax fund; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Finance & Management, in that it is immediately necessary to authorize the Finance and Management Director to establish purchase orders with Byers Ford for the purchase of new vehicles for use by various City Departments, 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, on behalf of the Fleet Management Division, is authorized to establish purchase orders with Byers Ford in accordance with the terms and conditions of contract numbers FL005467- Automobile and FL005473- Light Duty Trucks, for the purchase of automobiles and light duty trucks.

SECTION 2. That the City Auditor is authorized to appropriate \$400,000.00 within the Special Income Tax Fund as follows:

Fund: 430
Dept/Div: 45-05
OCA: 454301
Object Level 1: 06
Object Level 3: 6650
Amount: \$400,000.00

SECTION 3. That the expenditure of \$400,000.00, or so much thereof as may be necessary in regard to the actions authorized in Sections 1 and 2, be and is hereby authorized and approved as follows:

Fund: 430
Dept/Div: 45-05
OCA: 454301
Object Level 1: 06
Object Level 3: 6650
Amount: \$400,000.00

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

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

SECTION 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0996-2014

Drafting Date: 4/23/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the Director of Finance and Management to enter into contract with Weissco Power LLC for the installation, removal and disposal of twenty-eight (28) American Power Conversion (APC) SYBT4 battery modules for the Public Safety Division of Support Services. These APC Uninterruptible Power Supply (UPS) batteries will be installed at 1250 Fairwood Avenue and are necessary to back-up the 800 MHz radio communications system in an effort to avoid any interruptions due to any power outages. The current batteries have outlasted their useful lives.

This ordinance also authorizes the amendment of the 2014 Capital Improvement Budget (CIB) and authorizes the City Auditor to transfer funds between projects within the Safety Voted Bond Fund.

The selection process for this contract was completed in accordance with the competitive procurement provisions under Section 329.14 of the Columbus City Code. Proposals were received for SA005348 on April 17, 2014 from five (5) companies.

Five (5) bids were submitted by 5 companies as follows (1 MBR, 1 FBR):

Company	City/State	Amount
Weissco Power	Califon, NJ	\$24,365.04
SEPS, Inc	Burr Ridge, IL	\$47,101.84
DC Group	Minneapolis, MN	\$48,615.00
Aprisa Technology (FBR)	Roslyn, NY	\$58,512.00
OM Office Supply (MBR)	Mechanicsburg, PA	\$63,000.00

After review of the bids received the Support Services Division recommends acceptance of the lowest and best overall bid submitted by Weissco Power in the amount of \$24,365.04.

Contract Compliance: Weissco Power LLC # 46-4140330 expires 4-16-2016.

EMERGENCY DESIGNATION: Emergency designation is requested in order to avoid any possibility of battery backup failure which may be detrimental to the existing communication systems.

FISCAL IMPACT: This ordinance authorizes an expenditure of \$24,365.04 from Public Safety's Voted Bond Fund for the purchase and installation of 28 APC Battery Modules at 1250 Fairwood Avenue. The CIB is also amended and funds transferred between projects to properly align cash and appropriations with projected expenditures.

To amend the 2014 Capital Improvement Budget; to authorize the transfer of \$24,365.04 between projects within the Safety Voted Bond Fund; to authorize the Director of Finance and Management to enter into contract with Weissco Power LLC on behalf of the Division of Support Services for the purchase and installation of twenty-eight (28) American Power Conversion (APC) SYBT4 battery modules, to authorize the expenditure of \$24,365.04 from the Safety Voted Bond Fund; and to declare an emergency. (\$24,365.04).

WHEREAS, there is a need to replace the existing twenty-eight (28) APC batteries at 1250 Fairwood Ave to backup the City's 800 MHz Communication System, and

WHEREAS, Request for Proposals (RFP) were solicited and received in accordance with Columbus City Codes, and

WHEREAS, after review of the bids received, the Division of Support Services recommends Weissco Power LLC as the lowest and best overall proposal, and

WHEREAS, it is necessary to amend the 2014 Capital Improvement Budget and transfer cash between projects in the Safety Voted Bond Fund, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Safety, Division of Support Services, in that it is immediately necessary to authorize the Director of Finance and Management to enter into contract with Weissco Power LLC for the purchase, full parts warranty, delivery and installation and removal and disposal of twenty-eight (28) American Power Conversion (APC) SYBT4 battery modules in an effort to avoid any disruptions in communications, 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 authorized to enter into contract with Weissco Power LLC on behalf of the Division of Support Services for the purchase, full parts warranty, delivery and installation of twenty-eight (28) American Power Conversion (APC) SYBT4 battery modules,

SECTION 2. That the 2014 Capital Improvement Budget is hereby amended as follows;

Fund Number 701

<u>Project/Project #</u>		<u>Current CIB</u>
<u>Revised CIB</u>	<u>Difference</u>	
Sirens - 310106-100000 (Unvoted Carryover)		\$29,239
\$10,878	(\$18,363)	
Police & Fire Communications System - 320001-100000 (Unvoted Carryover)		\$0
\$18,363	\$18,363	

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

FROM:

Dept/Div. 3001| Fund 701|Project Number 310106-100000|Project Name: Sirens|OCA Code: 701106|Amount: \$18,363.00

TO:

Dept/Div. 3002| Fund 701|Project Number 320001-100000|Project Name: Police and Fire Communications System|OCA Code: 642629|Amount: \$18,363.00

SECTION 4. That the expenditure of \$24,365.04, 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: 30-02

Fund: 701

Project Number: 320001-100000

OCA Code: 642629

Object Level One: 06

Object Level 3: 6644
Amount \$24,365.04

SECTION 5. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

SECTION 7. 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.

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 of ten days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 0999-2014

Drafting Date: 4/23/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND: This Ordinance authorizes the Director of Public Utilities to increase and extend the Professional Construction Management Services agreement with URS Corporation - Ohio, which provides cost effective construction management, field representation, inspection testing, instrumentation/control design, integration and support services, and services for maintenance of operations during construction for various capital improvements projects for the Water Supply/Technical Support group, for the period of 2011 - 2017.

The original legislation, under Ordinance No. 1386-2010, stated that this agreement would be modified over the 2011 - 2015 period. The first contract was executed in December 2010 to allow the Professional Construction Management Team to perform a constructability review of the Upground Reservoir R-2 Project prior to advertisement for bid in December 2010.

Modification No. 1, under Ordinance No. 0134-2011, enabled the Professional Construction Management Team to perform construction management and field representation for the Upground Reservoir Raw Water Pump Station and Raw Water Line projects.

Modification No. 2, under Ordinance No. 0975-2011 enabled the Professional Construction Management Team to perform construction management and field representation for various projects, for the remainder of 2011 and the first half of 2012.

Modification No. 3, under Ordinance No. 1487-2012, enabled the Professional Construction Management Team to perform construction management and field representation for various projects, for the remainder of 2012 and the first half of 2013.

Modification No. 4, under Ordinance No. 0384-2013, enabled the Professional Construction Management Team to perform construction management and field representation for various projects, for June 2013 through

May 2014.

Modification No. 5 (current) is to cover Professional Construction Management tasks from about May 2014 through September, 2014. This modification covers the following projects below. This modification will also extend the contract period from 2015 through 2017 in order to finish ongoing projects.

690428-100003

DRWP Treatment Capacity Increase - Filter Rehabilitation and I&C Backbone (Contract #2)

Project Description: Contract includes rebuilding the internals of the existing filters and changing the current filter media to granular activated carbon (GAC). New filter backwash controls will require an updated plant SCADA communication system which will be phased in under different portions of the plant upgrades. Construction is ongoing and requires PCM support services. This modification is part of the planned contract extension to continue PCM services for this project.

690428-100004

DRWP Treatment Capacity Increase - Recarbonation and Ozone Facilities/Basin (Contract #3)

Project Description: Contract includes new recarbonation system and ozone facilities. These improvements combine with Contract #1 to bring the plant into compliance with the disinfection byproducts regulations. Construction is ongoing and requires PCM support services. This modification is part of the planned contract extension to continue PCM services for this project.

690428-100005

DRWP Treatment Capacity Increase - Ion Exchange/Plant Reliability Upgrades (Contract #4)

Project Description: Provide Ion Exchange facilities to reduce nitrates to acceptable levels. Current chemical storage and feed facilities are old, incompatible and near the end of their design life. Reliability upgrades are included across the plant site to replace obsolete equipment and improve reliability. Construction for this project has not yet started. No additional funding is being requested under this contract modification. Funding will be addressed under future contract modification #6.

690428-100006

DRWP Treatment Capacity Increase - Sludge Force Main (Contract #5)

Project Description: Installation of a new sludge forcemain to convey treatment residuals from the DRWP to the McKinley Avenue quarry. Currently, a single forcemain conveys all residuals from the DRWP to the quarry. The new forcemain will provide conveyance redundancy and increase reliability for this critical treatment operation. Construction is ongoing and requires PCM support services. This modification is part of the planned contract extension to continue PCM services for this project.

1.1 Amount of additional funds to be expended: \$3,800,000.00

Original Contract Amount:	\$ 200,000.00	(EL011123)
Modification 1	\$ 1,625,000.00	(EL011432)
Modification 2	\$15,750,000.00	(EL011999)
Modification 3	\$ 6,854,740.00	(EL013639)
Modification 4	\$13,500,000.00	(EL014415 / EL015052)
<u>Modification 5 (current)</u>	<u>\$ 3,800,000.00</u>	
Total (Orig. + Mods. 1-5)	\$41,729,740.00	

1.2. Reasons additional goods/services could not be foreseen:

This modification was planned and identified in the original contracting legislation Ordinance No. 1386-2010, in the first contract modification Ordinance No. 0134-2011, the second contract modification Ordinance No.

0975-2011, the third contract modification Ordinance No. 1487-2012, as well as the fourth contract modification Ordinance No. 0384-2013.

1.3. Reason other procurement processes are not used:

The original RFP for this project anticipated a multi-year project with annual expenditures. The original authorizing legislation Ordinance No. 1386-2010, the first contract modification Ordinance No. 0134-2011, the second contract modification Ord. 0975-2011, the third contract modification Ordinance No. 1487-2012, and the fourth contract modification Ordinance No. 0384-2013 identified the planned contract modifications.

1.4. How cost of modification was determined:

The consultant prepared a cost breakdown exhibit including estimated hours and hourly rates for upcoming work. These cost breakdowns were reviewed and approved by the Project Manager for the City Division of Water. Hourly rates and multipliers were submitted during the Request for Proposal phase of the project, with annual increases included for the contract duration.

2. ECONOMIC IMPACT/ADVANTAGES; COMMUNITY OUTREACH; PROJECT DEVELOPMENT; ENVIRONMENTAL FACTORS/ADVANTAGES OF PROJECT: This is a Professional Construction Management project which will facilitate the Construction Administration and Construction Inspection Services for projects in the Division of Water capital program. These projects are all related to the water supply and treatment. These projects are incorporated in the capital improvement program for various reasons including meeting regulatory requirements, expanded supplies to meet development concerns and maintenance of the water supply, and treatment facilities. All of these functions are tied to the economic vitality of the service area. Outreach and public informational meetings have been performed under previous modifications of this contract and will be performed on individual projects as they near construction as appropriate. The consultant team has identified a commitment to the Mayor's Green Initiative in their business practices, including recycling programs in their offices, a commitment to double-sided printing, and utilization of Project Management Information System (PMIS) for submittal reviews which limits the need for printing documents for review.

3. CONTRACT COMPLIANCE INFO: 34-0939859, expires 7/2/15, Majority Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against URS Corporation - Ohio.

4. FUTURE CONTRACT MODIFICATIONS: A second 2014 modification request (Mod #6) will be assembled in the summer of 2014 to fund contract work thru mid-2015. It is anticipated Mod #6 will be funded from the June 2014 bond sale. Additional future annual contract modifications will be submitted for Council approval starting in early 2015 to cover Professional Construction Management tasks for the next 12 month period, and annually thereafter for the duration of this multi-year contract period.

5. EMERGENCY DESIGNATION: It is requested that this Ordinance be handled in an emergency manner in order to maintain continuity in construction management activities and avoid disruption to construction activities. Without emergency legislation, current funding on some projects will be exhausted prior to the next bond sale which would delay construction activities and potentially increase costs.

6. FISCAL IMPACT: A transfer of funds within the Water Works Enlargement Voted Bonds Fund will be necessary as well as an amendment to the 2014 Capital Improvements Budget.

To authorize the Director of Public Utilities to enter into a planned modification for the Professional Construction Management Services agreement with URS Corporation - Ohio; for the Division of Water; to

authorize a transfer and an expenditure up to \$3,800,000.00 within the Water Works Enlargement Voted Bonds Fund; to authorize an amendment to the 2014 Capital Improvements Budget; and to declare an emergency. (\$3,800,000.00)

WHEREAS, Contract No. EL011123 was authorized by Ordinance No. 1386-2010, passed October 18, 2010, was executed November 24, 2010, and approved by the City Attorney on November 30, 2010; and

WHEREAS, Modification No. 1, under Purchase Order No. EL011432 authorized by Ordinance No. 0134-2011 passed February 23, 2011, was executed March 10, 2011, and approved by the City Attorney on March 17, 2011; and

WHEREAS, Modification No. 2 under Purchase Order No. EL011999 authorized by Ordinance No. 0975-2011 passed July 18, 2011, was executed August 18, 2011, and approved by the City Attorney on August 18, 2011; and

WHEREAS, Modification No. 3 under Purchase Order No. EL013639 authorized by Ordinance No. 1487-2012 passed July 16, 2012, was executed October 16, 2012, and approved by the City Attorney on October 22, 2012; and

WHEREAS, Modification No. 4 under Purchase Order No. EL014415 / EL015052 authorized by Ordinance No. 0384-2013 passed April 15, 2013, was executed May 15, 2013, and approved by the City Attorney on May 23, 2013; and

WHEREAS, Modification No. 5 is needed in order to provide necessary services for projects for the second half of 2014 and first half of 2015 and to extend the date of services from 2015 through 2017; and

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

WHEREAS, it is necessary to authorize an amendment to the 2014 Capital Improvements Budget for purposes of providing sufficient funding and expenditure authority for the aforementioned project expenditures; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Water in that it is immediately necessary to authorize the Director of Public Utilities to modify and increase the Professional Construction Management Services agreement with URS Corporation - Ohio, in an emergency manner in order to continue services and to avoid disruption to construction activities, for the immediate preservation of the public health, peace, property, safety and welfare; now, therefore,

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

SECTION 1. That the Director of Public Utilities is hereby authorized and directed to modify and increase the Professional Construction Management Services agreement with URS Corporation - Ohio in the amount of \$3,800,000.00.

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

SECTION 3. That the City Auditor is hereby authorized to transfer \$3,800,000.00 within the Department of Public Utilities, Division of Water, Dept./Div. No. 60-09, Object Level Three 6686 as indicated on attachment

“ORD 0999-2014”.

SECTION 5. That the 2014 Capital Improvements Budget is hereby amended as indicated on attachment “ORD 0999-2014”.

SECTION 6. That the expenditure of \$3,800,000.00 is hereby authorized for the Professional Construction Management Services agreement within the Water Works Enlargement Voted Bonds Fund, Fund No. 606, Division 60-09, Object Level Three 6686, as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>OCA</u>	<u>Amount</u>
690428-100002 (carryover)	DRWP Cap. Incr. Sludge P.S.	664282	\$ 945,000.00
690428-100003 (carryover)	DRWP Cap. Incr. Filter Bldg.	664283	\$ 327,000.00
690428-100004 (carryover)	DRWP Cap. Incr. Ozone	664284	\$ 584,000.00
690428-100006 (carryover)	DRWP Cap Incr. Residuals Frc. Mn.	664286	\$ 154,000.00
690430-100001 (carryover)	HCWP Trmt. Imp’s-DD	664301	\$1,463,000.00
690518-100000 (carryover)	PCM (contingency)	606518	\$ 143,000.00
<u>690518-100002 (carryover)</u>	<u>Constr. Mgmt.-City-Wide PMIS</u>	<u>695182</u>	<u>\$ 184,000.00</u>
	Grand Total		\$3,800,000.00

SECTION 7. That the funds necessary to carry out the purpose of this Ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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 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: 1013-2014

Drafting Date: 4/24/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This legislation certifies demolition costs to the County Auditor to become special assessments against the property taxes. These costs must be certified to the County Auditor so the City can attempt to recover the funds spent on demolition of nuisance structures. The demolitions were done pursuant to Environmental Court orders and the Columbus Building Code. These demolitions were completed as part of

the Mayor's Vacant and Abandoned Properties Program (VAP)

FISCAL IMPACT: The City will incur no expenditures with the passage of this ordinance.

To assess certain properties for the cost for demolishing structures found to be public nuisances.

WHEREAS, the Columbus City Code, Sections 4701.08 and 4109.06 states, that upon failure of the property owner to abate a nuisance within the time limits specified, the Director of the Department of Development, or his authorized agent, is authorized to cause the demolition of the nuisance structure. These sections further provide that the owner of such a demolished structure shall be billed for the cost of such demolition and upon failure of such owner to pay such cost of demolition the City of Columbus, may cause such cost of demolition to be levied as an assessment against the property which was the subject of the abatement action; and

WHEREAS, certain structures have been demolished in accordance with the provisions of the Columbus City Code, Sections 4701.08 and 4109.06; and

WHEREAS, certain property owners have been billed for the cost of such demolitions and have failed to pay such cost; and

WHEREAS, it is therefore necessary to assess the cost of such demolitions against the properties which were the subject of the abatement actions; and

WHEREAS, a procedure to be followed in certifying and assessing such demolition costs is for the City of Columbus to certify such costs to the County Auditor of Franklin County, Ohio and have them levied as a special assessment against the property which was the subject of the demolition abatement action, and recovered in the manner provided for the recovery of special assessments; now therefore,

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

SECTION 1. That the attached list showing the owners name, parcel number, address of the demolished structure, and the cost of demolishing the structure, be and is hereby approved.

SECTION 2. That the City Clerk shall certify, in writing, to the County Auditor of Franklin County, Ohio a report of such assessments and charges which shall then be entered upon the tax duplicate of Franklin County, Ohio and be collected in the manner provided for the recovery of special assessments.

SECTION 3. That upon such recovery of such demolition cost the proceeds shall be transmitted to the treasurer of the City of Columbus, Ohio and returned to the demolition fund from which they were originally disbursed.

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

Legislation Number: 1014-2014

Drafting Date: 4/24/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

Rezoning Application Z14-004

APPLICANT: Nationwide Children's Hospital; c/o Jill Tangeman, Atty.; 52 East Gay Street, P.O. Box 1008; Columbus, Ohio 43216.

PROPOSED USE: Hospital and related uses.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0-1) on April 10, 2014.

LIVINGSTON AVENUE AREA COMMISSION RECOMMENDATION: Approval.

COLUMBUS SOUTH SIDE AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is developed with a hospital complex, zoned CPD, Commercial Planned Development District, and the athletic facilities for the Africentric School, zoned I, Institutional District. The requested CPD, Commercial Planned Development District, will amend the existing zoning for Nationwide Children's Hospital by incorporating 11.3 acres of the Africentric property into the overall CPD District. The CPD text maintains the permitted uses and development standards of the current CPD District while creating a new CPD District boundary. The text also includes variances to building lines, vision clearance, landscaping, parking and loading related reductions, and Urban Commercial Overlay requirements. The site lies within the boundaries of the *Near Southside Plan (2011)*, which recommends institutional and community mixed use development, while roughly half of the school site lies outside the planning area. Staff is supportive of the reduced setbacks and increased height districts incorporated in the updated text as they are reflective of an institutional campus in an urban setting. The proposed modification to the CPD District would allow for orderly expansion of the hospital and associated facilities, is consistent with the development and zoning patterns of the area, and proposes no changes of substance to the CPD plan and text besides the addition of 11.3 acres.

To rezone **700 CHILDRENS DRIVE (43205)**, being 65.0± acres generally bounded by Interstate 70 and Mooberry Street to the north, to the first alley east of and parallel with Eighteenth Street to the east, to Livingston Avenue, Jackson Street, and Denton Alley to the south, and to South Grant Avenue and Parsons Avenue to the west, excluding all of Livingston Park (not all-inclusive), **From:** I, Institutional and CPD, Commercial Planned Development Districts, **To:** CPD, Commercial Planned Development District (Rezoning # Z14-004).

WHEREAS, application #Z14-004 is on file with the Department of Building and Zoning Services requesting rezoning of 65.0± acres from the I, Institutional and CPD, Commercial Planned Development Districts to the CPD, Commercial Planned Development District; and

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

WHEREAS, the Livingston Avenue and Columbus Southside Area Commissions recommend approval of said zoning change; and

WHEREAS, the City Departments recommend approval because the proposed modification to the CPD District would allow for orderly expansion of the hospital and associated facilities, is consistent with the development and zoning patterns of the area, and proposes no changes of substance to the CPD plan and text. The proposal remains consistent with the land use recommendations of the *Near Southside Plan (2011)*; now, therefore:

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

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

700 CHILDRENS DRIVE (43205), being 65.0± acres generally bounded by Interstate 70 and Mooberry Street to the north, to the first alley east of and parallel with Eighteenth Street to the east, to Livingston Avenue, Jackson Street, and Denton Alley to the south, and to South Grant Avenue and Parsons Avenue to the west, excluding all of Livingston Park (not all-inclusive), and being more particularly described as follows:

(SEE ATTACHMENT FILE ORD1014-2014_LEGAL_DESCRIPTIONS)

SECTION 2. That Height Districts of Thirty-five (35) feet, Sixty (60) feet, One Hundred Ten (110) feet and Two Hundred (200) feet are hereby established on respective subareas in the CPD, Commercial Planned Development District on this property per the plan titled, "**CENTRAL AND WEST CAMPUS ZONING,**" signed by Jill Tangeman, Attorney for the Applicant, and dated April 16, 2014.

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 in the office of the Department of Building and Zoning Services 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, "**CENTRAL AND WEST CAMPUS ZONING,**" and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT,**" both signed by Jill Tangeman, Attorney for the Applicant, dated April 16, 2014, and the text reading as follows:

(SEE SEE ATTACHMENT FILE ORD1014-2014_CPD_TEXT)

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

Legislation Number: 1019-2014

Drafting Date: 4/25/2014

Version: 2

Current Status: Passed

Matter Type: Ordinance

Rezoning Amendment Z05-019B

Ordinance #1274-2005, passed July 25, 2005 (Z05-019), rezoned 2.72± acres from the R, Rural District to the PUD-4, Planned Unit Development District. That legislation permitted the development of ten single-family dwellings in accordance with a registered site plan and specific development standards including a commitment to side-load garages. That ordinance was subsequently amended by Ordinance #1532-2006, passed September 11, 2006 (Z05-019A), to modify landscaping commitments. The applicant desires to amend the PUD Plan and Text to allow the construction of homes with front-load or side-load garages subject to buyer preferences, and to modify permitted building materials, landscaping, and screening requirements. All other development standards and commitments contained in Ordinance #1274-2005 are unchanged by this ordinance

and will remain in effect.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #1274-2005 passed July 25, 2005, as subsequently amended by Ordinance #1532-2006, passed September 11, 2006, for property located at **3558 WEST HENDERSON ROAD (43220)**, to modify the PUD district development standards regarding attached garages, building materials, landscaping, and screening **and to declare an emergency (Z05-019B)**.

WHEREAS, Ordinance #1274-2005, passed July 25, 2005 (Z05-019), rezoned 2.72± acres from the R, Rural District to the PUD-4, Planned Unit Development District; and

WHEREAS, that legislation permitted the development of ten single-family dwellings in accordance with a registered site plan and specific development standards including a commitment to side-load garages, building materials and tree plantings and preservation; and

WHEREAS, Ordinance #1532-2006, passed September 11, 2006 (Z05-019A), repealed and placed Section 3 of Ordinance #1274-2005 to modify landscaping commitments; and

WHEREAS, this ordinance will repeal Ordinance #1532-2006, passed September 11, 2006, and amend Ordinance #1274-2005, passed July 25, 2005 with a new Section 3, to allow front-load or side-load garages to be built subject to buyer preferences as committed to on the site plan and in the text; and to modify permitted building materials, landscaping and screening commitments; and,

WHEREAS, all other development standards and commitments contained in Ordinance #1532-2006 are unchanged by this ordinance and will remain in effect; 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 Ordinance #1532-2006, passed September 11, 2006 is hereby repealed.

SECTION 2. That the existing Section 3 of Ordinance #1274-2006, passed on July 25, 2005 be hereby repealed and replaced with a new Section 3 reading as follows:

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 PUD-4, Planned Unit 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, “**REVISED DEVELOPMENT PLAN FOR SLATEY HOLLOW SINGLE FAMILY CONDOMINIUMS**” and text titled, “**PUD NOTES**” signed by Thomas L. Hart, Attorney for the Applicant, dated April 24, 2014.

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 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: 1020-2014

Drafting Date: 4/25/2014

Current Status: Passed

Version: 2

Matter Type: Ordinance

Rezoning Application Z14-005

APPLICANT: Nationwide Children's Hospital; c/o Jill Tangeman, Atty.; 52 East Gay Street, P.O. Box 1008; Columbus, Ohio 43216.

PROPOSED USE: Commercial development and parking.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on April 10, 2014.

NEAR EAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The requested CPD, Commercial Planned Development District, will incorporate 1.56 acres into an existing CPD District that is currently used as employee parking lots for Nationwide Children's Hospital. Future development of the property will be primarily for office, institutional, and hospital-related uses. The CPD text amends the current permitted uses and development standards, and increases the height district from 60 feet to 110 feet. The text also provides use restrictions, building height limits, and safe pedestrian means, and includes variances to building lines, vision clearance, landscaping, and parking and loading related reductions. The site is located within the boundaries of the *Near East Area Plan* (2005), which does not contain specific land use recommendations for this area. The Plan does contain a series of criteria that can be used to determine if proposed commercial uses should be supported within residential areas. Key factors include whether the site has a history of commercial activity and parking considerations. This request can be supported because the proposal brings desirable businesses to the area, and is located in a dense, pedestrian-oriented neighborhood within close proximity to Nationwide Children's Hospital.

To rezone **830 EAST FULTON STREET (43205)**, being 3.3± acres located at the northeast and northwest corners of East Fulton Street and South Eighteenth Street, **From:** CPD, Commercial Planned Development, P-1, Private Parking, and R-2F, Residential Districts, **To:** CPD, Commercial Planned Development District (Rezoning # Z14-005).

WHEREAS, application #Z14-005 is on file with the Department of Building and Zoning Services requesting rezoning of 3.3± acres from the CPD, Commercial Planned Development, P-1, Private Parking, and R-2F, Residential Districts to the CPD, Commercial Planned Development District; and

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

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

WHEREAS, the City Departments recommend approval because the proposal brings desirable businesses to the area, and is located in a dense, pedestrian-oriented neighborhood within close proximity to Nationwide

Children's Hospital. The proposed CPD, Commercial Planned Development District will allow primarily office, institutional, and hospital-related uses. The *Near East Area Plan* contains a series of criteria that can be used to determine if proposed commercial uses should be supported within residential areas, and Staff has determined that this request can be supported; now, therefore:

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

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

830 EAST FULTON STREET (43205), being 3.3± acres located at the northeast and northwest corners of East Fulton Street and South Eighteenth Street, and being more particularly described as follows:

**Zoning Description ~ 2.9± Acres
South side of E. Mound Street
East side of Seventeenth Street**

Situated in the State of Ohio, County of Franklin, City of Columbus, Range 22, Township 5, Section 15, Refugee Lands, being 2.9± acres of land, being all of Tract 1, Tract 2 and Tract 3 as conveyed to Nationwide Children's Hospital of record in Instrument Number 200905280075809, all of Parcel 1 and Parcel 2 as conveyed to Nationwide Children's Hospital of record in Instrument Number 200901210007502, all of Parcel 1 and Parcel 2 as conveyed to Nationwide Children's Hospital of record in Instrument Number 20111100146014, all of that tract of land conveyed to Nationwide Children's Hospital of record in Instrument Number 200904020045801, all of that tract of land conveyed to Nationwide Children's Hospital of record in Instrument Number 201002010012313, all of that tract of land conveyed to The Children's Hospital of record in Instrument Number 200601110007670, all of that tract of land conveyed to Nationwide Children's Hospital of record in Instrument Number 201401100004084, all of Tract I as conveyed to The Children's Hospital of record in Instrument Number 2005011100007130, all previous parcels and tracts being the same as Lots 1-10 as recorded in M. McAlister's Executors of record in Plat Book 4, Page 121, 0.2± acres of alleys (part of a 12.5' and 20' alley) as dedicated in said M. McAlister's Executors, all of that tract of land as conveyed to The Children's Hospital of record in Instrument Number 200610270216161, all of that tract of land as conveyed to The Children's Hospital of record in Instrument Number 201012030165255, the previous two tracts being the same as Lots 1-6 as recorded in George B. Stewart's Subdivision of record in Plat Book 7, Page 11, all of Tract II as conveyed to The Children's Hospital of record in 2005011100007130, the same being Lots 8-13 as recorded in AA Stewart's Heir's Subdivision of record in Plat Book 4, Page 298, and 0.2± acres of vacated alleys (part of a 10', 15' and 20' alley) as dedicated in said AA Stewart's Heir's Subdivision, and described as follows:

Beginning at the intersection of the east right-of-way line of Seventeenth Street and the south right-of-way line of E. Mound Street as dedicated in said M. McAlister's Executors;

Thence **S 87° 48' 45" E**, along the north perimeter of said 2.9± acre tract, **362.90 feet** to the intersection of said south right-of-way line and the west right-of-way line of Eighteenth Street as dedicated in said AA Stewart's Heir's Subdivision;

Thence **S 02° 54' 14" W**, along the east perimeter of said 2.9± acre tract, **395.03 feet** to the intersection of said west right-of-way line and the north right-of-way line of Fulton Street as dedicated in said AA Stewart's Heir's Subdivision;

Thence along the south perimeter of said 2.9± acre tract, the following courses;

N 87° 48' 45" W, along the said north right-of-way line, **195.46 feet** to a corner thereof;

N 02° 11' 15" E, **93.00 feet** to a corner thereof;

N 87° 48' 45" W, **162.50 feet** to a corner thereof, the same being in the east right-of-way line of said Seventeenth Avenue;

Thence **N 02° 11' 15" E**, along the west line of said 2.9± acre tract, **302.00 feet** to the ***Point of Beginning***.
Containing **2.9± acres**, more or less.

The above description was prepared by Advanced Civil Design, Inc. on January 13th of 2014 and is based on existing records.

This description is based on information obtained from Franklin County Recorder's Office. A drawing of the above description is attached hereto and made part thereof.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

This description is not to be used for the transfer of land.

Zoning Description ~ 0.4± Acres

North side of Fulton Street

East side of Eighteenth Street

Situated in the State of Ohio, County of Franklin, City of Columbus, Range 22, Township 5, Section 15, Refugee Lands, being 0.4± acres of land, being all of Tract III as conveyed to The Children's Hospital of record in Instrument Number 200501110007130, and described as follows:

Beginning at the intersection of the north right-of-way line of Fulton Street and the East right-of-way line of Eighteenth Street as dedicated in AA Stewart's Heir's Subdivision of record in Plat Book 4, Page 298;

Thence **N 02° 54' 09" E**, along the west perimeter of said 0.4± acre tract, **187.51 feet** to the intersection of the south right-of-way line of a 20 foot alley (E. Engler Street) as dedicated in said AA Stewart's Heir's Subdivision and the east right-of-way line of said Eighteenth Street;

Thence **S 87° 48' 45" E**, along the north perimeter of said 0.4± acre tract, **94.50 feet** to a corner thereof;

Thence **S 02° 54' 09" W**, along the east perimeter of said 0.4± acre tract, **187.51 feet** to the north right-of-way line of said Fulton Street;

Thence **N 87° 48' 45" W**, **94.50 feet** to the ***Point of Beginning***. Containing **0.4± acres**, more or less.

The above description was prepared by Advanced Civil Design, Inc. on January 14th of 2014 and is based on existing records.

This description is based on information obtained from Franklin County Recorder's Office. A drawing of the

above description is attached hereto and made part thereof.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

This description is not to be used for the transfer of land.

To Rezone From: CPD, Commercial Planned Development, P-1, Private Parking, and R-2F, Residential Districts

To: CPD, Commercial Planned Development District

SECTION 2. That a Height District of One Hundred Ten (110) feet is hereby established in 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 changes on the said original zoning map in the office of the Department of Building and Zoning Services 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, "**CENTRAL NORTH CAMPUS ZONING,**" and text titled, "**COMMERCIAL PLANNED DEVELOPMENT TEXT,**" both signed by Jill Tangeman, Attorney for the Applicant, dated April 16, 2014, and the text reading as follows:

COMMERCIAL PLANNED DEVELOPMENT TEXT

PROPOSED DISTRICT: Commercial Planned Development District

PROPERTY ADDRESSES: 830 East Fulton Street

OWNERS: Nationwide Children's Hospital

APPLICANT: Nationwide Children's Hospital

DATE OF TEXT: April 16, 2014

APPLICATION NUMBER: Z14-005

I. **INTRODUCTION:** The property consists of fifteen tax parcels which, together, contain a total of approximately 3.3 +/- acres (the "Subject Property"). The Subject Property is north of Fulton Street, south of Mound Street and east of Seventeenth Avenue. The CPD plan dated April 16, 2014, is incorporated into this zoning for the purposes of schematically showing the Subject Property, the parking and building setbacks and the height district.

Five parcels of the Subject Property were rezoned in 2007 per Ordinance No. 0986-2007 (Z06-084) to CPD. The applicant is seeking to add the additional parcels to the existing CPD zoning in order to allow for the future development of hospital uses.

The requested zoning classification is compatible with existing city zoning in this area.

The subject real property falls within the jurisdiction of the Near East Area Commission.

II. **PERMITTED USES:**

A. All uses permitted by Columbus City Codes Sections 3349.03, 3353.03, hotels, parking lots and garages and all other uses listed in the Columbus City Codes as being permitted in the I or C-2 zoning district.

B. To the extent not otherwise permitted in II.A above, all uses permitted by Columbus City Codes Sections 3351.03, 3355.03 and 3356.03 and all other uses listed in the Columbus City Codes as being permitted in the

C-1, C-3 or C-4 zoning district, subject to the following: Each use permitted by this Section II.B. must be a medical- or health-related use or a use oriented primarily toward providing for the convenience or comfort of the staff or clientele of the uses permitted by II.A. above.

C. Uses listed in the Columbus City Codes as special or conditional uses in I, C-1, C-2, C-3 or C-4 zoning district are special or conditional uses for the Subject Property.

D. Each use which is accessory to a principle use, building or structure may be located off of the parcel(s) on which such principle use, building or structure is located so long as it is located on the Subject Property.

E. Billboards are prohibited.

III. **DEVELOPMENT STANDARDS:**

A. Development Standards.

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

a. The height district shall be the one hundred ten (110) foot height district, subject to the limitation that for all buildings and parking garages, the maximum height (measured as provided in Section 3303.08) shall be ninety (90) feet.

b. Subject to the approval of the Department of Public Utilities, Division of Water, the building setback shall be a minimum of zero (0) feet.

c. Subject to the approval of the Department of Public Utilities, Division of Water, the parking and maneuvering setback shall be zero (0) feet along all Streets.

d. Subject to the approval of the Department of Public Utilities, Division of Water, the building setback from side or rear lot lines which are not along a Street shall be zero (0) feet.

2. Access, Loading, Parking and/or other Traffic related commitments.

a. The required number of loading spaces for each type of use shall be determined by aggregating all of the uses of that type located on the Subject Property.

b. The required number of loading spaces for any use may be located off of the parcel(s) on which that use is located so long as such loading spaces are located on the Subject Property.

c. Maneuvering for loading spaces shall be permitted in the right-of-way of Mound Street and Fulton Street.

d. Subject to the approval of the Department of Public Service, which may be conditioned on providing alternative means of vision, the clear vision triangles provided for in Section 3321.05, Columbus City Codes, are eliminated.

e. The required minimum size of up to thirty percent (30%) of the required off-street parking spaces shall be eight (8) feet by sixteen (16) feet.

f. Subject to the approval of the Department of Public Service, the required widths of drive aisles in parking structures may be reduced to widths less than those provided for in Section 3312.09, Columbus City Codes.

g. The number of off-street parking spaces required for each use referred to in III.B below will be determined in accordance with III.B below. The determination of parking spaces available to satisfy off-street parking requirements is subject to the provisions of III.B below.

h. The required minimum width of one way driveways shall be ten (10) feet.

i. Any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster may be located on two or more parcels (that is, part on one parcel and part on one or more other parcels) within the Subject Property. Access to and maneuvering for any parking space, loading space or dumpster, including any aisle providing such access or maneuvering, may be located on one or more parcels within the Subject Property which are not the parcel(s) on which that parking space, loading space or dumpster

is located. The intent of this paragraph is to permit all of the parcels constituting the Subject Property be treated as a single parcel for the purpose of arranging parking spaces, loading spaces and access to and maneuvering for parking spaces, loading spaces and dumpsters.

j. Off-street parking spaces required for any use may be located off of the parcel(s) on which that use is located so long as such parking spaces are located on the Subject Property, except as provided in the next sentence. So long as the zoning for The Children's Hospital Main Campus (defined below) includes a provision substantially the same as this paragraph with The Children's Hospital Main Campus and the Subject Property reversed, off-street parking spaces required for any use on the Subject Property may be located off of the parcel(s) on which that use is located so long as such parking spaces are located on the Subject Property or The Children's Hospital Main Campus. Parking spaces required for any use may be located on a parcel or parcels not owned by the owner of the parcel(s) on which that use is located only if the owner(s) or lessee(s) of the parcel(s) on which such parking spaces are located consent(s) thereto.

k. Off-street parking spaces located on the Subject Property shall be used solely for the uses located on the Subject Property and for the uses located on the real property that is, from time to time, subject to Ordinance No. 1014-2014 and any amendments to or replacements of that Ordinance ("The Children's Hospital Main Campus"). As a part of any zoning clearance for development (other than parking) on the Subject Property, the property owner shall establish that both of the following will be satisfied: (a) the number of off-street parking spaces required by this text for all of the uses on the Subject Property and (b) the number of off-street parking spaces required by Ordinance No. 1014-2014, as then amended or replaced, for The Children's Hospital Main Campus.

l. Subject to approval by the Department of Public Service at the time of zoning clearance, signage shall be installed at all parking lot/garage driveways that cross sidewalks warning drivers to be aware of pedestrians.

m. Any allowed reduction or agglomeration of motor vehicle parking shall not affect the amount or placement of bicycle parking as required by Section 3312.49.

n. Sidewalks from buildings to parking areas shall be provided. Said sidewalks shall be a minimum of 5 feet in width subject to the approval of the Department of Public Service at the time of zoning clearance.

3. Buffering, Landscaping, Open Space and/or Screening commitments.

a. No internal parking lot landscaping will be required. However, one (1) shade tree for every ten (10) parking spaces or fraction thereof shall be planted along those portions of the perimeter of the parking lots along Streets.

b. A fee in lieu of dedication to meet the requirements of the parkland dedication ordinance will be paid for the 1.3+/- acres converting from R-2F to CPD.

4. Building design and/or Interior-Exterior treatment commitments.

a. There will be at least one main entry door along Fulton Street, Eighteenth Street or Mound Street.

b. Exterior materials will reflect area historic buildings by including some element of brick or stone, manufactured brick or stone, glass, ornamental steel, stucco or stucco-equivalent.

5. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

Light poles shall be no higher than twenty-six (26) feet, except where lighting is within 100 feet of residentially zoned property in which case light poles will not exceed eighteen (18) feet in height.

6. Graphics and Signage commitments.

All graphics and signage shall comply with the Graphics Code, Title 33, Article 15 of the Columbus City Code

and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

7. Miscellaneous commitments. N/A.

B. Parking Requirements.

1. To the extent that the following uses are located on the Subject Property, the following shall be the parking requirements for those uses:

- a. Outpatient/Day Surgery Clinic - one (1) parking space for each two hundred fifty (250) square feet of gross floor area.
- b. Research Facility - one and three-quarters (1.75) parking spaces for each one thousand (1,000) square feet of gross floor area.
- c. Meeting/Conference Facility - one (1) parking space for each fifty (50) square feet of gross floor area of meeting room area. Zero (0) parking spaces shall be required for lobby area, corridors, restrooms and other space ancillary to those meeting rooms.
- d. Sleeping quarters (including, but not limited to, houses and apartments) which are not part of a hospital or part of a facility described in III.B.1.e below, - one (1) parking space for every sleeping room provided in such sleeping quarters.
- e. Living quarters for use of families of patients - one (1) parking space for every sleeping room provided in such living quarters.
- f. Corridors and atria utilized as connections between buildings - zero (0) parking spaces shall be required.
- g. Vacated space, regardless of the use for which the same shall have been constructed - zero (0) parking spaces shall be required.

C. Variiances.

1. The foregoing development standards effect the following variances; provided, however, that the foregoing development standards shall control over the listing of variances below, and the failure to describe below any variances effected by the foregoing development standards shall not invalidate those standards:

- a. Variance from Section 3361.04A to reduce the minimum front, side and rear yard requirements to zero (0) feet.
- b. Variance from Section 3312.47 and 3312.49 to permit the calculation of the number of required loading spaces to be based on the total number of square feet of space on the Subject Property used for each type of use.
- c. Variance from Section 3312.51 to permit the required number of loading spaces for any use to be located off of the parcel(s) on which that use is located.
- d. Variance from Section 3312.15 to permit maneuvering for loading spaces in the right-of-way of ~~18th Street~~, Fulton Street or Mound Street.
- e. Variance from Section 3321.05 to eliminate all required clear vision triangles, subject to the approval of the Department of Public Service.
- f. Variance from Section 3312.29 to reduce the required minimum size of up to thirty percent (30%) of the required off-street parking spaces from nine (9) feet by eighteen (18) feet to eight (8) feet by sixteen (16) feet.
- g. Variance from Section 3312.13 to reduce the required widths of drive aisles in parking structures to widths less than those provided in Section 3312.13, subject to the approval of the Department of Public Service.
- h. Variance from Section 3312.47 and 3312.49 to permit the required number of off-street parking spaces to be the number determined in accordance with III(A)(2) above and to permit the required off-street parking for

each use to be located off of the parcel on which that use is located, subject to the provisions of III(A)(2) above.

i. Variance from Section 3312.13 c to reduce the required minimum width of one way driveways serving a parking lot from twenty (20) feet to ten (10) feet.

j. Variance from Sections 3312.03, 3312.09, 3312.51 and 3321.01 to permit any (i) parking space, (ii) loading space, (iii) aisle providing access to or maneuvering for any parking space, loading space or dumpster and (iv) other access to or maneuvering for any parking space, loading space or dumpster to be located on two or more parcels and to permit access to and maneuvering for each parking space, loading space or dumpster to be located on one or more parcels which are not the parcel(s) on which that parking space, loading space or dumpster is located.

k. Variance from Section 3312.21 to eliminate the requirement for any interior parking lot landscaping.

l. Variance from Section 3321.01 to eliminate the requirement that a dumpster be screened from view on all sides for each dumpster which is located more than two hundred (200) feet from a Street and for each other dumpster that is substantially screened from all Streets by buildings, landscape materials or a change in grade.

IV. **CPD REQUIREMENTS:**

A. Natural environment: The Subject Property is essentially flat and contains no wetlands or streams. The only vegetation is street trees and landscaping which have been provided in connection with the existing development of the property.

B. Existing land uses: Some of the parcels of the Subject Property are developed with parking lots. The portions of the Subject Property located on the west side of Seventeenth Avenue and on the south side of Mound Street are improved with residential buildings.

C. Transportation and circulation facilities: The Subject Property is located across Fulton Street from an entrance ramp for I-71 North. Eighteenth Street runs north and south from Livingston Avenue through the Subject Property beyond Main Street, a main arterial street for the east side of Columbus. COTA's East Main Street local bus route runs along Main Street servicing this area. Fulton Street runs east and west and borders the Subject Property to the south. Mound Street runs east and west and borders the Subject Property to the north.

D. Visual form of the environment: As previously discussed, the Subject Property is developed with surface parking facilities and residential structures. The Subject Property is one block south of Main Street, considered by the Near East Area Plan as a historic commercial district. Along with the commercial development along Main Street, located on the corner of Mound Street and Seventeenth Street is a two story office building and across Seventeenth Street from the office building is an electric substation. There are also several apartment buildings in the area.

E. View and visibility: Visibility at intersections is good for the urban environment in which the Subject Property is located and is compatible with the speed limits on the various streets in and surrounding the Subject Property.

F. Proposed development: It is anticipated that the Subject Property will be developed and redeveloped with a combination of the following: facilities for medical- and health-related uses; other office uses; and parking facilities. Because the Subject Property is in a fully-developed urban location, public infrastructure improvements are in place. As discussed above, the area around the Subject Property contains a mix of commercial and residential uses. As such, the uses currently on and proposed for the Subject Property are compatible with the development patterns of the area.

G. Behavior patterns: The principal use of the Subject Property will be for hospital facilities, including but

not limited to clinic space, research facilities, medical office uses, outpatient surgery centers and a medical education facilities. The hospital operates 24-hours a day seven days a week, although the more intensive activity is during the daytime. The other activities operate primarily during normal business hours. Approximately 85% of the staff utilizes private vehicles for transportation to and from the Subject Property, while approximately 15% utilize public transportation. As previously discussed, there are several commercial uses surrounding the Subject Property and as such, the behavior patterns regarding the uses on the Subject Property, including primary activity during business hours, are similar to the behavior patterns of the commercial uses in the area.

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

Legislation Number: 1028-2014

Drafting Date: 4/28/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

This legislation will authorize the Mayor on behalf of the City Attorney to accept a grant from the U.S. Department of Justice, Bureau of Justice Assistance, Ohio Office of Criminal Justice Services, and will further authorize the transfer of the required matching funds from the general fund and the appropriation and expenditure of said funds.

This grant partially funds a Cyber Crime Investigator and a Domestic Violence Victim Advocate to serve the Franklin County community within the City Attorney's Prosecution section. The Cyber Crime Investigator investigates telecommunication harassment allegations and frequently assists in stalking cases helping to identify the suspect. The Domestic Violence Victim Advocate works with victims of domestic violence and stalking in their initial court appearances, frequently within days of the incident, as well as assisting them with obtaining emergency protection orders.

Fiscal Impact:

The required matching funds of \$17,533.33 were included in the City Attorney's 2014 General Fund budget.

Project period: 01/01/2014 - 12/31/14

Federal Share: \$52,600.00

Matching funds: \$17,533.33

Total Grant: \$70,133.33

Emergency Designation:

Emergency action is requested to allow the grant activities to commence as soon as possible.

To authorize the acceptance of a grant from the U.S. Department of Justice, Bureau of Justice Assistance, Ohio Office of Criminal Justice Services, in the amount of Fifty-two Thousand Six Hundred Dollars for the Cyber Crime Investigator and Domestic Violence Victim Advocate program; to authorize the transfer of matching funds in the amount of Seventeen Thousand Five Hundred Thirty-three and 33/100 Dollars from the General fund; to authorize the appropriation of total funds in the amount of Seventy Thousand One Hundred thirty-three and 33/100 Dollars; and to declare an emergency. (\$70,133.33)

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance, Ohio Office of Criminal Justice

Services, has awarded the City of Columbus, City Attorney's Office, a grant in the amount of Fifty-two Thousand Six Hundred Dollars (\$52,600.00) for the Cyber Crime Investigator and Domestic Violence Victim Advocate program; and

WHEREAS, the Mayor on behalf of the City Attorney, the implementing agency, desires authority to accept said grant award; and

WHEREAS, the acceptance of the grant requires matching funds in the amount of Seventeen Thousand Five Hundred Thirty-three and 33/100 Dollars (\$17,533.33); and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to accept and appropriate the grant funds and to transfer the matching funds so that the supported services may commence as soon as possible, 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 Mayor on behalf of the City Attorney, the implanting agency, is hereby authorized to accept a grant award from the U.S. Department of Justice, Bureau of Justice Assistance, Ohio Office of Criminal Justice Services, in the amount of Fifty-two Thousand Six Hundred Dollars (\$52,600.00) for the 2014 Cyber Crime Investigator and Domestic Violence Victim Advocate program, grant number 2013-JG-D01-6930.

SECTION 2. That the amount of Seventeen Thousand Five Hundred Thirty-three and 33/100 Dollars (\$17,533.33); is hereby transferred as follows:

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 1101.

TO: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 5501.

FROM: department 2401, general fund, fund number 010, organizational cost account 240564, object level three 5501.

TO: department 2401, general government grant fund, fund number 220, 2014 JAG Cyber Crime Investigator and Domestic Violence Victim Advocate Grant, grant number 241402 organizational cost account 241402, object level three 0886.

SECTION 3. That from the unappropriated monies in the General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the project award period the sum of Seventy Thousand One Hundred thirty-three and 33/100 Dollars (\$70,133.33) is appropriated as follows: department 2401, fund number 220, 2014 JAG Cyber Crime Investigator and Domestic Violence Victim Advocate Grant, grant number 241402, organizational cost account 241402, object level three 1101.

SECTION 4. That 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. That funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

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: 1029-2014

Drafting Date: 4/28/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

Columbus Public Health has been awarded a grant in the amount of \$5,000.00 from COHI - The Council on Health Information to encourage and help provide patient-care related services provided through the Office of Minority Health at Columbus Public Health. This ordinance is needed to accept and appropriate \$5,000.00 in grant money and interest to fund the Council on Health Information Grant, for the period of May 1, 2014 until April 30, 2016.

This ordinance is submitted as an emergency in order to avoid any delays in patient-care related services in the Office of Minority Health and to allow the financial transaction to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management.

FISCAL IMPACT: The Council on Health Information Program is funded by a \$5,000.00 COHI - The Council on Health Information grant award. This grant is administered in the City's Private Grants fund.

To authorize and direct the Board of Health to accept a grant from The Council on Health Information for the Minority Health program; to authorize the appropriation of \$5,000.00 from the unappropriated balance of the City's Private Grants Fund; and to declare an emergency. (\$5,000.00)

WHEREAS, \$5,000.00 in grant funds have been made available through The Council on Health Information for the Minority Health program for the period of May, 1, 2014 through April 30, 2016; and,

WHEREAS, it is necessary to accept this grant from The Council on Health Information and appropriate grant funds and interest earned for the Minority Health program; and,

WHEREAS, this ordinance is submitted as an emergency so as to allow financial transactions to be posted in the City's accounting system as soon as possible. Up to date financial posting promotes accurate accounting and financial management; 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 Council on Health Information and to appropriate these funds to Columbus Public Health in order to avoid delays in patient care related services, 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 Board of Health is hereby authorized and directed to accept a grant award totaling \$5,000.00 from The Council on Health Information for the Minority Health program for the period of May 1, 2014 through April 30, 2016.

SECTION 2. That from the unappropriated monies in the City’s Private Grants Fund, Fund No. 291, and from all monies estimated to come into said fund from any and all sources during the twelve months ending April 30, 2015, the sum of \$5,000.00 and any eligible interest earned during the grant period, is hereby appropriated to the Health Department, Division No. 50-01, as follows:

OCA: 501432; Grant No.: 501432; OL1:02; Amount: \$2,500.00
OCA: 501432; Grant No.: 501432; OL1:03; Amount: \$2,500.00

Total appropriation for the Council on Health Information Grant OCA 501432: \$5,000.00

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, and the City Auditor shall establish such accounting codes as necessary.

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: 1031-2014

Drafting Date: 4/28/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of Development to enter into contract with the Neighborhood Design Center (NDC). The services to be provided by NDC include expanded Neighborhood Commercial Revitalization (NCR) services to owners and tenants, corridor branding or moniker concepts, expanded NCR Business Association services and Mile on High services. In addition, NDC will provide the following services:

Franklinton Arts District

NDC will continue working with the established Franklinton Arts District with the creation of the website and attendance at the Franklinton Art District’s meetings. CCAD students will be used to assist in the first year master planning efforts.

Hilltop

NDC will assist the Hilltop Business Association in the completion of a marketing report. The Association plans to hire a marketing consultant to take the lead in creating the marketing report.

Cleveland Avenue

NDC will coordinate with the Greater Linden Development Corporation and the Area Commissions to design and plan the creation of a better, more viable, corridor. Architecture, planning, and landscape architecture will be provided by NDC to help property owners realize the value of the assets on Cleveland Avenue.

Livingston Avenue

The sculpture at Nelson and Livingston commemorates the Streetcar District. The program added art to the community and built bonds between people making a better community. NDC plans to find a second opportunity to identify a site for a yet to be commissioned piece of art that is 75% funded. The NDC plans to continue this program to secure a third piece of art in 2016.

Stambaugh-Elwood

NDC will continue to provide services to this residential neighborhood as a part of the Southern Gateway Initiative. NDC shall continue to work with the neighborhood and the community to determine possible services desired to improve the area.

The Neighborhood Design Center is a non-profit, community-based corporation. The City has funded NDC since November, 1982, and in conjunction with the Ohio State University since 1986. Since that time, the organization has undertaken work for numerous clients within all the NCR districts. The organization has provided design assistance to the business associations, their members, and non-members. NDC also performs planning activities as well as assists with financial alternatives within the CDBG service area.

Emergency action is requested to begin providing expanded services in the NCR Areas without delay.

FISCAL IMPACT: Funding for the Neighborhood Design Center will consist of \$150,000 from the Neighborhood Initiatives Fund.

To authorize the Director of the Department of Development to enter into a contract with the Neighborhood Design Center to provide expanded services and planning activities within the NCR and CDBG service areas; to authorize the appropriation and expenditure of \$150,000.00 from the Neighborhood Initiatives Fund; and to declare an emergency. (\$150,000.00)

WHEREAS, the Neighborhood Commercial Revitalization Program encourages the aesthetic improvement of exterior building facades; and

WHEREAS, the Neighborhood Design Center has been established to promote the role of architect in the development process to provide training for architecture students, to encourage good design in redevelopment and to generate participation in the City's commercial revitalization efforts; and

WHEREAS, the Neighborhood Design Center also performs planning activities and provides financial assistance to the businesses in the NCR areas and the CDBG service area; and

WHEREAS, the Neighborhood Design Center will provide expanded NCR services to owners and tenants,

corridor branding or moniker concepts, expanded NCR business association services and Mile on High services; and

WHEREAS, the Neighborhood Design Center will assist Franklinton in becoming the “Arts and Innovation” District; and

WHEREAS, the Neighborhood Design Center will provide assistance to Stambaugh-Elwood neighborhood as a part of the Southern Gateway Initiative; and

WHEREAS, the Neighborhood Design Center will provide specific project services to the Hilltop, Cleveland Avenue and Livingston Avenue commercial corridors; and

WHEREAS, said non-profit corporation requires funding in order to carry out the above purpose; and

WHEREAS, emergency action is necessary to allow the Neighborhood Design Center to provide expanded services to the NCR areas without delay; 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 contract with the Neighborhood Design Center, 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 contract with the Neighborhood Design Center for the purpose of providing expanded NCR services, corridor branding or moniker concepts, expanded NCR Business Association services, Mile on High services, special assistance to the Franklinton Arts District, the Stambaugh-Elwood neighborhood and the Hilltop, Cleveland Avenue, and Livingston Avenue commercial corridors.

SECTION 2. That from the unappropriated monies in the Neighborhood Initiatives Fund, Fund 018, and from all monies estimated to come into said Fund from any and all sources for the period ending December 31, 2014, the sum of \$150,000.00 is hereby appropriated to the Department of Development, Division 44-02, Object Level One 03, Object Level Three 3337, OCA Code 440218.

SECTION 3. That for the purpose as stated in Section 1, the expenditure of \$150,000.00 or so much thereof as may be necessary, is hereby authorized from the Neighborhood Initiatives Fund, Fund 018, Department of Development, Division 44-02, Object Level One 03, Object Level Three 3337, OCA Code 440218.

SECTION 4. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.

SECTION 5. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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: 1032-2014

Drafting Date: 4/28/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of Development to enter into contract with the Franklinton Board of Trade. Founded in 1904, the Franklinton Board of Trade is an association of local business owners and representatives, churches, community organizations and many others who are committed to the success of the Franklinton community making it uniquely qualified to provide economic and commercial development support services. Franklinton is a Neighborhood Commercial Revitalization (NCR) area represented by the Franklinton Board of Trade.

The East Franklinton Creative Community District Plan was adopted by Columbus City Council on November 12, 2012. The plan established a vision for the revitalization as an urban mixed use neighborhood building upon East Franklinton's history and recent efforts by the public and private sector and individuals to remake the neighborhood. Important to these efforts is the attracting and retaining of new commercial development to complement existing commercial assets.

The Department of Development would like to provide assistance to the Franklinton Board of Trade for the purpose of providing services that advance economic development initiatives in the Franklinton area in support of the Franklinton Creative Community District Plan. These services will include administrative support, program design, and marketing. In addition to coordinating economic development projects among local organizations, the Franklinton Board of Trade will assist the Neighborhood Design Center as necessary in the implementation of NCR small business improvement programs.

Emergency action is requested to allow the Franklinton Board of Trade to continue to provide economic development services to the Franklinton community without interruption.

FISCAL IMPACT: \$75,000 is allocated for this contract from the Neighborhood Initiatives Fund.

To authorize the Director of the Department of Development to enter into contract with the Franklinton Board of Trade for the purpose of providing continued economic development services to the Franklinton Neighborhood Commercial Revitalization area; to authorize the appropriation and expenditure of \$75,000.00 from the Neighborhood Initiatives Fund; and to declare an emergency. (\$75,000.00)

WHEREAS, the Franklinton Board of Trade is a Subrecipient representing the Franklinton NCR Area; and

WHEREAS, the Franklinton Board of Trade provides NCR services to the businesses located in Franklinton; and

WHEREAS, the Department of Development desires to provide assistance to the Franklinton Board of Trade for the purpose of providing services that advance economic development initiatives in the Franklinton area in support of the Franklinton Creative Community District Plan; and

WHEREAS, these services will include administrative support, program design, and marketing; and

WHEREAS, in addition to coordinating economic development projects among local organizations, the Franklinton Board of Trade will assist the Neighborhood Design Center as necessary in the implementation of NCR small business improvement programs; and

WHEREAS, the Department of Development desires to enter into a contract with the Franklinton Board of Trade to continue to promote economic development activity in the Franklinton NCR area and to provide services that seek to attract and retain new commercial development; and

WHEREAS, emergency action is necessary to allow the Franklinton Board of Trade to continue to provide economic development services to the Franklinton NCR area and other neighborhood businesses without interruption; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to continue the administration of said activity, 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 contract with the Franklinton Board of Trade for the purpose of providing continued economic development services, including marketing and program design, to the Franklinton NCR area.

SECTION 2. That from the unappropriated monies in the Neighborhood Initiatives Fund, Fund 018, and from all monies estimated to come into said Fund from any and all sources for the period ending December 31, 2014, the sum of \$75,000.00 is hereby appropriated to the Department of Development, Division 44-02, Object Level One 03, Object Level Three 3337, OCA Code 440218.

SECTION 3. That for the purpose as stated in Section 1, the expenditure of \$75,000.00 or so much thereof as may be necessary, is hereby authorized from the Neighborhood Initiatives Fund, Fund 018, Department of Development, Division 44-02, Object Level One 03, Object Level Three 3337, OCA Code 440218.

SECTION 4. That this contract is awarded pursuant to Section 329.15 of the Columbus City Codes, 1959 as amended.

SECTION 5. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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: 1033-2014

Drafting Date: 4/28/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. BACKGROUND

This ordinance authorizes the Director of Public Service to modify a professional services agreement with Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T) in the amount of up to \$20,000.00 for the Warner Road Improvements - Phase 2 project. The project is located along Warner Road west of Albany Crossing and along Ulry Road in the northeast quadrant of the City of Columbus.

Ordinance 2846-2013 authorized the Director of Pubic Service to accept assignment of a professional services agreement from Village Communities Corporation for the Warner Road Improvements - Phase 2 project (agreement was between Village Communities Corporation and Evans, Mechwart, Hambleton and Tilton Inc. (EMH&T)), to waive the competitive bidding requirements of Columbus City Code Section 329, and to modify the design agreement with EMH&T in the amount of \$40,000 for said project.

During the process of scoping the services required by EMH&T to modify the Warner Road Improvements - Phase 2 engineering plans to reflect changes made to the City’s Construction and Material Specifications Manual in 2012 (the purpose of accepting assignment and modifying the contract), it has been determined that it may be necessary to prepare plans for stormwater detention controls and to update right-of-way plans for the project as well.

Original contract amount:	\$348,911	(not funded by the City)
Modification 1 ordinance:	\$ 40,000	Ord. 2846-2013
Modification 2 ordinance:	<u>\$ 20,000</u>	
Total contract value:	\$408,911	

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against EMH&T.

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for EMH&T is 310685594. The expiration date is 8/2/15.

3. FISCAL IMPACTS

Funds in the amount of \$20,000.00 are available for this project in the Albany Crossing TIF Fund, number 441.

4. EMERGENCY DESIGNATION

Emergency action is requested to provide necessary engineering and design funding and prevent unnecessary delays in the Department of Public Service’s Capital Improvement Program.

To authorize the Director of Public Service to modify a professional services agreement with Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T) for engineering services in connection with the Warner Road Improvements - Phase 2 project; to authorize the expenditure of up to \$20,000.00 from the Albany Crossing TIF Fund; and to declare an emergency. (\$20,000.00)

WHEREAS, Ordinance 2846-2013 authorized the Director of Public Service to accept the assignment of a professional services agreement between Village Communities Corporation and Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T) and enter into a \$40,000.00 professional services agreement modification with EMH&T to modify the engineering plans for the Warner Road Improvements - Phase 2 project to reflect changes made to the City’s Construction and Material Specifications Manual in 2012; and

WHEREAS, during the process of scoping the services required by EMH&T to modify the Warner Road Improvements - Phase 2 engineering plans it has been determined that it may be necessary to prepare plans for

stormwater detention controls and to update right-of-way plans for the project; and

WHEREAS, it is necessary to authorize the Director of Public Service to modify the professional services agreement in an amount of up to \$20,000.00 to prepare such plans for stormwater detention controls and to update right-of-way plans for the project; and

WHEREAS, funds in the amount of \$20,000.00 are available for this project in Albany Crossing TIF Fund; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to provide engineering services to prevent unnecessary delays for the Department's capital improvement 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 increase funding and modify a professional services agreement with Evans, Mechwart, Hambleton and Tilton Inc. (EMH&T), 5500 New Albany Road, Columbus, Ohio 43230 in an amount of up to \$20,000.00.

SECTION 2. That for the purpose of paying the cost of this professional services agreement modification the sum of up to \$20,000.00 or so much thereof as may be needed, is hereby authorized to be appropriated in and expended from Albany Crossing TIF Fund as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

441 / 441100-100000 / Albany Crossing TIF / 06-6631 / 441100 / \$20,000.00

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

SECTION 5. That the 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.

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.

Drafting Date: 4/28/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the Finance and Management Director to enter into contract with AmeriGas Propane for the purchase of vapor propane, tank delivery, filling, and storage rack installation for zero turn mowers purchased under the City's alternate fuels initiative. Through a previously negotiated informal agreement, AmeriGas Propane provided propane fueling services for the Fleet Management Division. This required the installation of various fueling infrastructure components, including storage racks, propane fuel tanks, etc. It would be impractical to remove and re-bid at this time, as doing so would result in a negative impact to current operations. It is also unlikely another vendor could provide lower pricing than AmeriGas as the infrastructure costs have already been borne by the current vendor.

This ordinance also waives the competitive bidding provisions of Columbus City Code Chapter 329, so that the needed propane fueling services can be purchased from AmeriGas Propane.

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

AmeriGas Propane, Contract Compliance # 23-2787917, Expiration Date: 11/19/2014

Fiscal Impact: Funding is available within the Fleet Management Operating Budget for this purchase. This legislation authorizes the expenditure of \$30,000.00 with AmeriGas Propane for the purchase of propane fueling services.

Emergency action: is requested to ensure uninterrupted supply of propane fuel for City alternative fuel mowing/landscaping equipment.

To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to enter into contract with AmeriGas Propane for the purchase of propane fueling services; to authorize the expenditure of \$30,000.00 from the Fleet Management Fund; to waive the competitive bidding provisions of Columbus City Codes, 1959; and to declare an emergency. (\$30,000.00)

WHEREAS, the Finance and Management Department, on behalf of the Fleet Management Division, has a need to purchase propane fueling services for alternative fuel mowing/landscaping equipment; and

WHEREAS, the purchase of this alternative fuel will further the City's green initiatives and reduce the City's carbon footprint; and

WHEREAS, AmeriGas Propane currently provides propane fueling services for the Fleet Management Division and they have installed various fueling infrastructure components, including storage racks, propane fuel tanks, etc. that would be impractical to remove at this time and would result in a negative impact to current operations, thus it is necessary to waive the competitive bidding provisions of Columbus City Code Chapter 329; and

WHEREAS, an emergency exists in the usual daily operations of the Fleet Management Division in that it is immediately necessary to enter into contract with AmeriGas Propane for the provision of propane fueling services to ensure uninterrupted service to all propane-fueled city equipment for the preservation of 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, on behalf of the Fleet Management Division, is hereby authorized to enter into contract with AmeriGas Propane for the purchase of propane fueling services.

SECTION 2. That the expenditure of \$30,000.00, 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:

Dept/Div: 45-05
Fund: 513-001
OCA Code: 451347
Object Level 1: 03
Object Level 3: 3372
Amount: \$30,000.00

SECTION 3. That the competitive bidding provisions of Columbus City Code Chapter 329 are hereby waived in regard to the action authorized in Section 1.

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

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

SECTION 6. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, nor ten days after passage, if the Mayor neither approves nor vetoes the same.

Legislation Number: 1038-2014

Drafting Date: 4/28/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Fleet Management Division with AA Programmed Janitorial & Building Maintenance, Inc. for annual janitorial/custodial services at the Fleet Management facility located at 4211 Groves Road.

Formal bids were solicited and six companies submitted bids and these bids were opened on April 4, 2014 as follows:

AA Programmed Janitorial & Building Maintenance, Inc.	\$23,938.00
Keswick Enterprises, Inc. dba Corvus Janitorial Systems	\$28,672.00
Total Care Cleaning Services dba Coverall Health Based Cleaning	\$29,945.50
Cleanup Committee	\$32,368.00
Dove Building Services	\$37,356.00
K&M Kleening Services, Inc.	\$46,005.15

The Fleet Management Division recommends that the bid award be made to the most responsive and

responsible bidder, AA Programmed Janitorial & Building Maintenance, Inc. The term of this contract shall be June 1, 2014 to May 31, 2015. The contractor pays responsible wage and health insurance benefits as required by Columbus City Codes.

Emergency action is requested to allow for janitorial services to continue without interruption at the Fleet Maintenance Facility.

Fiscal Impact: The Fleet Management Division budgeted \$35,000.00 for janitorial services in 2014. The cost of this contract is \$23,938.00.

AA Programmed Janitorial & Building Maintenance, Inc., Contract Compliance #:31-1190027; Expiration Date: 12/14/2014.

To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to enter into contract with AA Programmed Janitorial & Building Maintenance, Inc. for janitorial services at the Fleet Management facility located at 4211 Groves Road; to authorize the expenditure of \$23,938.00 from the Fleet Management Fund; and to declare an emergency. (\$23,938.00)

WHEREAS, it is necessary to contract for annual janitorial/custodial services at the Fleet Management facility located at 4211 Groves Road; and

WHEREAS, the Fleet Management Division formally bid for said services; and

WHEREAS, it is the recommendation of the Fleet Management Division to award the contract to the most responsive and responsible bidder, AA Programmed Janitorial & Building Maintenance, Inc.; and

WHEREAS, an emergency exists in the usual, daily operations of the Fleet Management Division in that it is immediately necessary to enter into contract for janitorial services for the Fleet Management facility located at 4211 Groves Road so services continue without interruption, all for the preservation of 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, on behalf of the Fleet Management Division, is hereby authorized to enter into contract with AA Programmed Janitorial & Building Maintenance, Inc. for janitorial services at the Fleet Management facility located at 4211 Groves Road for the period June 1, 2014 to May 31, 2015.

SECTION 2. That the expenditure of \$23,938.00 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: 45-05
Fund: 513
OCA Code: 451206
Object Level 1:03
Object Level 3:3396
Amount: \$23,938.00

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

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

SECTION 5. That for reasons stated in the preamble hereto, which is hereby made a part 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, nor ten days after passage, if the Mayor neither approves nor vetoes the same.

Legislation Number: 1044-2014

Drafting Date: 4/28/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The Department of Finance & Management, on behalf of the Fleet Management Division, entered into a contract with Bomar Construction Company, Inc. for building maintenance and repair services under the authority of Ordinance No. 0211-2012, which passed City Council on March 26, 2012. This contract was formally bid under SA004061, for which Bomar Construction was deemed the most responsive and responsible bidder. A provision for three (3) annual contract extensions/renewals was included in the original contract.

The Bomar Construction contract was modified pursuant to Ordinance 1669-2012 in order to expand the scope of services to include services for the repair/replacement of exhaust hoses in the auto and truck shops at the Fleet Management Facility located at 4211 Groves Road. However, this ordinance did not represent an annual contract extension, but rather a modification to contract scope of services.

The first annual contract renewal was authorized via Ordinance 0766-2013, which passed City Council on May 6, 2013. This same ordinance also expanded the contract scope of services to include maintenance and repair services related to plumbing, HVAC equipment, HVAC computer programming, boilers/heating systems, electrical systems, vehicle cranes, air compressors, and facility power washers to address the expanding needs of maintenance and repair services at the Fleet Management complex.

This ordinance seeks authorization to extend the existing Bomar Construction contract, thus representing the second of three (3) annual contract renewal/extension options.

Bomar Construction Company, Inc., Contract Compliance #: 31-1430310, Expiration Date: 02/12/15.

Emergency action is requested so that the necessary professional services may be accomplished, thereby ensuring that needed facilities management services are not delayed.

FISCAL IMPACT: Funding for the contract modification has been budgeted for and is available within the 2014 Fleet Management Operating Budget.

To authorize the Finance and Management Director, on behalf of the Fleet Management Division, to modify and extend an existing contract with Bomar Construction Company, Inc. for professional building maintenance and repair services at the Fleet Management Complex; to authorize the expenditure of \$20,000.00 from the

Fleet Management Fund; and to declare an emergency. (\$20,000.00)

WHEREAS, the original contract with Bomar Construction Company, Inc. was authorized by Ordinance No. 0211-2012, with three (3) one-year renewal options; and

WHEREAS, it is necessary to modify and extend said contract to provide needed maintenance, repairs, and facilities management services to the Fleet Management complex located at 4211 Groves Road; and

WHEREAS, the Fleet Management Division wishes to extend the contract as provided for in the contract; and

WHEREAS, an emergency exists in the usual daily operations of the Finance and Management Department, Fleet Management Division, in that it is immediately necessary to authorize the Finance and Management Director to extend a contract with Bomar Construction Company, Inc. so that the necessary management services 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, on behalf of the Fleet Management Division is hereby authorized to modify and extend a contract with Bomar Construction Company, Inc. for building maintenance and repair services at the Fleet Management complex located at 4211 Groves Road Columbus, OH.

SECTION 2. That the expenditure of \$20,000.00, or so much thereof as may be necessary in regards to the action authorized in Section 1, be and is hereby authorized and approve as follows:

Dept./Div: 45-05
Fund: 513
OCA: 451206
Obj Lvl 3: 3370
Amount: \$20,000.00

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

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

SECTION 5. That for reasons stated in the preamble hereto, which is 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 the passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1045-2014

Drafting Date: 4/29/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

Background:

This ordinance authorizes the Director of the Recreation and Parks Department to enter into contract with 2K General Company to perform improvements to the lobby entry of the Columbus Aquatic Center located at 1160 Hunter Avenue (43201). Improvements will include new laminated safety glass for lobby windows, new doors, new turnstiles, new UV filtration system for the main pool and overall reorganization of the lobby area. These renovations will improve the efficiency, accessibility, circulation and security of the facility. These improvements have been requested by members of the surrounding community and customers. The costs for this project will be \$343,225 with a contingency \$44,275 for a total of \$387,500.

Bids were advertised through Vendor Services, in accordance with City Code Section 329, on March 31, 2014 and received by the Recreation and Parks Department on April 15, 2014. Bids were received from the following companies:

<u>Company</u>	<u>Bid Amount</u>
2K General	\$343,225
Central Ohio Building	\$351,441
Elford	\$351,671
Charter Hill	\$397,213
Gutknecht	\$410,000

After review the proposals that were submitted, it was determined that 2K General Company was the lowest and most responsive bidder.

Principal Parties:

Vendor Name: 2K General Company
Vendor Address: 19 Gruber Street, Building B, Delaware, OH 43015
Vendor Contact Name and Phone: Bill Morgan 740-417-9195
Contract Compliance Number: 31-1653018
Contract Compliance Expiration Date: May 15, 2014
Number of Columbus Based Employees: 30+

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. This will allow the improvements to be completed while this facility is normally closed in the summer in an effort to minimize the impact on customers.

Fiscal Impact:

\$387,500.00 is budgeted and available in the Recreation and Parks Voted Bond Fund 702 to meet the financial obligations of these improvements.

To authorize and direct the Director of Recreation and Parks to enter into contract with 2K General Company for Columbus Aquatic Center Lobby Improvements; to authorize the expenditure of \$343,225.00 with a contingency of \$44,275.00 for a total of \$387,500.00 from the Recreation and Parks Voted Bond Fund 702; and to declare an emergency. (\$387,500.00)

WHEREAS, bids were received through Vendor Services on March 31, 2014 to perform improvements to the storefront entry of the Columbus Aquatic Center and will be awarded to 2K General Company on the basis of lowest and best responsive bidder; and

WHEREAS, 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 as soon as possible so that improvements can be completed during the summer season while the facility is not in use, thereby preserving the public health, peace, propriety, safety and welfare; **NOW THEREFORE**

BE IT ORDAINED BY THE COLUMBUS CITY COUNCIL:

SECTION 1. That the Director of Recreation and Parks is authorized to enter into contract with 2K General Company for Columbus Aquatic Center Lobby Improvements.

SECTION 2. That the expenditure of \$387,500.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Bond Fund 702 as follows:

Project	OCA Code	Object Level 3	Amount
510011-100014 (Swim Center Improvements)	721114	6621	\$387,500.00

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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 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.

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: 1047-2014

Drafting Date: 4/29/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: A regional project, Sustaining Scioto, is a collaborative effort of The City of Columbus, Mid-Ohio Regional Planning Commission (MORPC), the Ohio Water Development Authority (OWDA), and DelCo Water to assess and develop water management strategies to mitigate impacts of climate change in the central Ohio area. MORPC has contracted with Brown and Caldwell to develop and coordinate this regional endeavor.

The Water Research Foundation (WRF) has made up to \$100,000.00 available as matching funds for participation in a regional Tailored Collaboration (TC) project. As a subscriber to the Water Research Foundation (WRF), the Columbus Division of Water has the opportunity to enter into a Multi-Funded Research Agreement with the WRF to leverage a \$100,000.00 contribution to the project which, if selected for the

matching funds, WRF will match 1:1 doubling the amount of monies contributed to this research. Additional benefits of participation in this program also include project enhancement through WRF's independent review (Project Advisory Committee) process, professional project management and technology transfer.

The Water Research Foundation (WRF) is a centralized, nonprofit research organization for the water community whose mission is *to advance the science of water to improve the quality of life*. This mission is accomplished through the timely identification and funding of needed research, and communication of research findings, which ultimately allows utilities to meet current and future drinking water needs.

The purpose of the Tailored Collaboration (TC) program is to provide an opportunity for subscribing utilities to partner with WRF in regional research projects or projects that address issues of interest to a significant subgroup of Foundation subscribers.

The proposed research project, *Water Utility Planning Strategies to Mitigate Impacts of Climate Change in Central Ohio*, will focus on the development of water management strategies to mitigate quantity impacts and treatment strategies to mitigate water quality impacts of climate change in Central Ohio and the eastern portions of the mid-west. The Water Research Foundation (WRF) will contribute \$100,000.00 in matching funds to Columbus' contribution of \$100,000.00 to the project. This proposed research project will expand upon and enhance the Sustaining Scioto Project.

Columbus' contribution will be paid directly to the Water Research Foundation (WRF) upon an effective date once the project proposal is approved by WRF. Brown and Caldwell will be disbursed funds directly from the Water Research Foundation (WRF).

This legislation is required to authorize the Director of the Department of Public Utilities to apply for and enter into a Multi-Funded Research Agreement with the Water Research Foundation (WRF) and provide \$100,000.00 cash funding plus \$6,000.00 in-kind contribution to the project.

FISCAL IMPACT: The \$100,000.00 contribution by the Department of Public Utilities will be split 50/50 between the Sewerage System Operating Fund and the Water Operating Fund.

EMERGENCY:

The Department of Public Utilities is requesting City Council to deem this legislation an emergency measure to allow the Director to fund the City's portion of this research as soon as possible so that the regional research project is not delayed.

To authorize the Director of Public Utilities to enter into a Multi-Funded Research Agreement with the Water Research Foundation for the "Water Utility Planning Strategies to Mitigate Impacts of Climate Change in Central Ohio" project; to authorize the expenditure of \$50,000.00 from Sewerage System Operating Fund and \$50,000.00 from the Water Operating Fund, and to declare an emergency. (\$100,000.00)

WHEREAS, the Water Research Foundation has made available to its subscribers project matching funds in the amount of up to \$100,000.00 for approved Tailored Collaboration projects to assist with regional research; and

WHEREAS, the City of Columbus, Division of Water is a Water Research Foundation subscriber and participating in a regional collaborative effort called Water Utility Planning Strategies to Mitigate Impacts of Climate Change in Central Ohio to assess and develop a strategy for the mitigation of impacts of climate change on Central Ohio water resources; and

WHEREAS, this effort will expand upon and enhance the Sustaining Ohio project, a collaborative effort of the City of Columbus, Mid-Ohio Regional Planning Commission, the Ohio Water Development Authority, and DelCo Water; and

WHEREAS, the Department of Public Utilities is requesting the authority to apply for and enter into a Multi-Funded Research Agreement with the Water Research Foundation to provide the matching funds of \$100,000.00; and

WHEREAS, it is necessary to authorize the Director of Public Utilities to expend these funds to the Water Research Foundation for the purpose of participating in the Water Utility Planning Strategies to Mitigate Impacts of Climate Change in Central Ohio 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 Public Utilities to apply for and enter into the Multi-Funded Research Agreement, in an emergency manner in order to meet the submission deadlines and expedite the facilitation of the project so the terms and conditions of the Agreement are accomplished 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 apply for and enter into a Multi-Funded Research Agreement with the Water Research Foundation, to provide project funds in the amount of \$100,000.00 to the Water Research Foundation, located at 6666 W. Quincy Ave. Denver, CO 80235, for the Water Utility Planning Strategies to Mitigate Impacts of Climate Change in Central Ohio project.

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

Dept./Div.: 60-09
Fund: 600
OCA: 601849
Object Level One: 03
Object Level: 3337
Amount: \$50,000.00

Dept./Div.: 60-05
Fund: 650
OCA: 605006
Object Level One: 03
Object Level: 3337
Amount: \$50,000.00

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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 approved nor vetoes the

same.

Legislation Number: 1048-2014

Drafting Date: 4/29/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the Director of the Department of Development to enter into a Third Modification of the Participation Agreement among the city of Columbus (Columbus), Prairie Township (Prairie) and Brown Township (Brown) for the procurement and payment of professional consulting services in connection with the implementation of the Big Darby Town Center. The original Participation Agreement with Prairie Township was authorized by City Council on December 5, 2012 by City Ordinance 2608-2012. The first modification was entered into for the purpose of bringing Brown Township (Brown) into the Participation Agreement along with Prairie Township (Prairie) and the city of Columbus (Columbus). The purpose of the second modification, authorized by Ordinance 1606-2013, was to increase the available funding from \$110,000 to \$140,000.

All three are local jurisdictions within the Franklin County portion of the Big Darby Watershed and have been involved in the Big Darby Accord process. This is a process that is intended to protect the water quality and other natural resources of this watershed, within the context of a balanced development approach and respecting the rights of property owners. The Big Darby Accord Watershed Master Plan of 2006 designates that the development of a Town Center be a large consideration in the preservation of the Watershed in Franklin County. Brown, Prairie and Columbus are three of the four jurisdictions that adopted the Big Darby Town Center Master Plan (December 2011). They have a direct interest in the successful development and creation of the Town Center and desire to bring it closer to implementation.

The purpose of this Third Modification is to increase the amount available for paying the consultant team from \$140,000 to \$182,000, and to share the additional \$42,000 equally between Columbus and Prairie. The Columbus share of funds will be provided to Prairie as the heretofore established financial agent for the parties, to pay such costs. The willingness of Brown, Prairie and Columbus to continue to participate in this initiative and to share in funding is based upon the understanding and condition that all parties adhere to each and every element and principle contained in the Participation Agreement and all modifications thereto. The additional sum encumbered by Columbus through this Ordinance is not to exceed \$21,000.

Emergency action is requested in order to avoid delays in the Big Darby Town Center implementation process.

FISCAL IMPACT: \$21,000 is available in the Water Operating and the Sanitary Sewer Operating Funds for this purpose.

To authorize the Director of the Department of Development to enter into a Third Modification to the Participation Agreement with Prairie Township and Brown Township for professional services in connection with the implementation of the Big Darby Town Center; to authorize the expenditure of \$10,500.00 from the Sewer Operating Fund and \$10,500.00 from the Water Operating Fund; and to declare an emergency. (\$21,000.00)

WHEREAS, Brown Township (“Brown”) and Prairie Township (“Prairie”) and the city of Columbus (“Columbus”) are local jurisdictions within the Franklin County portion of the Big Darby Watershed (the "Watershed"); and

WHEREAS, Brown and Prairie and Columbus, the parties to this Modification, have been involved in the Big Darby Accord process, which is intended to protect the water quality and other natural resources of the Watershed, within the context of a balanced development approach and respecting the rights of property owners; and

WHEREAS, the Big Darby Accord Watershed Master Plan of 2006 establishes guiding principles and designates the development of a Town Center to be a large consideration in the preservation of the Watershed in Franklin County in a balanced manner; and

WHEREAS, the Big Darby Town Center Master Plan was prepared with the cooperation of the parties to more fully define the proposed Town Center and to prepare a framework for its successful development, and said plan was adopted in December 2011 by the parties and by Franklin County; and

WHEREAS, Prairie and Brown and Columbus all have a direct interest in the successful development and creation of the Town Center; and

WHEREAS, Prairie and Columbus on November 28, 2012, entered into the original Big Darby Town Center Master Plan Implementation Participation Agreement (“Participation Agreement”); and

WHEREAS, Prairie and Columbus (the two original parties as noted in the previous clause), acting in concert with Brown, modified the Participation Agreement in such a manner that made Brown also a party thereto, and that brought the total funding available at that time to \$110,000; and

WHEREAS, a second modification to the Participation Agreement that was authorized in June 2013 by Ordinance 1606-2013 increased the available funding at that time from \$110,000 to \$140,000, and provided that the additional funding would be provided equally by Prairie and Columbus; and

WHEREAS, Prairie and Brown and Columbus now desire to have Prairie enter into a modified contract with the lead consultant selected by mutual agreement of the parties that will allow for additional funding of \$42,000 in order to perform preliminary engineering analysis in connection with the treatment of wastewater from the Town Center and the provision of water to the Town Center; and

WHEREAS, this third modification to the Participation Agreement will bring its total funding up from \$140,000 to \$182,000, with its \$42,000 of additional funding coming equally from Prairie and Columbus; and

WHEREAS, the amount added by this Modification will not exceed \$21,000 and the Columbus total funding responsibility under the modified Participation Agreement will not exceed \$86,000; and

WHEREAS, the willingness of Prairie Township and Brown Township and the City of Columbus to participate in this initiative and provide the identified shares of funding assistance is based upon the understanding and condition that all parties adhere to each and every element and principle contained in the Participation Agreement as modified by the previous two Modifications and by this Modification, and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of the Department of Development to enter into this Third Modification to

the Participation Agreement with Prairie Township and Brown Township for professional services in connection with the implementation of the Big Darby Town Center in order to avoid delays in the implementation process, 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 Third Modification to the Participation Agreement with Prairie Township and Brown Township for professional services in connection with the implementation of the Big Darby Town Center, such that the total funds available for the project will be increased from \$140,000 to \$182,000, with not more than \$21,000 of the \$42,000 in potential additional funding to be provided by the City of Columbus and the Columbus total funding responsibility under the modified Participation Agreement will not exceed \$86,000.

SECTION 2. That except insofar as specifically adjusted by the First Modification or by the Second Modification previously authorized, or by this Third Modification hereby authorized, the terms of the previously entered into Participation Agreement shall remain in full force and effect.

SECTION 3. That for the purpose stated in Section 1, the expenditure of \$21,000.00, or so much thereof as may be necessary, is hereby authorized to be expended from as follows:

Fund: 650
OCA: 605006
Object Level: 3407
Amount: \$10,500.00

Fund: 600
OCA: 601849
Object Level: 3407
Amount: \$10,500.00

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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: 1055-2014

Drafting Date: 4/30/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: Columbus Public Health has been awarded a grant from the Ohio Humanities Council. This ordinance is needed to accept and appropriate \$7,600.00 in grant money to fund this project for the period of May 5, 2014 to October 27, 2014.

The grant is to fund the continuation of the Columbus Arts Walks and Landmarks Talks, a guided walking tour program launched in 2013.

This ordinance is submitted as an emergency so as to comply with the grantor's requirements to continue the walking guided tour program in June, 2014.

FISCAL IMPACT: The program does require a cost match, either in cash or in kind, for a total project cost of not less than \$15,200.00. The in kind personnel match is covered by the Health Special Revenue Fund.

To authorize and direct the Board of Health to accept a grant from Ohio Humanities Council to continue a guided walking tour program called Columbus Art Walks and Landmark Talks in the amount of \$7,600.00; to authorize the appropriation of \$7,600.00 to the Health Department in the City's Private Grants Fund; and to declare an emergency. (\$7,600.00)

WHEREAS, \$7,600.00 in grant funds have been made available to Columbus Public Health through the Ohio Humanities Council; and,

WHEREAS, this grant provides the continuation of guided tour walks in Columbus; and,

WHEREAS, the in kind personnel match required by this grant is covered through the Health Special Revenue Fund;

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to accept this grant from the Ohio Humanities Council to initiate the deliverables in June, 2014, and to appropriate these funds to the Health Department for the immediate preservation of the public health, peace, property, safety, and welfare; Now, therefore,

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

SECTION 1. That the Board of Health is hereby authorized and directed to accept a grant award of \$7,600.00 from the Ohio Humanities Council to continue a guided walking tour program called Columbus Art Walks and Landmark Talks for the period May 5, 2014 through October 27, 2014.

SECTION 2. That from the unappropriated monies in the City's Private Grants Fund, Fund No. 291, and from all monies estimated to come into said Fund from any and all sources ending October 27, 2014, the sum of \$7,600.00 and any eligible interest earned during the grant period is hereby appropriated to the Health Department, Division No. 50-01, as follows:

2014 Ohio Humanities Council:

OCA: 501431 Grant No. 501431 Obj. Level 01: 03 Amount \$7,600.00

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. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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: 1058-2014

Drafting Date: 5/1/2014

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 - Sullivant Avenue, Bikeway Development - Sullivant East West Connector, and Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Avenue Improvements (HCMP) project and to provide payment for construction administration and inspection services.

These improvements will be performed in the Hilltop CPA.

This contract consists of: repairing and resurfacing Sullivant Avenue, constructing 165 ADA curb ramps, adding curb extensions, and modifying signage and pavement markings. The work consists of: milling the existing pavement, overlaying with new asphalt concrete, minor curb replacement, and replacing curb and sidewalk associated with installing ADA wheelchair ramps. Where warranted, the plans also call for areas of full depth pavement repair.

The estimated Notice to Proceed date is June 11, 2014. The project was let by the Office of Support Services through Vendor Services and Bid Express. Three bids were received on April 22, 2014 (Three majority) and tabulated on April 23, 2014 as follows:

<u>Company Name</u>	<u>Bid Amt</u>	<u>City/State</u>	<u>Majority/MBE/FBE</u>
Shelly and Sands, Inc.	\$1,955,891.60	Columbus, OH	Majority
Decker Construction	\$2,104,622.66	Columbus, OH	Majority
Columbus Asphalt Paving	\$2,470,216.90	Columbus, OH	Majority

Award is to be made to Shelly & Sands, Inc. as the lowest responsive and responsible and best bidder. The contract amount will be \$1,955,891.60. The amount for construction administration and inspection services will be \$176,030.24. The total legislated amount is \$2,131,921.84.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Shelly & Sands, Inc.

2. CONTRACT COMPLIANCE

Shelly & Sands, Inc.'s contract compliance number is 311279704 and expires 1/6/16.

3. FISCAL IMPACT

Funding for this project is budgeted within the 2014 Capital Improvements Budget in the Streets and Highways G.O. Bonds Fund. Bonds have yet to be sold for this project; therefore it is necessary to certify funds needed in the amount of \$1,703,193.62 against the Special Income Tax Fund.

4. EMERGENCY DESIGNATION

Emergency action is requested in order for the 2014 Resurfacing Program to begin as early as possible and perform necessary reconstruction to City streets in need of rehabilitation.

To amend the 2014 Capital Improvements Budget; to authorize and direct the City Auditor to appropriate and transfer \$1,703,193.62 from the Special Income Tax Fund to the Streets and Highways Bonds Fund; to authorize the Director of Public Service to enter into a contract with Shelly & Sands, Inc., to provide for the payment of the contract and construction administration and inspection services, in connection with the Resurfacing Program; to authorize the expenditure of \$2,131,921.84 from the Streets and Highways Bonds Fund; and to declare an emergency. (\$2,131,921.84)

WHEREAS, the City of Columbus Department of Public Service is engaged in the Resurfacing - Sullivant Avenue, Bikeway Development - Sullivant East West Connector, and Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Avenue Improvements (HCMP) project; and

WHEREAS, work on this contract consists of repairing and resurfacing Sullivant Avenue, constructing 165 ADA curb ramps, adding curb extensions, and modifying signage and pavement markings; and

WHEREAS, Shelly & Sands, Inc. will be awarded the contract for the Resurfacing - Sullivant Avenue, Bikeway Development - Sullivant East West Connector, and Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Avenue Improvements (HCMP) project; and

WHEREAS, it is necessary to enter into contract with Shelly & Sands, Inc.; and

WHEREAS, it is necessary to provide for construction administration and inspection services; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to fund this project; and

WHEREAS, the City will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$1,703,193.62; and

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

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize this project so work can proceed immediately for the rehabilitation of this road 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 2014 Capital Improvement Budget authorized by ordinance 0683-2014 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / Current / Change / Amended

704 / 530282-100051 / Resurfacing Projects (Voted 2008) / \$1,367,559 / (\$1,367,559) / \$0
704 / 530282-100107 / Resurfacing - Urban Paving - FRA US 23-10-.510 (PID 86661) (Voted 2008) / \$2,105,970 / (\$53,750) / \$2,052,220
704 / 530282-100088 / Resurfacing - Hilltop (Voted 2008) / \$2,825,545 / \$1,421,309 / \$4,246,854

SECTION 2. That the sum of \$1,703,193.61 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2014 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 and appropriate said funds in SECTION 2 to the Streets and Highways G.O. Bonds Fund, Fund 704 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / CPA / OCA / Amount

704 / 530282-100088 / Resurfacing - Hilltop / 06-6600 / 748288 / \$1,421,308.76
704 / 590105 - 100104 / Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Avenue Improvements / 06-6600 / 741514 / \$281,884.85

SECTION 4. That the Director of Public Service be and is hereby authorized to enter into contract with Shelly & Sands, Inc., 1515 Harmon Avenue, Columbus, Ohio, 43223, for the construction of the Resurfacing - Sullivant Avenue, Bikeway Development - Sullivant East West Connector, and Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Avenue Improvements (HCMP) project in an amount up to \$1,955,891.60 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 \$176,030.24.

SECTION 5. That for the purpose of paying the cost of the contract and inspection, the sum of \$2,131,921.84 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

Contract (\$1,955,891.60)

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530282-100088 / Resurfacing - Hilltop / 06-6631 / 748288 / \$1,303,953.00
704 / 540002-100037 / Bikeway Development - Sullivant Corridor East-West Connector / 06-6631 / 740237 / \$393,328.65
704 / 590105-100104 / Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Avenue Improvements / 06-6631 / 741514 / \$258,609.95

Inspection (\$176,030.24)

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530282-100088 / Resurfacing - Hilltop / 06-6687 / 748288 / \$117,355.76
704 / 540002-100037 / Bikeway Development - Sullivant Corridor East-West Connector / 06-6687 / 740237 / \$35,399.58

704 / 590105-100104 / Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Avenue Improvements / 06-6687 / 741514 / \$23,274.90

SECTION 6. That the monies appropriated in the foregoing Section 3 shall be paid upon order of the Director of Public Service and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 7. That upon obtaining other funds for this project for the Department of Public Service, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3.

SECTION 8. 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 3 above.

SECTION 9. That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$1,703,193.62 (the "Obligations").

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

SECTION 10. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 11. 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.

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: 1062-2014

Drafting Date: 5/1/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

NRI Equity Land Investments, LLC, an Ohio limited liability company, by Nationwide Realty Investors, LTD, its Member and Manager, by Brian J. Ellis, President and Chief Operating Officer, owner of the platted land, has submitted the plat titled "Rail Street Section 1" to the City Engineer's Office for review and approval. This plat has been reviewed and approved by the City Engineer. The following legislation allows the City to accept said plat for property located north of Goodale Boulevard and west of State Route 315.

Emergency Justification: Emergency action is requested to allow development of this project to proceed as currently scheduled.

To accept the plat titled “Rail Street Section 1”, from NRI Equity Land Investments, LLC, an Ohio limited liability company, by Nationwide Realty Investors, LTD, its Member and Manager, by Brian J. Ellis, President and Chief Operating Officer, owner of the platted land; and to declare an emergency.

WHEREAS, the plat titled “Rail Street Section 1” (hereinafter “plat”), has been submitted to the City Engineer’s Office for approval and acceptance; and

WHEREAS, NRI Equity Land Investments, LLC, an Ohio limited liability company, by Nationwide Realty Investors, LTD, its Member and Manager, by Brian J. Ellis, President and Chief Operating Officer, owner of the platted land, desires to dedicate to the public use all or such parts of the Street, Drive and easements shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; 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 authorize the acceptance of this plat so development of this project can proceed as currently scheduled 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 plat titled “Rail Street Section 1” on file in the office of the City Engineer, Division of Planning and Operations, be and the same is hereby accepted.

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: 1064-2014

Drafting Date: 5/1/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the expenditure of \$200,000 for a Brownfield grant award pursuant to the Green Columbus Fund, which was established in 2010 by Ordinance 1462-2010 and amended in 2012 by Ordinance 1931-2012.

The Green Columbus Fund represents the City’s commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment. The program will produce economic, environmental and social benefits for Columbus and its residents.

This legislation authorizes the Director of Development to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment of the site at 272 S. Front Street, subject to the project attaining Brownfield assessment and redevelopment goals of the program, and

meeting the other terms and conditions of the agreement. It also authorizes the expenditure of up to \$200,000 for this purpose.

Emergency action is requested so that Brownfield assessment work can proceed immediately.

FISCAL IMPACT: Funding is from the Green Columbus Fund portion of the 2014 Capital Improvements Budget authorized by Ordinance 0683-2014.

To authorize the Director of the Department of Development to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment of the site located at 272 S. Front Street, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$200,000.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$200,000.00)

WHEREAS, the Department of Development administers from city bond proceeds the Green Columbus Fund, established by Ordinance 1462-2010 and amended by Ordinance 1931-2012; and

WHEREAS, the Green Columbus Fund represents the City's commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment, in order to produce economic, environmental and social benefits for Columbus and its residents; and

WHEREAS, the applicant has applied under the Brownfield assessment and redevelopment component of this program, the purpose of which is to encourage proper and productive use of the site, and the application has been approved by the Department of Development; and

WHEREAS, this legislation authorizes the Director of Development to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment of the site at 272 S. Front Street, subject to the project attaining Brownfield assessment and redevelopment goals of the program, and meeting the other terms and conditions of the agreement; and

WHEREAS, this Brownfield redevelopment project consists of Phase I Environmental Site Assessment and Physical Phase II Site Assessment for the site at 272 S. Front Street, with the objective of redeveloping this downtown property into the primarily residential Julian Building, and this \$200,000 Green Columbus Fund Brownfield Grant is required for that purpose; and

WHEREAS, funding is available under the Green Columbus Fund in the Northland and Other Acquisitions Fund 735; 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 grant agreement with Casto Communities Construction Ltd., so assessment work can proceed immediately, all for the immediate preservation of the public health, peace, safety and welfare; **NOW, THEREFORE**,

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

SECTION 1. That the Director of the Department of Development is hereby authorized to enter into a grant

agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment under the Green Columbus Fund Program for the site located at 272 S. Front Street.

SECTION 2. That for the purpose as stated in Section 1, the expenditure of \$200,000 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-01, Northland and Other Acquisitions Fund 735, Project 441749-100001, Object Level One 06, Object Level Three 6617, OCA Code 754151.

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

SECTION 5. That the 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 administrating said project that the project has been completed and the monies are no longer required for said project.

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: 1065-2014

Drafting Date: 5/1/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the expenditure of \$121,590 for a Brownfield grant award pursuant to the Green Columbus Fund, which was established in 2010 by Ordinance 1462-2010 and amended in 2012 by Ordinance 1931-2012.

The Green Columbus Fund represents the City's commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment. The program will produce economic, environmental and social benefits for Columbus and its residents.

This legislation authorizes the Director of Development to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment of the site at 5450 Riverside Drive, subject to the project attaining Brownfield assessment and redevelopment goals of the program, and meeting the other terms and conditions of the agreement. It also authorizes the expenditure of up to \$121,590 for this purpose.

Emergency action is requested so that Brownfield assessment work can proceed immediately.

FISCAL IMPACT: Funding is from the Green Columbus Fund portion of the 2014 Capital Improvements Budget authorized by Ordinance 0683-2014.

To authorize the Director of the Department of Development to enter into a grant agreement with Casto

Communities Construction Ltd. for Brownfield assessment and redevelopment of the site located at 5450 Riverside Drive, pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to \$121,590.00 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$121,590.00)

WHEREAS, the Department of Development administers from city bond proceeds the Green Columbus Fund, established by Ordinance 1462-2010 and amended by Ordinance 1931-2012; and

WHEREAS, the Green Columbus Fund represents the City's commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment, in order to produce economic, environmental and social benefits for Columbus and its residents; and

WHEREAS, the applicant has applied under the Brownfield assessment and redevelopment component of this program, the purpose of which is to encourage proper and productive use of the site, and the application has been approved by the Department of Development; and

WHEREAS, this legislation authorizes the Director of Development to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment of the site at 5450 Riverside Drive, subject to the project attaining Brownfield assessment and redevelopment goals of the program, and meeting the other terms and conditions of the agreement; and

WHEREAS, this Brownfield Assessment and redevelopment project known as Scioto Ridge consists of Phase I and Phase II Environmental Site Assessments and Physical Phase II Site Assessment for the site at 5450 Riverside Drive, and this \$121,590 Green Columbus Fund Brownfield Grant is required for that purpose; and

WHEREAS, funding is available under the Green Columbus Fund in the Northland and Other Acquisitions Fund 735; 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 grant agreement with Casto Communities Construction Ltd., so assessment work can proceed immediately, all for the immediate preservation of the public health, peace, safety and welfare; **NOW, THEREFORE**,

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

SECTION 1. That the Director of the Department of Development is hereby authorized to enter into a grant agreement with Casto Communities Construction Ltd. for Brownfield assessment and redevelopment under the Green Columbus Fund Program for the site located at 5450 Riverside Drive.

SECTION 2. That for the purpose as stated in Section 1, the expenditure of \$121,590 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-01, Northland and Other Acquisitions Fund 735, Project 441749-100001, Object Level One 06, Object Level Three 6617, OCA Code 754151.

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

SECTION 5. That the 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 administrating said project that the project has been completed and the monies are no longer required for said project.

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: 1066-2014

Drafting Date: 5/1/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background:

The Central Ohio Area Agency on Aging (COAAA) of the Recreation and Parks Department was awarded supplemental federal and state grants from the Ohio Department of Aging for the continuation of services to older adults in the Central Ohio area including Delaware, Fairfield, Fayette, Franklin, Licking, Madison, Pickaway and Union Counties.

This legislation authorizes increases to 30 community services contracts for the provision of meals, adult day care, homemaker, personal care, transportation, home repair and legal services for the period January 1, 2014 through December 31, 2014.

The service providers were selected from proposals submitted to the COAAA in 2013, and these contracts represent the first year of a four-year proposal period. Approximately 40,000 individuals are expected to be served.

Emergency action is requested in order to make the supplemental funds immediately available to the 30 community agencies, as stipulated in the grant requirements, and so there is no interruption of services to older adults.

Fiscal Impact:

\$320,000.00 is required and budgeted from the Recreation and Parks Grant Fund to meet the financial obligation of these contracts.

To authorize and direct the Director of Recreation and Parks to add additional funds to existing contracts with 30 community agencies to provide social and nutrition services to older adults in Central Ohio during 2014; to authorize the expenditure of \$320,000.00 from the Recreation and Parks Grant Fund; and to declare an emergency. (\$320,000.00)

WHEREAS, COAAA was awarded supplemental funding from the Ohio Department of Aging to allow the Director of Recreation and Parks to add additional funds to existing contracts with community agencies to provide social and nutrition services to older adults in Central Ohio during 2014; 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 contracts to avoid interruption of services to older adults, 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 Recreation and Parks be and he is hereby authorized and directed to add supplemental funding to 30 contracts for the provision of social and nutrition services to older adults in Central Ohio from January 1, 2014 through December 31, 2014 with the following community agencies:

American Red Cross (Franklin)
CAO of Delaware, Madison, Union Counties
CAC of Fayette County
Catholic Social Services (Franklin and Licking)
Carol Strawn Center (Licking)
Community Resource Center (Franklin)
Council for Older Adults (Delaware)
Easter Seals (Area-wide)
Employment for Seniors (Franklin)
FairHope (Fairfield)
Fayette County Commissioners
Franklin County Commissioners - Franklin County Office on Aging
Harmony Information Systems (Area-wide)
Heritage Day Health Center (Franklin)
Interim Health Care (Fayette, Madison, Union)
LEADS (Licking)
Legal Aid Society (Delaware, Franklin, Madison, Union)
Licking County Aging Program
LifeCare Alliance (Franklin and Madison)
Madison County Senior Center
Meals on Wheels-Older Adult Alternatives of Fairfield County
Memorial Hospital of Union County
Ohio State Legal (Fairfield, Pickaway, Licking, Fayette)
PICCA (Pickaway)
Pickaway County Commission on Aging
Salvation Army (Fairfield)
Senior Independence (Franklin)
Union County Senior Services
Union County Aging Transportation Service
Village Connections (Franklin)

SECTION 2. That these contracts are awarded pursuant to Section 329.15 of Columbus City Codes.

SECTION 3. That to pay the cost of said contract increases, the expenditure of \$320,000.00 or so much thereof as may be necessary, be and is hereby authorized from Recreation and Parks Grant Fund No. 286, Department No. 51, Object Level Three 3337, to pay the cost thereof as follows:

Grant Title: Title IIIB, Project No. 518301, OCA Code: 514505, Amount: \$105,000.00
Grant Title: Title IIIC/NSIP, Project No. 518303, OCA Code: 514513, Amount: \$215,000.00
TOTAL: \$320,000.00

SECTION 4. That 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. 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 6. 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 10 days after passage if the Mayor neither approves nor vetoes the same.

Legislation Number: 1068-2014

Drafting Date: 5/1/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND:

City Ordinance Number 1570-2011 authorized the Columbus City Attorney (“Attorney”) to engaged in the acquisition of certain fee simple title and lesser real estate interests (collectively, “Property”) for the City of Columbus, Ohio (“City”), Department of Public Service, Division of Design and Construction, Barnett Road/Main Street ODOT Urban Paving (FRA-40/PID-86649) Public Project (“Public-Project”). However, the Attorney was unable to locate some of the Property’s owners or agree with some of the Property’s owners regarding the amount of just compensation for the Property.

As a result, the City’s Council passed **City Resolution Number 0271X-2013** declaring the City’s necessity and intent to appropriate the Property. Furthermore, pursuant to Columbus City Code, Section 909.03, the Attorney served notice to the Property’s owners of the: (I) public purpose for the Public-Project and Property’s appropriation; and (II) adoption of City Resolution 0271X-2013. Therefore, this ordinance authorizes the Attorney to spend City funds and file necessary complaints for the appropriation and necessity of the Property for the Public-Project.

FISCAL IMPACT: The Public-Project’s funding will come from the Department of Public Service Street and Highway Improvement Fund, Fund Number 766.

EMERGENCY JUSTIFICATION: Emergency action is requested to allow for the appropriation and acquisitions of the Property necessary for the Public-Project to proceed without delay, which will preserve the public peace, property, health, safety, and welfare.

This ordinance: (I) authorizes the Columbus City Attorney to file complaints for the appropriation of fee simple title and lesser real property interests necessary for the City’s Department of Public Service, Division of Design and Construction, Barnett Road/Main Street ODOT Urban Paving (FRA-40/PID-86649) Public Project; (II) authorizes the Columbus City Attorney to spend Two Thousand, Eight Hundred Fifty-six, and 00/100 U.S. Dollars from the City’s Department of Public Service Street and Highway Improvement Fund, Fund Number 766; and (III) declares an emergency. (\$2,856.00)

WHEREAS, City Ordinance Number 1570-2011 authorized the Attorney to engaged in the acquisition of the Property for the City’s Public-Project;

WHEREAS, the Attorney was unable to locate some of the Property’s owners or agree with some of the Property’s owners regarding the amount of just compensation for the Property;

WHEREAS, **City Resolution Number 0271X-2013** declared the City’s necessity and intent to appropriate the Property for the Public-Project;

WHEREAS, pursuant to Columbus City Code, Section 909.03, the Attorney served notice to the Property’s owners of the: (I) public purpose for the Public-Project and Property’s appropriation; and (II) adoption of City Resolution 0271X-2013;

WHEREAS, an emergency exists in the usual daily operation of the City, because it is necessary to appropriate the Property so there will be no delay in the Public-Project, which immediately preserves the public peace, property, health, safety, and welfare; and **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO (“CITY”):

SECTION 1. The fee simple title and lesser real property interests associated with the parcels of real property interests listed in Section 4 of this ordinance (collectively, “Property”) are: (I) fully described in **City Resolution Number 0271X-2013**; (II) fully incorporated into this ordinance for reference; and (III) to be appropriated for the public purpose of the City’s Department of Public Service, Division of Design and Construction, Barnett Road/Main Street ODOT Urban Paving (FRA-40/PID-86649) Public Project (“Public-Project”).

SECTION 2. Pursuant to the City’s power and authority under the: (I) Ohio Constitution; (II) Ohio Revised Code, Sections 715.01, 717.01, and 719.01-719.02; (III) City’s Charter; and (IV) Columbus City Code (1959), Chapter 909, the Columbus City Council declares the City’s appropriation of the Property are necessary for the Public-Project, because the City was unable to locate the Property’s owners or agree with the Property’s owners regarding the amount of just compensation paid for the Property.

SECTION 3. Columbus City Council declares its intention to obtain immediate possession of the Property described in this ordinance for the Public-Project.

SECTION 4. Columbus City Council declares that the fair market value of the Property as follows:

PUBLIC-PROJECT’S PARCEL NUMBER(S) (FMVE AMOUNT)

PROPERTY-OWNER(S)

ADDRESS(ES)

1-SW (FMVE: \$544.00)

L.L.L.J.M.A.S. LLC, an Ohio limited liability company
3446 East Main St., Columbus, OH 43213

2-SW (FMVE: \$2,312.00)

Wirthman Realty Company., Ltd., an Ohio limited partnership
3515 East Main St., Columbus, OH 43213

TOTAL.....\$2,856.00

SECTION 5. The Columbus City Attorney is authorized to file complaints for appropriation of the Property

in the appropriate court of common pleas and impanel a jury to inquire and assess the just compensation to pay for the Property necessary for the Public-Project.

SECTION 6. In order to pay for the Property's acquisition and appropriation costs for the Public-Project, the City authorizes the sum of up to **Two Thousand, Eight Hundred Fifty-six, and 00/100 U.S. Dollars (\$2,856.00)**, or so much as may be needed, to be expended from the Department of Public Service Street and Highway Improvement Fund, Fund Number 766, as follows:

Department of Public Service, Division of Design & Construction:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / AC # / Amount

766/(530161-100072)/Roadway Improvement - Misc. Right-of-Way (Barnett Road/Main Street ODOT Urban Paving)/06-6601/766172/AC-032877/\$2,856.00

SECTION 7. The City Auditor is authorized to make any accounting changes to revise the funding source associated with this ordinance.

SECTION 8. For the reasons stated in this ordinance's preamble, which are made a part of this ordinance, this ordinance is declared to be an emergency measure and will take effect and be in force from and after this ordinance's passage and approval by the Mayor or ten days after this ordinance's passage if the Mayor neither approves nor vetoes this ordinance.

Legislation Number: 1071-2014

Drafting Date: 5/1/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance is for the creation of a Universal Term Contract for the option to purchase Automotive and Truck Spring Repairs on an as needed basis by the Division of Fleet Management. These repairs are necessary to maintain the City's fleet of vehicles. The term of the proposed option contract would be through June 30, 2016 with the option to renew for one (1) additional year subject to mutual agreement. The Purchasing Office opened formal bids on April 10, 2014.

The Purchasing Office advertised and solicited competitive bids in accordance with Section 329.06 (Solicitation No. SA005344). One hundred sixty two (162) Bids were solicited: (M1A-2:F1-3) One (1) Bid was received.

The Purchasing Office is recommending award to the lowest, responsive, responsible and best bidder:

Jones Truck & Spring Repair, Inc. CC#310934536 (expires 5-1-2016)

Total Estimated Annual Expenditure: \$100,000.00

The company is not debarred according to the Excluded Party Listing System of the Federal Government or prohibited from being awarded a contract according to the Auditor of State Unresolved Findings for Recovery Certified Search. This ordinance is being submitted as an emergency because, without emergency action, no less than 37 days will be added to this procurement cycle and the efficient delivery of valuable public services will be slowed.

FISCAL IMPACT: Funding to establish this option contract is from the General Fund. The Division of Fleet

Management will be required to obtain approval to expend from their own appropriations for their estimated annual expenditures.

To authorize the Finance & Management Director to enter into a contract for the option to purchase Automotive and Truck Spring Repairs with Jones Truck & Spring Repair, Inc, to authorize the expenditure of one (1) dollar to establish the contract from the General Fund, and to declare an emergency. (\$1.00)

WHEREAS, the Purchasing Office advertised and solicited formal bids on April 10, 2014 and selected the lowest responsive, responsible and best bidder; and

WHEREAS, this ordinance addresses Purchasing objective of 1) maximizing the use of City resources by obtaining optimal products/services at low prices and 2) encouraging economic development by improving access to City bid opportunities and 3) providing effective option contracts for the purchase of Automotive and Truck Spring Repairs to enable Fleet Management's to maintain the City's vehicles; and

WHEREAS, in order to maintain the ability to provide Automotive and Truck Spring Repairs, this is being submitted for consideration as an emergency measure; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Fleet Management, in that it is immediately necessary to enter into a contract for an option to purchase Automotive and Truck Spring Repairs on an as needed basis, thereby preserving the public health, peace, property, safety, and welfare; now, therefore,

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

SECTION 1. That the Finance and Management Director be and is hereby authorized to enter into the following contract for the option to purchase Automotive and Truck Spring Repairs for the term ending June 30, 2016 with the option to extend this contract subject to mutual agreement for one (1) year in accordance with Solicitation No. SA005344 as follows:

Jones Truck & Spring Repair, Inc. All. Items Amount \$1.00

SECTION 2. That the expenditure of \$1.00 is hereby authorized from the General Fund: Organization Level 1: 45-01; Fund 10; OCA 450047 Object Level 3: 2270 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: 1073-2014

Drafting Date: 5/2/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND:

On October 3, 2012 a request for proposal SA004617 for various banking services was issued by the Columbus City Treasurer's Office. Proposals were received from six (6) local banks and subsequently reviewed by the Columbus Depository Commission, which recommended, subject to the approval of City Council, the award of banking services to specific banks on April 18, 2013. All such banks are currently eligible depositories of the City of Columbus, pursuant to Chapter 321.04 of the Columbus City Code. Approval is based upon Applications for the Deposit of Public Funds, which were submitted by each bank and approved at a meeting of the Columbus Depository Commission held on December 28, 2012. The contracts are for a period of ten (10) years beginning June 1, 2013 through May 31, 2023 subject to annual appropriations and approval of contracts by the Columbus City Council.

On May 6, 2013 contracts for the first year of banking services was authorized by Columbus City Council, ordinance number 1040-2013, for the period of June 1, 2013 through May 31, 2014.

The City Treasurer's Office now wishes to modify and extend its contracts for banking for the second year of the ten year contracts for the period June 1, 2014 through May 31, 2015.

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 for these expenditures are budgeted and available within the various funds' 2014 budget appropriations.

Contract Compliance: JP Morgan Chase Bank, 134994650, expiration 9/26/2014; Huntington National Bank, 113328074, expiration 12/17/2014 and 310966785, expiration 10/25/2014; Fifth Third Bank 310676865, expiration 10/22/2014

To authorize the City Treasurer to modify its contracts for various banking services with JP Morgan Chase Bank, Huntington Bank and Fifth Third Bank; to authorize the expenditure of up to \$1,951,240 from various funds within the city; and to declare an emergency. (\$1,951,240.00)

WHEREAS, the City Treasurer proposed the award of contracts for banking services as provided for in an RFP issued on October 3, 2012, for which the Columbus Depository Commission, at a meeting held on April 18, 2013, recommended the award of banking services, subject to approval by Columbus City Council; and

WHEREAS, Columbus City Council authorized contracts for the first year of a ten year contract for banking services for the period of June 1, 2013 through May 31, 2014 on May 6, 2013, ordinance 0912-2012; and

WHEREAS, the City Treasurer now wishes to modify and extend its contracts for the second year of banking services for the period of June 1, 2014 through May 31, 2015; and

WHEREAS, as an emergency exists in the usual daily operation of the Office of the City Treasurer as it is immediately necessary to modify the contracts and authorize the expenditures as cited below, providing banking services necessary for the daily operation of normal business activities of the City of Columbus thereby preserving the public health, peace, property, safety and welfare; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the City Treasurer is hereby authorized to modify its contract with JP Morgan Chase Bank

for the provision of the main operating account (for the City Treasurer, the Department of Public Utilities and the Income Tax Division), the payroll account, the Utilities E-lockbox, and the tax ACH account of the City of Columbus for the period June 1, 2014 through May 31, 2015 and to authorize the expenditure of \$92,000, or so much thereof as may be necessary, as follows:

Division: 2202 | Fund: 010 | OCA: 220202 | Object level one: 03 | Object level three code: 3348 | Amount: \$60,000.00 | Income Tax

Division: 6009 | Fund: 600 | OCA: 602318 | Object level one: 03 | Object level three code: 3348 | Amount: \$12,000.00 | Division of Water

Division: 2301 | Fund: 010 | OCA: 230227 | Object level one: 03 | Object level three code: 3348 | Amount: \$20,000.00 | City Treasurer

SECTION 2. The City Treasurer is hereby authorized to modify its contract with Huntington Bank for the provision of credit card processing services for the period June 1, 2014 through May 31, 2015 and to authorize the expenditure of \$1,711,240.00 or so much thereof as may be necessary, as follows:

Division: 2202 | Fund: 010 | OCA: 220202 | Object level one: 03 | Object level three code: 3348 | Amount: \$20,000.00 | Income Tax

Division: 3002 | Fund: 010 | OCA: 320103 | Object level one: 03 | Object level three code: 3348 | Amount: \$3,000.00 | Support Services

Division: 3004 | Fund: 223 | Subfund: 133 | OCA: 223133 | Object level one: 03 | Object level three code: 3348 | Amount: \$5,000.00 | Fire

Division: 4301 | Fund: 240 | OCA: 430386 | Object level one: 03 | Object level three code: 3348 | Amount: \$228,000.00 | Building & Zoning

Division: 4505 | Fund: 513 | OCA: 451409 | Object level one: 03 | Object level three code: 3348 | Amount: \$5,000.00 | Fleet Management

Division: 4601 | Fund: 298 | OCA: 461298 | Object level one: 03 | Object level three code: 3348 | Amount: \$1,000.00 | Human Resources

Division: 5001 | Fund: 250 | OCA: 502823 | Object level one: 03 | Object level three code: 3348 | Amount: \$20,000.00 | Health

Division: 5101 | Fund: 285 | OCA: 510289 | Object level one: 03 | Object level three code: 3348 | Amount: \$52,000.00 | Recreation and Parks

Division: 5103 | Fund: 284 | OCA: 516005 | Object level one: 03 | Object level three code: 3348 | Amount: \$3,000.00 | Golf

Division: 5103 | Fund: 284 | OCA: 516021 | Object level one: 03 | Object level three code: 3348 | Amount: \$8,000.00 | Golf

Division: 5103 | Fund: 284 | OCA: 516062 | Object level one: 03 | Object level three code: 3348 | Amount: \$7,000.00 | Golf

Division: 5103 | Fund: 284 | OCA: 516310 | Object level one: 03 | Object level three code: 3348 | Amount:

\$7,500.00 | Golf

Division: 5103 | Fund: 284 | OCA: 516104 | Object level one: 03 | Object level three code: 3348 | Amount: \$12,000.00 | Golf

Division: 5103 | Fund: 284 | OCA: 516187 | Object level one: 03 | Object level three code: 3348 | Amount: \$7,000.00 | Golf

Division: 5103 | Fund: 284 | OCA: 516146 | Object level one: 03 | Object level three code: 3348 | Amount: \$3,500.00 | Golf

Division: 5910 | Fund: 268 | OCA: 268101 | Object level one: 03 | Object level three code: 3348 | Amount: \$461,240.00 | Mobility Options

Division: 5911 | Fund: 265 | OCA: 591101 | Object level one: 03 | Object level three code: 3348 | Amount: \$8,000.00 | Planning and Operations

Division: 6009 | Fund: 600 | OCA: 602318 | Object level one: 03 | Object level three code: 3348 | Amount: \$860,000.00 | Division of Water

SECTION 3. That the City Treasurer is hereby authorized to enter into contract with Fifth Third Bank for the provision of the investment safekeeping account of the City of Columbus for the period June 1, 2014 through May 31, 2015 and to authorize the expenditure of \$8,000, or so much thereof as may be necessary, as follows:

Division: 2301 | Fund: 010 | OCA: 230227 | Object level one: 03 | Object level three code: 3348 | Amount: \$8,000.00 | City Treasurer

SECTION 4. That the City Treasurer is hereby authorized to enter into contract with the Huntington National Bank for the provision of banking services to facilitate the processing of credit card and lockbox payments for the period June 1, 2014 through May 31, 2015, and to authorize the expenditure of up to \$10,000, or as much thereof as may be necessary, as follows:

Division: 2301 | Fund: 010 | OCA: 230227 | Object level one: 03 | Object level three code: 3348 | Amount: \$10,000.00 | City Treasurer

SECTION 5. That the City Treasurer is hereby authorized to enter into contract with the Huntington National Bank for the provision of water lockbox services for the period June 1, 2014 through May 31, 2015, and to authorize the expenditure of up to \$130,000, or so much thereof as may be necessary, as follows:

Division: 6009 | Fund: 600 | OCA: 602318 | Object level one: 03 | Object level three code: 3348 | Amount: \$130,000.00 | Division of Water

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: 1075-2014

Drafting Date: 5/2/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND:

The Division of Income Tax has previously contracted with the Huntington National Bank for the purpose of providing certain lockbox services related to the processing of income tax remittances.

The lockbox contract provides for the direct deposit of known income tax receipts. The City benefits from greater investment earnings as less processing time is required prior to deposit of receipts.

Item No. 14 of the original contract EL014285 through May 31, 2014, as modified, provides for the option to renew for nine (9) one (1) year periods. At this time, the Division is exercising its option to renew for the first of the nine renewal periods of the contract. The Huntington National Bank contract compliance number is 310966785-001 expires 02-14-2016.

Emergency action is being requested to allow the financial transaction to be posted in the city's accounting system as soon as possible and allow for uninterrupted service. Up to date financial posting promotes accurate accounting and financial management.

FISCAL IMPACT:

The funds for this modification are included in the Division of Income Tax budget for 2014 in the amount of \$150,000.00.

To authorize and direct the City Auditor to modify and extend a contract with the Huntington National Bank for lockbox banking services to be performed for the City Auditor, Division of Income Tax through May 31, 2015; to authorize the expenditure of \$150,000.00 from the general fund; and to declare an emergency. (\$150,000.00)

WHEREAS, the Division of Income Tax originally entered into a contract with the Huntington National Bank on June 1, 2013; and

WHEREAS, Contract No. EL014285 provides an option for the City to renew its contract with the Huntington National Bank for nine (9) one (1) year terms; and

WHEREAS, the Division of Income Tax desires the City Auditor to exercise the annual renewal option listed as Item No. 14 of the original agreement for the first of nine renewal periods through May 31, 2015; and

WHEREAS, an emergency exists in the usual daily operation of the Income Tax Division in that it is immediately necessary to modify and extend the contract with Huntington National Bank for certain lockbox services to ensure uninterrupted service, thereby preserving the public health, peace, property, safety and welfare, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the City Auditor be and is hereby authorized and directed to modify and extend the contract with Huntington National Bank for certain "lockbox" services for the processing of income tax remittances through May 31, 2015.

SECTION 2. That the expenditure of \$150,000.00 or so much thereof as may be necessary is hereby

authorized from the General Fund 010, Auditor's Office/Income Tax Division 22-02, OCA Code 220202, Object Level Three 3348.

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 emergency measure and shall 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: 1076-2014

Drafting Date: 5/5/2014

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 transfer of one parcel located at 185 North Wheatland Avenue (010-023055) to Christopher V. Flores, who will rehabilitate the existing single-family structure to be maintained as a rental unit. 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 in order to reduce Land Bank maintenance costs.

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 (185 N. Wheatland Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

WHEREAS, by Ordinance 1325-98, 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, or any other land acquired as part of the land reutilization program; and

WHEREAS, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.06 meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

WHEREAS, in conformity with Ohio Revised Code Section 5722.07, the property will be sold at not less than fair market value, defined as 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; therefore, competitive bidding is not required; 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 Land Bank maintenance costs, 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 Christopher V. Flores:

PARCEL NUMBER: 010-023055
ADDRESS: 185 North Wheatland Avenue, Columbus, Ohio 43204
PRICE: \$9,500 plus a \$100.00 processing fee
USE: Single-family rental unit

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

Being Lot Number One Hundred Eighty (180) of the Subdivision or Allotment known as GLEN VIEW HEIGHTS, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 11, Page 4, Recorder's Office, Franklin County, Ohio.

SECTION 2. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, deed restriction, or mortgage to ensure compliance with Land Bank Program rules and the submitted application and to release such restriction or mortgage upon compliance.

SECTION 3. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

SECTION 4. 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 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: 1077-2014

Drafting Date: 5/5/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. BACKGROUND

This ordinance authorizes the Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for ODOT's FRA-40-17.57, PID 86649 construction project, which includes the repaving of US 40 from SLM 17.57 to 18.63 (Broad St. from Bexley/Columbus corporation line to Columbus/Whitehall corporation line) and from SLM 21.40 to 22.45 (Broad Street from Whitehall/Columbus corporation line to Columbus/Reynoldsburg corporation line). Also included is the reconstruction of curb ramps to be ADA compliant.

Construction is currently estimated to begin in September 2014, and conclude in October 2015.

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

2. FISCAL IMPACT

The estimated cost of the project is \$1.35 million. Columbus' estimated contribution is \$542,000.00; however funding is not needed at this time. The Director of Public Service shall seek Council approval for funding at a later date.

3. EMERGENCY DESIGNATION

Emergency action is requested to provide consent for this project and meet ODOT's current project schedule.

To authorize the Director of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation for the FRA-40-17.57, PID 86649 construction project and to declare an emergency. (\$0.00)

WHEREAS, the Ohio Department of Transportation proposes to repave US 40 from SLM 17.57 to 18.63 and from SLM 21.40 to 22.45 and reconstruct curb ramps to be ADA compliant; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize consent in order to continue the schedule established by the Ohio Department of Transportation for this project, 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 - Project Description

This project includes the repaving of US 40 from SLM 17.57 to 18.63 and from SLM 21.40 to 22.45, and reconstruction of curb ramps to be ADA compliant.

SECTION 2 - Consent Statement

This ordinance authorizes the Director of Public Service to grant consent to the Director of the Ohio Department of Transportation to complete the above described project.

SECTION 3 - Cooperation Statement

This ordinance authorizes the Director of Public Service to cooperate with the Director of the Ohio Department of Transportation in the above described project as follows:

The LPA 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 LPA agrees to assume and bear one hundred percent (100%) of the cost of Design, Right-of-Way and Construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

The LPA agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the LPA which are not necessary for the improvement as determined by the State and Federal Highway Administration.

SECTION 4 - 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.

SECTION 5 - Maintenance

Upon completion of the described 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, 23 USC 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 6 - Emergency

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 and or vetoes the same.

Legislation Number: 1078-2014

Drafting Date: 5/5/2014

Version: 1

Current Status: Passed

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 transfer of one parcel located at 399 S. Eureka Ave. (010-000586) to Christopher V. Flores, who will rehabilitate the existing single-family structure to be maintained as a rental unit. 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 in order to reduce Land Bank maintenance costs.

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 (399 S. Eureka Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

WHEREAS, ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the City's Neighborhood Stabilization Program application with the United States Department of Housing and Urban Development, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

WHEREAS, ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development's to expend funds and acquire properties under the Neighborhood Stabilization Program; and

Whereas, by Ordinance 1325-98 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; or any other land it acquires as part of its land utilization program; and

WHEREAS, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.06 meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

WHEREAS, in conformity with Ohio Revised Code Section 5722.07, the property will be sold at not less than fair market value, defined as 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; therefore, competitive bidding is not required; 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 Land Bank maintenance costs, 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 Christopher V. Flores:

PARCEL NUMBER: 010-000586
ADDRESS: 399 South Eureka Avenue, Columbus, Ohio 43204
PRICE: \$3,500 plus a \$100.00 processing fee
USE: Single-family rental unit

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

Being Lot number one hundred eighty seven (187) in Bellaire Addition, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, Pages 236 and 237, Recorder's Office, Franklin County, Ohio.

SECTION 2. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, deed restriction, or mortgage to ensure compliance with Land Bank Program rules and the submitted application and to release such restriction or mortgage upon compliance.

SECTION 3. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

SECTION 4. 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 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: 1079-2014

Drafting Date: 5/5/2014

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 transfer of one parcel located at 3210 V Avenue (010-115814) to Kristi Stewart-Mullins, who will maintain the vacant parcel as a side yard expansion under the Mow to Own Program. 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 in order to reduce Land Bank maintenance costs.

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 (3210 V Avenue) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

WHEREAS, by Ordinance 1325-98, 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, or any other land acquired as part of the land reutilization program; 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, in conformity with Ohio Revised Code Section 5722.07, the property will be sold at not less than fair market value, defined as 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; therefore, competitive bidding is not required; 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 Land Bank maintenance costs, 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 Kristi Stewart-Mullins:

PARCEL NUMBER: 010-115814
ADDRESS: 3210 V Avenue, Columbus, Ohio 43207
PRICE: \$3,826 minus credits granted by the City under the Mow to Own Program, plus a \$100.00 processing fee
USE: Side yard expansion

Situated in the State of Ohio, County of Franklin, and in the City of Columbus, being One Hundred Nine and One-Half (109½) feet off the entire north side of the west one-half of Parcel Fifteen (15) of Lewis Garden Acres, bounded and described as follows:

Beginning at a point in the north line of Lot 5 of the partition of the Estate of Michael Fisher among his heirs shown in Chancery Record 1, page 393, Court of Common Pleas, Franklin County, Ohio, 611.5 feet east from a stone in the northwest corner of said Lot 5;

Thence S 5° 45' W, 109.5 feet to a point;
Thence S 84° 34' E, 94.25 feet to a point;
Thence N 5° 45' E to a point in the north line of said Lot 5;
Thence along the said north line of said Lot 5 to the Place Of Beginning.

SECTION 2. For the property stated in Section 1, that the City will credit the Buyer at the time of transfer for the value of maintenance and/or improvements made by the Buyer under the Mow to Own Program as specified in the Memorandum of Understanding.

SECTION 3. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, deed restriction, or mortgage to ensure compliance with Land Bank Program rules and the submitted application and to release such restriction or mortgage upon compliance.

SECTION 4. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

SECTION 5. 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 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: 1080-2014

Drafting Date: 5/5/2014

Version: 1

Current Status: Passed

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 transfer of one parcel located at 1078 E. 16th Ave. (010-033822) to Martha J. Henderson, who will rehabilitate the existing single-family structure to be maintained as a rental unit. 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 in order to reduce

Land Bank maintenance costs.

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 (1078 E. 16th Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

WHEREAS, ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the City's Neighborhood Stabilization Program application with the United States Department of Housing and Urban Development, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

WHEREAS, ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development's to expend funds and acquire properties under the Neighborhood Stabilization Program; and

Whereas, by Ordinance 1325-98 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; or any other land it acquires as part of its land utilization program; and

WHEREAS, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.06 meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

WHEREAS, in conformity with Ohio Revised Code Section 5722.07, the property will be sold at not less than fair market value, defined as 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; therefore, competitive bidding is not required; 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 Land Bank maintenance costs, 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 Martha J. Henderson:

PARCEL NUMBER: 010-033822

ADDRESS: 1078 East 16th Avenue, Columbus, Ohio 43211
PRICE: \$3,300 plus a \$100.00 processing fee
USE: Single-family rental unit

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

Being Lot Number Three Hundred Fifty-Seven (357) Louis Heights Additions, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 11, Page 8, Recorder's Office, Franklin County, Ohio.

SECTION 2. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, deed restriction, or mortgage to ensure compliance with Land Bank Program rules and the submitted application and to release such restriction or mortgage upon compliance.

SECTION 3. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

SECTION 4. 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 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: 1085-2014

Drafting Date: 5/5/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

1. BACKGROUND:

This ordinance realigns departmental responsibilities with respect to management of the city's transportation infrastructure. The Department of Public Service's leadership performed a comprehensive review of processes and work flows. This review revealed inefficient processes and imbalance of workload amongst employees.

Therefore, the existing Division of Mobility Options which comprises approximately 58 employees will be eliminated and one new division will be created within the Department of Public Service; the Division of Traffic Management. The department will also rename the Division of Planning and Operations to the Division of Infrastructure Management. The new division and the renamed division are organized around workflows, the capital project development process, and a multi-modal transportation system.

The Division of Infrastructure Management will focus on long term planning and management services for transportation infrastructure assets, including pavement and structures management, pedestrian and biking facility management, zoning and right-of-way permit reviews, and plat reviews. The division shall also provide street maintenance services including street sweeping, litter control, graffiti removal, and snow removal.

The Division of Design and Construction will focus on design services for transportation infrastructure

improvement projects - including capital project prioritization, scoping project management, and plan review. Design services will also focus on in-house design, including but not limited to the resurfacing program. The division will also provide construction services including management of construction contracts, construction inspection, surveying, and materials testing services.

The Division of Traffic Management will focus on parking services, parking enforcement, traffic engineering services and traffic maintenance. The parking services and traffic engineering will include safety studies, parking studies, speed studies, capacity reviews, signal warrant analysis and will work closely with the public on needs throughout the city. The division shall also provide traffic maintenance services including installation and maintenance of pavement markings, traffic signals, traffic signage, and parking meters. The division shall also provide parking management and violation services including the parking violations bureau as established by 2150.04 of the Columbus City Code.

2. FISCAL IMPACT:

There is no direct fiscal impact associated with this reorganization and associated code changes; however, in the long term the three divisions should create operational efficiencies and streamline existing functions. The costs associated with new positions have been offset by the elimination of vacancies.

To enact new section 219.033 of the Columbus City Code; to amend sections 219.01, 219.02, 219.031, 219.032, 2150.04 of the Columbus City Code and to repeal section 219.03 of the Columbus City Code in order to eliminate the Division of Mobility Options, to rename the Division of Planning and Operations to the Division of Infrastructure Management, and to create a new Division of Traffic Management within the Department of Public Service to reflect the reorganization in the Department of Public Service.

WHEREAS, the leadership of the Department of Public Service has completed a comprehensive review of processes and work flows within the existing structure, and documented inefficient processes, an unbalanced workload amongst employees, and an inconsistency among the current divisions; and

WHEREAS, as a result of this review it has been determined necessary to reorganize the existing divisions in the Department of Public Service; and

WHEREAS, the existing Division of Mobility Options which comprises approximately 58 employees will be eliminated and one new division will be created within the Department of Public Service; the Division of Traffic Management;

WHEREAS, the department will also rename the Division of Planning and Operations to the Division of Infrastructure Management; and

WHEREAS, this reorganization is an outcome of the Administration's comprehensive review of work flows and will improve many services such as plan and permit review, project prioritization, capital project delivery, and maintenance of our existing transportation infrastructure; and

WHEREAS, this ordinance shall take effect and be in force from and after the July 1, 2014.; now, therefore:

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

SECTION 1. That new Section 219.033 of the Columbus City Codes, 1959, is hereby enacted to read as

follows:

219.033 Division of traffic management

The division of traffic management is established as a division of the department of public service. The administrative head of the division shall be the traffic division administrator. The division of traffic management will focus on parking services, parking enforcement, traffic engineering services and traffic maintenance. The parking services and traffic engineering will include safety studies, parking studies, speed studies, capacity reviews, signal warrant analysis and will work closely with the public on needs throughout the city. The division shall also provide traffic maintenance services including installation and maintenance of pavement markings, traffic signals, traffic signage, and parking meters. The division shall also provide parking management and violation services including the parking violations bureau as established by 2150.04 of the Columbus City Code.

SECTION 2. That Sections 219.01, 219.02, 219.031, 219.032, and 2150.04 of the Columbus City Codes, 1959, be amended to read as follows:

219.01 Department of public service established.

There is established a department of public service consisting of a director of public service, two (2) deputy directors of public service, ~~the division of mobility options,~~ **the division of traffic management,** ~~the division of planning and operations,~~ **the division of infrastructure management,** the division of design and construction, and the division of refuse collection. The department of public service shall perform all lawful functions as may be directed by the mayor or ordinance of council.

219.02 Duties of director and deputy director.

The director of public service shall be appointed by the mayor and shall serve at the pleasure of the mayor at a salary fixed by ordinance of council. The director of public service shall have all powers and duties connected with and incident to the appointment, regulation and government of the department of public service and all powers and duties specifically vested in the director of public service by the charter of the city. The director shall designate one (1) of the deputy directors **or one (1) of the assistant directors** of public service who shall serve in the absence of the director.

219.031 ~~Division of planning and operations,~~ infrastructure management

The division of ~~planning and operations~~ **infrastructure management** is established as a division of the department of public service. The administrative head of the division shall be the ~~planning and operations~~ **infrastructure management** administrator. The division of ~~planning and operations~~ **infrastructure management** shall have as its primary duties **long term planning and management** services for transportation infrastructure **assets** including ~~traffic and safety studies,~~ pavement and structures management, **pedestrian and biking facility management,** ~~capital project prioritization and scoping,~~ zoning and right-of-way permit reviews, and plat reviews. The division shall also provide street ~~and traffic~~ maintenance services including street sweeping, litter control, graffiti removal, and snow removal, ~~installation and maintenance of pavement markings, traffic signals, traffic signage, and parking meters.~~

219.032 Division of design and construction.

The division of design and construction is established as a division of the department of public service. The administrative head of the division shall be the design and construction administrator. The division of design and construction shall have as its primary duties the design of transportation infrastructure **improvement projects** including **capital project prioritization, scoping, project management, and** development of construction plans, plan review, ~~right-of-way and utility management, and management of design contracts.~~ **Design services will focus on in-house design, including but not limited to the resurfacing program.** The division shall also provide construction services including management of construction contracts, construction inspection, surveying, and materials testing.

2150.04 Parking Violation Bureau.

- (a) The City of Columbus Parking Violations Bureau is hereby established pursuant to Section 4521.04 of the Ohio Revised Code. The Bureau shall be a section within the division of ~~mobility~~ **traffic management** within the department of public service. The bureau has jurisdiction over each parking infraction that occurs within the territory of the City of Columbus. The bureau will also issue residential parking permits for areas established pursuant to Section 2105.21 of this Code. The issuance or renewal of a permit under this section shall not be granted until all outstanding parking infractions under this code are paid in full. Notwithstanding any other provision of law to the contrary, each parking infraction that occurs within the jurisdiction of the bureau and the enforcement of each such parking infraction shall be handled pursuant to and be governed by the provisions of Title 21 of this Code.
- (b) The operating costs of the bureau shall be paid by the City of Columbus. The director of public service shall appoint ~~a parking violations bureau coordinators~~ (violations clerks), hearing examiners and the necessary clerical employees. No person shall be employed as a hearing examiner unless the person is an attorney admitted to the practice of law in this state or formerly was employed as a law enforcement officer.
- (c) The fines, penalties, fees and costs established for a parking infraction shall be collected, retained and disbursed by the violations clerk if the parking infraction out of which the fine, penalties, fees and costs arose occurred within the jurisdiction of the bureau. The violations clerk shall issue tickets for parking infractions to law enforcement officers for the City of Columbus and prescribe conditions for issuance and accountability. The fine, penalties, fees and costs collected by a violations clerk for a parking infraction shall be disbursed by the clerk to the City of Columbus.
- (d) The director of public service shall have authority to contract with any non-governmental entity to provide services in processing, collecting and enforcing parking tickets issued by law enforcement officers and civil judgments and default civil judgments entered pursuant to this chapter. No contract shall affect the responsibilities of hearing examiners as prescribed in this chapter or the ultimate responsibility of the violations clerk to collect, retain and disburse fines, penalties, fees and costs for parking infractions and monies paid in satisfaction of judgments and default judgment entered pursuant to this chapter

SECTION 3. That existing Sections 219.01, 219.02, 219.03, 219.031, 219.032, and 2150.04 be and are hereby repealed.

SECTION 4. That this ordinance shall take effect and be in force from and after July 1, 2014.

Legislation Number: 1086-2014

Drafting Date: 5/5/2014

Current Status: Passed

Version: 2

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the expenditure of ~~54,600~~ **99,671.25** for a Brownfield grant award pursuant to the Green Columbus Fund, which was established in 2010 by Ordinance 1462-2010 and amended in 2012 by Ordinance 1931-2012.

The Green Columbus Fund represents the City's commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment. The program will produce economic, environmental and social benefits for Columbus and its residents.

This legislation authorizes the Director of Development to enter into a grant agreement with Woods Development Group for Brownfield assessment and redevelopment of the site at 122 Parsons Ave., subject to the project attaining Brownfield assessment and redevelopment goals of the program, and meeting the other terms and conditions of the agreement. It also authorizes the expenditure of up to ~~54,600~~ **99,671.25** for this purpose.

122 Parsons Ave was once occupied by a carpet sales and distribution facility, until it caught fire and burned down. The property is currently vacant land with no on-site improvements. The redevelopment plan calls for building a residential structure containing 42 units.

Emergency action is requested so that Brownfield assessment work can proceed immediately.

FISCAL IMPACT: Funding is from the Green Columbus Fund portion of the 2014 Capital Improvements Budget.

To authorize the Director of the Department of Development to enter into a grant agreement Woods Development Group for Brownfield assessment and redevelopment of the site located at 122 Parsons Ave., pursuant to the Green Columbus Fund Program; to authorize the expenditure of up to ~~54,600~~ **99,671.25** from the Northland and Other Acquisitions Fund; and to declare an emergency. ~~(54,600)~~ **(99,671.25)**

WHEREAS, the Department of Development administers from city bond proceeds the Green Columbus Fund, established by Ordinance 1462-2010 and amended by Ordinance 1931-2012; and

WHEREAS, the Green Columbus Fund represents the City's commitment to foster sustainable building through LEED certification and to foster sustainable Brownfield assessment and redevelopment, in order to produce economic, environmental and social benefits for Columbus and its residents; and

WHEREAS, the applicant has applied under the Brownfield assessment and redevelopment component of this program, the purpose of which is to encourage proper and productive use of the site, and the application has been approved by the Department of Development; and

WHEREAS, this legislation authorizes the Director of Development to enter into a grant agreement with Woods Development Group for Brownfield assessment and redevelopment of the site at 122 Parsons Ave., subject to the project attaining Brownfield assessment and redevelopment goals of the program, and meeting the other terms and conditions of the agreement; and

WHEREAS, 122 Parsons Ave was once occupied by a carpet sales and distribution facility, until it caught fire and burned down. The property is currently vacant land with no on-site improvements; and

WHEREAS, this Brownfield redevelopment project consists of Phase I and Phase II Environmental Site Assessment for the site at 122 Parsons Ave., and this ~~\$54,600~~ \$99,671.25 Green Columbus Fund Brownfield Grant is required for that purpose; and

WHEREAS, the redevelopment plan calls for building a residential structure containing 42 units; and

WHEREAS, funding is available under the Green Columbus Fund in the Northland and Other Acquisitions Fund 735; 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 grant agreement with Casto Communities Construction Ltd., so assessment work can proceed immediately, all for the immediate preservation of the public health, peace, safety and welfare; NOW, THEREFORE,

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

SECTION 1. That the Director of the Department of Development is hereby authorized to enter into a grant agreement with Woods Development Group for Brownfield assessment and redevelopment under the Green Columbus Fund Program for the site located at 122 Parsons Ave.

SECTION 2. That for the purpose as stated in Section 1, the expenditure of ~~\$54,600~~ **\$99,671.25** or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-01, Northland and Other Acquisitions Fund 735, Project 441749-100001, Object Level One 06, Object Level Three 6617, OCA Code 754151.

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

SECTION 5. That the 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.

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.

Drafting Date: 5/5/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: The City of Columbus entered into a Job Creation Tax Credit Agreement (hereinafter “Agreement”) with Citi Fund Services Ohio, Inc., Citicorp North America, Inc., Citigroup Technology, Inc. and Citigroup Management Corp. (together also referred to as “Grantee”) effective May 11, 2012. Columbus City Council approved the Agreement by Ordinance 0080-2011, adopted January 31, 2011, as amended by Ordinance 0803-2011, adopted June 6, 2011 and Ordinance 1388-2011, adopted September 12, 2011, and granted a non-refundable tax credit (the “City Tax Credit”) allowed against the tax imposed under Section 361.09 of the Columbus City Codes (the “City Tax Credit”) of sixty-five percent (65%) of the new income tax revenue received by the City for a calendar year from New Employees, as that term was defined in Section 4 of the Agreement, commencing January 1, 2011 and for six (6) consecutive years thereafter based on an investment of approximately \$2.8 million, including \$2.25 million in new machinery and equipment, and \$610,000 in renovations and leasehold improvements at 3435 Stelzer Road in Columbus, the creation of 300 new permanent full-time positions and the retention of 715 full-time employees.

As the term was set to begin January 1, 2011 but the Agreement was not executed until May 15, 2012, annual reporting documents for Report Year (RY) 2011 and RY 2012 were sent to Grantee on April 1, 2013 but no annual report documents were submitted. Annual report materials for RY 2013 were sent to Grantee on April 2, 2013 with a request for full reporting for all years to-date. No annual report submissions have been received by the City. A letter dated April 11, 2014 was received by the City via regular mail on April 18, 2014 from the Corporate Tax Department at Citigroup, Inc. indicating that Grantee has requested that their Job Creation Tax Credit agreement with the State of Ohio be terminated and with their letter to the City they indicated that they “are voluntarily requesting” that the City terminate the Agreement and that they “hereby waive the rights to any unissued tax credits pursuant to the Agreement.” This legislation is to dissolve the Agreement between the City of Columbus and Citi Fund Services Ohio, Inc., Citicorp North America, Inc., Citigroup Technology, Inc. and Citigroup Management Corp.

This legislation is presented as an emergency measure so that the dissolution of the Agreement can be reported to the necessary local and state agencies in as expeditious a manner as possible.

FISCAL IMPACT: No funding is required for this legislation.

To dissolve the Job Creation Tax Credit Agreement between the City of Columbus and Citi Fund Services Ohio, Inc. et al; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

WHEREAS, Columbus City Council approved a Job Creation Tax Creation Agreement (“Agreement”) with Citi Fund Services Ohio, Inc., Citicorp North America, Inc., Citigroup Technology, Inc. and Citigroup Management Corp. (together also referred to as “Grantee”) by Ordinance 0080-2011, adopted January 31, 2011, as amended by Ordinance 0803-2011, adapted June 6, 2011 and Ordinance 1388-2011, adapted September 12, 2011; and

WHEREAS, the Agreement grants a non-refundable tax credit (the “City Tax Credit”) allowed against the tax imposed under Section 361.09 of the Columbus City Codes (the “City Tax Credit”) of sixty-five percent (65%) of the new income tax revenue received by the City for a calendar year from New Employees commencing

January 1, 2011 and for six (6) consecutive years thereafter; and

WHEREAS, in the Agreement, Grantee commits to making an investment of approximately \$2.8 million, including \$2.25 million in new machinery and equipment, and \$610,000 in renovations and leasehold improvements at 3435 Stelzer Road in Columbus, the creation of 300 new permanent full-time positions and the retention of 715 full-time employees; and

WHEREAS, as the term was set to begin January 1, 2011 but the Agreement was not executed until May 15, 2012, annual reporting documents for Report Year (RY) 2011 and RY 2012 were sent to GRANTEE on April 1, 2013 but no annual report documents were submitted; and

WHEREAS, annual report materials for RY 2013 were sent to Grantee on April 2, 2013 with a request for full reporting for all years to-date; and

WHEREAS, an annual report submissions have been received by the City; and

WHEREAS, a letter dated April 11, 2014 was received by the City via regular mail on April 18, 2014 from the Corporate Tax Department at Citigroup, Inc., indicated that Grantee has requested that their Job Creation Tax Credit agreement with the State of Ohio be terminated and with their letter to the City they indicated that they “are voluntarily requesting” that the City terminate the Agreement and that they “hereby waive the rights to any unissued tax credits pursuant to the Agreement;” and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on this agreement so the dissolution of the Agreement can be reported to the necessary local and state agencies in as expeditious a manner as possible, in order to preserve the public health, property, safety and welfare; **NOW, THEREFORE,**

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

SECTION 1. That Columbus City Council hereby dissolves the Citi Fund Services Ohio, Inc., Citicorp North America, Inc., Citigroup Technology, Inc. and Citigroup Management Corp. Job Creation Tax Credit Agreement effective January 1, 2011 thereby effectively eliminating any remaining tax years for the incentive.

SECTION 2. That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the Citi Fund Services Ohio, Inc., Citicorp North America, Inc., Citigroup Technology, Inc. and Citigroup Management Corp. Job Creation Tax Credit Agreement.

SECTION 3. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1090-2014

Drafting Date: 5/5/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: Columbus City Council, by Ordinance 0694-2010, passed May 24, 2010, authorized the Director of the Department of Development to enter into an Enterprise Zone Agreement (Agreement) with Metro City Ventures, LLC and Southwestern Acquisitions, LLC (together hereinafter “Enterprise”) for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of an investment of \$1.59 million in real property improvements with the Agreement being made and entered into to be effective June 30, 2010 (EZA #023-10-05) with the term of the abatement not to commence after 2012 nor extend beyond 2021. The actual term of the abatement is from 2011 to 2020. The Agreement committed Enterprise to invest approximately \$1.1 million in real property improvements and to create at least 49 new full-time permanent positions to result in approximately \$1.96 million of annual payroll related to the renovation of part of the first floor and all of the fourth and fifth floors of a 5-story commercial building, such area consisting of approximately 21,300 square feet of space on Parcel Numbers 010-004994 and 010-004995 located at 45 North Fourth Street (the Project Site) in Columbus, Ohio, within the City of Columbus Enterprise Zone (Zone #023) and within the Columbus City School

District the Enterprise be sent a “30-Day or Dissolve” letter requesting (1) full reporting and compliance (real estate investment and taxes paid and forgone information and (2) a proposal to redefine the scope of the project as per the Agreement following the exit of Southwestern Acquisition, LLC. If there was no response within 30 days the Agreement should be dissolved. If Enterprise was compliant with the request, then the proposal should be evaluated and the Agreement should either be amended or dissolved.

Enterprise was not compliant with the TIRC recommendation. With the 2013 annual reporting cycle beginning January 2014, Enterprise was extended one final opportunity to comply with the TIRC recommendation as part the 2014 annual reporting process. The annual reporting deadline was March 31, 2014 and no submission was received from Enterprise.

This legislation is presented as an emergency measure in order for this dissolution to be legislated in the most expedient manner as possible so that this dissolution of the Agreement can be reported to the necessary local and state agencies and to the 2014 Tax Incentive Review Council.

FISCAL IMPACT: No funding is required for this legislation.

To dissolve the Enterprise Zone Agreement with Metro City Ventures, LLC and Southwestern Acquisitions, LLC; to direct the Director of the Department of Development to notify as necessary the local and state tax authorities; and to declare an emergency.

WHEREAS, the Columbus City Council approved the Enterprise Zone Agreement with Metro City Ventures, LLC and Southwestern Acquisitions, LLC (Agreement) on May 24, 2010 by Ordinance 0694-2010 and entered into effective June 30, 2010; and

WHEREAS, the Agreement granted Metro City Ventures, LLC and Southwestern Acquisitions, LLC (together also known as “Enterprise”) a 75%/10-Year abatement on real property improvements with the term of the abatement running from 2011 through 2020; and

WHEREAS, the Agreement committed Metro City Ventures, LLC and Southwestern Acquisitions, LLC to an investment of approximately \$1.1 million in real property improvements and the creation of at least 49 new full-time jobs with a commensurate annual new job payroll of approximately \$1.96 million related to the renovation of part of the first floor and all of the fourth and fifth floors of a 5-story commercial building, such

area consisting of approximately 21,300 square feet of space on Parcel Numbers 010-004994 and 010-004995 located at 45 North Fourth Street (the Project Site) in Columbus, Ohio, within the City of Columbus Enterprise Zone (Zone #023) and within the Columbus City School District; and

WHEREAS, having missed the annual reporting deadline of March 31, 2013, the annual report submitted for Report Year 2012 was received on April 26, 2013; and

WHEREAS, within the report, Enterprise reported no new jobs on site as of December 31, 2012, only \$387,000 in new job payroll for the year, did not report the cumulative level of real estate investment, did not report taxes paid and forgone, and during the reporting cycle it was brought to the attention of the City by Southwestern Acquisitions, LLC that they had shut down their Lincoln College project in August 2012, all of which placed the project in a state of non-compliance as per the terms of the Agreement; and

WHEREAS, this information was presented at the 2013 Columbus Tax Incentive Review Council (the TIRC) where the TIRC recommended the Enterprise be sent a “30-Day or Dissolve” letter requesting (1) full reporting and compliance (real estate investment and taxes paid and forgone information) and (2) a proposal to redefine the scope of the project as per the Agreement following the exit of Southwestern Acquisitions, LLC; and

WHEREAS, the TIRC also held that if there was no response within 30 days the Agreement should be dissolved but if Enterprise was compliant with the request, then the proposal should be evaluated and the Agreement should then either be amended or dissolved; and

WHEREAS, Enterprise was not compliant with the TIRC recommendation; and

WHEREAS, with the 2013 annual reporting cycle beginning January 2014, Enterprise was extended one final opportunity to comply with the TIRC recommendation as part the 2014 annual reporting process; and

WHEREAS, the annual reporting deadline was March 31, 2014 and no submission was received from Enterprise; and

WHEREAS, the recommendation of the TIRC was to dissolve the Agreement should compliance not be made with the TIRC recommendation; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on this agreement in order for this dissolution to be legislated following the end of 2014 reporting cycle so that the dissolution of the Agreement can be reported to the necessary local and state agencies and to the 2014 Tax Incentive Review Council, all to preserve the public health, property, safety and welfare; **NOW, THEREFORE**,

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

SECTION 1. That Columbus City Council hereby dissolves the Metro City Ventures, LLC and Southwestern Acquisitions, LLC Enterprise Zone Agreement (Agreement Number 023-10-05) which applied a 75%/10-year real property tax abatement to parcel numbers 010-004994 and 010-004995 within the City of Columbus Enterprise Zone as of December 31, 2011, with Tax Year 2012 being the final year for Enterprise to realize any forgone tax benefit.

SECTION 2. That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the Metro City Ventures, LLC and Southwestern Acquisitions, LLC Enterprise Zone Agreement.

SECTION 3. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1091-2014

Drafting Date: 5/5/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: Columbus City Council, by Ordinance 2032-2011, passed December 12, 2011 authorized the Director of the Department of Development to enter into an Enterprise Zone Agreement (Agreement) with Tarrier Foods Corp. and Tarrier Holdings, Inc. (hereinafter “Enterprise”) for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed investment of approximately \$3 million for building acquisition, \$3 million for building renovations, \$200,000 in machinery and equipment, the retention of 33 full-time employees with an annual payroll of approximately \$1.26 million, and the creation of 17 new permanent full-time positions with an annual payroll of approximately \$436,800 related to the acquisition and renovation of a 152,800 square foot facility on Parcel Number 560-233421 at 2700 International Street, Columbus, OH 43228 (The Project Site), in Columbus, Ohio, within the City of Columbus Enterprise Zone (Zone #023) and within the Hilliard City School District. The Agreement was made and entered into to be effective January 25, 2012 (EZA #023-12-01) with the term of the abatement not to commence after 2013 nor extend beyond 2021. The Agreement was subsequently authorized to be amended for the first time to amend the exemption window by Ordinance No. 0995-2013, passed on April 29, 2013, to remove the language regarding the expected real property exemption commencement and completion dates reading “no real property exemption shall commence after 2013 nor extend beyond 2021” to be replaced with “no real property exemption shall commence after 2013 nor extend beyond 2022.” The First Amendment was made and entered into to be effective January 25, 2012.

For Report Year 2012, the first reporting year for Enterprise, only the \$1,000 annual monitoring fee was submitted and no annual report was received, which placed the project in a state of non-compliance as per the terms of the Agreement. This information was presented at the 2013 Columbus Tax Incentive Review Council (the TIRC) held on August 22, 2013. The recommendation of the TIRC was to send a letter to Enterprise via Certified Mail requesting full reporting within 30 days of receipt of the letter and if full reporting was not made then the Agreement should be dissolved. The certified letter was sent on September 3, 2013 and was received by Enterprise on September 5, 2013. Enterprise contacted the City by telephone on September 23, 2013 indicating that they would comply with the TIRC request and requested that new reporting materials be provided. A new set of reporting materials were sent to Enterprise by email the same day. Enterprise again contacted the City by telephone on November 14, 2013 indicating that they wanted to dissolve the Agreement. It was requested that Enterprise submit a formal letter detailing this request. Such a letter was never received.

With the 2013 annual reporting cycle beginning January 2014, Enterprise was extended one final opportunity to comply with the TIRC recommendation and report fully for Report Year 2012 and Report Year 2013 or submit a letter requesting dissolution. The annual reporting deadline was March 31, 2014 and neither full submission nor letter was received from Enterprise. It should be noted that no application for the abatement has been filed and Enterprise has received no forgone tax benefit.

This legislation is presented as an emergency measure in order for this dissolution to be legislated in the most expedient manner as possible so that this dissolution of the Agreement can be reported to the necessary local and state agencies and to the 2014 Tax Incentive Review Council.

FISCAL IMPACT: No funding is required for this legislation.

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

WHEREAS, the Columbus City Council approved the Enterprise Zone Agreement with Tarrier Foods Corp. and Tarrier Holdings, Inc. (Agreement) on December 12, 2011 by Ordinance 2032-2011 and entered into effective January 25, 2012 (EZA #023-12-01); and

WHEREAS, the Agreement granted Enterprise a 75%/10-Year abatement on real property improvements with the term of the abatement not to commence after 2013 nor extend beyond 2021; and

WHEREAS, the Agreement committed Enterprise to an investment of \$3 million in real property improvements the retention of 33 full-time employees with an annual payroll of approximately \$1.26 million, and the creation of 17 new permanent full-time positions with an annual payroll of approximately \$436,800 related to the acquisition and renovation of a 152,800 square foot facility on Parcel Number 560-233421 at 2700 International Street, Columbus, OH 43228 (The Project Site), in Columbus, Ohio, within the City of Columbus Enterprise Zone (Zone #023) and within the Hilliard City School District; and

WHEREAS, the Agreement was subsequently authorized to be amended for the first time to amend the exemption window by Ordinance 0995-2013, passed on April 29, 2013, to remove the language regarding the expected real property exemption commencement and completion dates reading “no real property exemption shall commence after 2013 nor extend beyond 2021” to be replaced with “no real property exemption shall commence after 2013 nor extend beyond 2022,” with this First Amendment being made and entered into to be effective January 25, 2012; and

WHEREAS, for Report Year 2012, the first reporting year for Enterprise, only the \$1,000 annual monitoring fee was submitted and no annual report was received, which placed the project in a state of non-compliance as per the terms of the Agreement; and

WHEREAS, this information was presented at the 2013 Columbus Tax Incentive Review Council (the TIRC) held on August 22, 2013; and

WHEREAS, the recommendation of the TIRC was to send a letter to Enterprise via Certified Mail requesting full reporting within 30 days of receipt of the letter and if full reporting was not made then the Agreement should be dissolved; the certified letter was sent on September 3, 2013 and was received by Enterprise on September 5, 2013; and

WHEREAS, Enterprise contacted the City by telephone on September 23, 2013 indicating that they would comply with the TIRC request and requested that new reporting materials be provided and new set of reporting materials were sent to Enterprise by email the same day; and

WHEREAS, Enterprise again contacted the City by telephone on November 14, 2013 indicating that they wanted to dissolve the Agreement where it was requested that Enterprise submit a formal letter detailing this request but such a letter was never received; and

WHEREAS, with the 2013 annual reporting cycle beginning January 2014, Enterprise was extended one final opportunity to comply with the TIRC recommendation and report fully for Report Year 2012 and Report Year 2013 or submit a letter requesting dissolution; the annual reporting deadline was March 31, 2014 and neither full submission nor letter was received from Enterprise; and

WHEREAS, it should be noted that no application for the abatement has been filed and Enterprise has received no forgone tax benefit; and

WHEREAS, the recommendation of the TIRC was to dissolve the Agreement should compliance not be made with the TIRC recommendation; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to take action on this agreement in order for this dissolution to be legislated following the end of 2014 reporting cycle so that the dissolution of the Agreement can be reported to the necessary local and state agencies and to the 2014 Tax Incentive Review Council, all to preserve the public health, property, safety and welfare; **NOW, THEREFORE**,

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

SECTION 1. That Columbus City Council hereby dissolves the Tarrier Foods Corp. and Tarrier Holdings, Inc. Enterprise Zone Agreement (Agreement Number 023-12-01) which was to apply a 75%/10-year real property tax abatement to parcel number 560-233421 within the City of Columbus Enterprise Zone as of December 31, 2012, noting that no application for the abatement has been filed and that no forgone tax benefit has been received.

SECTION 2. That the Director of Development is hereby directed to notify the necessary local and state agencies of any changes to the Tarrier Foods Corp. and Tarrier Holdings, Inc. Enterprise Zone Agreement.

SECTION 3. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.

Legislation Number: 1099-2014

Drafting Date: 5/6/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

1. BACKGROUND:

In 1961, pursuant to Ordinance 702-61, the City of Columbus vacated the alley known as Rush Alley north of West State Street from the west right-of-way line of South McDowell Street to the East right-of-way line of South Mill Street. In 1951, pursuant to Ordinance 674-51, the City of Columbus vacated an alley. The alley is the first alley South of West Broad Street from west right-of-way line west of May Avenue (40 feet wide)

(formerly Mead Street) extending westerly to the easterly line of Lot 227 of “M.L. Sullivant’s Western Addition”, of record in Plat Book 1, Page 268. The City reserved a general utility easement in both ordinances for those utilities located within the alleys.

The Department of Public Service recently received a request from Byers Realty, LLC, asking that the City release the reserved general utility easements and quit-claim the previously vacated right-of-way as needed to clear title and satisfy Franklin County Engineers Office. The buyer of the parcel, from Byers Realty, LLC, plans on major redevelopment of this site and others in the Franklinton community.

After receipt of this request, the Department of Public Service’s Division of Planning and Operations verified with all the public and private utility companies that there are no public utilities located within the reserved general utility easements and that they have no objections to these releases and quit-claiming the right-of-way.

This legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release general utility easements and quit-claim the right-of-way previously vacated as needed to clear title to the real property.

2. Fiscal Impact

The City will receive a total of \$1000.00, to be deposited in Fund 748, for releasing the easements and quit-claim deeding the right-of-way to clear title.

3. EMERGENCY JUSTIFICATION:

Emergency action is requested in order to not delay the transfer of the City’s real property rights and release of the City’s easement rights in order for Byers Realty, LLC to sell this site and maintain private development project schedules.

To authorize the Director of the Department of Public Service to execute those documents necessary to release general utility easements and quit-claim the previously vacated right-of-way as necessary to clear title to the real property; and to declare an emergency. (\$0.00)

WHEREAS, in 1961, pursuant to Ordinance 702-61, the City of Columbus vacated the alley known as Rush Alley north of West State Street from the west right-of-way line of South McDowell Street to the East right-of-way line of South Mill Street; and

WHEREAS, in 1951, pursuant to Ordinance 674-51, the City of Columbus vacated the first alley South of West Broad Street from the west right-of-way line of May Avenue (40 feet wide) (formerly Mead Street) extending westerly to the easterly line of Lot 227 of “M.L. Sullivant’s Western Addition”, of record in Plat Book 1, Page 268 extending westerly; and

WHEREAS, the City reserved a general utility easement in both ordinances for those utilities located within the alleys; and

WHEREAS, the Department of Public Service recently received a request from Byers Realty, LLC, asking that the City release the reserved general utility easements and quit-claim the previously vacated right-of-way as necessary to clear title and satisfy Franklin County Engineers Office; and

WHEREAS, Department of Public Service, Division of Planning and Operations verified with all the public

and private utility companies that there are no public utilities located within the reserved general utility easements and that there are no objections to these releases and quit-claiming the previously vacated of right-of-way; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to execute those documents, as approved by the Columbus City Attorney, to quit claim grant the previously vacated right-of-way and to release the City's general utility easement rights reserved in City Ordinances 674-51 and 702-61, in order to maintain development project schedules, thereby preserving the public health, peace, property, safety, and welfare; and now therefore

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

Section 1. To authorize the Director of the Department of Public Service to execute those documents to release general utility easements reserved in Ordinances 702-61 and 674-51 and to execute quit-claim deeds, as necessary and approved by the Real Estate Department, City Attorney's Office, to quit-claim the right-of-way previously vacated in said Ordinances, to wit:

Easement Areas to be released:

First alley south of Broad Street:

- Being a 12 feet wide alley as dedicated by "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242, being the first alley south of West Broad Street and extending west from the westerly right-of-way line of May Avenue (40 feet wide) (formerly Mead Street) to the easterly line of Lot 227 of "M.L. Sullivan's Western Addition", of record in Plat Book 1, Page 268.

Rush Alley:

- Being that alley known as Rush Alley, dedicated for public use by City of Columbus Ordinance Number 150-54, thereafter vacated by City of Columbus Ordinance Number 702-61, and being over Lots 20, 32, 55 and 71 of "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242.

Areas of right-of-way to be quit-claimed:

To Byers Realty, LLC:

- Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 1393:

Being the northerly half of Lot 20 of "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242, as conveyed to City of Columbus, Ohio by deed of record in Deed Book 212, Page 621, said Lot 20 being part of Rush Alley as vacated in City of Columbus Ordinance Number 702-61.

- Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 1393:

Being southerly half of Lot 32 of "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242, as conveyed to City of Columbus, Ohio by deed of record in Deed Book 212, Page 621, said Lot

32 being part of Rush Alley as vacated in City of Columbus Ordinance Number 702-61.

· Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 1393:

Being all of Lot 55 of "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242, as conveyed to City of Columbus, Ohio by deed of record in Deed Book 212, Page 621, said Lot 55 being part of Rush Alley as vacated in City of Columbus Ordinance Number 702-61.

To Walter G. Reiner:

· Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 1393:

Being the southerly half of Lot 20 of "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242, as conveyed to City of Columbus, Ohio by deed of record in Deed Book 212, Page 621, said Lot 20 being part of Rush Alley as vacated in City of Columbus Ordinance Number 702-61.

· Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 1393:

Being the northerly half of Lot 32 of "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242, as conveyed to City of Columbus, Ohio by deed of record in Deed Book 212, Page 621, said Lot 32 being part of Rush Alley as vacated in City of Columbus Ordinance Number 702-61.

To A.D. Farrow, LLC:

· Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military Survey Number 1393:

Being the northerly half of Lot 71 of "F.C. Sessions Western Addition", of record in Plat Book 2, Page 242, as conveyed to City of Columbus, Ohio by deed of record in Deed Book 212, Page 621, said Lot 71 being part of Rush Alley as vacated in City of Columbus Ordinance Number 702-61.

SECTION 2. For the reasons stated in this ordinance's preamble, which are made a part of this ordinance, this ordinance is declared to be an emergency measure and is effective and in force from and after its passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.

Legislation Number: 1102-2014

Drafting Date: 5/6/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

BACKGROUND: This ordinance authorizes the expenditure of up to \$601,560.67 from the Northland and Other Acquisitions Fund to increase the local supply of decent, safe, and sanitary housing and decrease the number of vacant properties as part of the redevelopment efforts for the Franklinton Creative Community District. The funds will assist homebuyers, renters, for-profit and non-profit developers with grants for

residential projects including both affordable and market rate housing.

This legislation is submitted as an emergency to allow the program activities to continue without interruption.

FISCAL IMPACT: \$601,560.67 in funding is available in and will be expended from the 2014 Capital Improvements Budget in the Northland and Other Acquisitions Fund 735.

To authorize the Director of the Department of Development to make financial assistance available as grants to homebuyers, renters, for-profit and non-profit organizations to increase the local supply of decent, safe, and sanitary housing and decrease the number of vacant properties as part of the redevelopment efforts within the Franklinton Creative Community District; to authorize the expenditure of \$601,560.67 from the Northland and Other Acquisitions Fund; and to declare an emergency. (\$601,560.67)

WHEREAS, it is necessary to authorize the expenditure of monies from the Northland and Other Acquisitions Fund 735 to assist homebuyers, renters, for-profit and non-profit organizations with grants to increase the local supply of decent, safe, and sanitary housing and decrease the number of vacant properties as part of the redevelopment efforts within the Franklinton Creative Community District; and

WHEREAS, the Northland and Other Acquisitions Fund 735 will assist in the development of residential projects including both affordable and market rate housing; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to expend said funds to allow important program activities to continue without interruption, thereby preserving the public health, peace, property, safety, and welfare; and
NOW, THEREFORE,

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

SECTION 1. That the Director of the Department of Development is hereby authorized to make financial assistance available from the Northland and Other Acquisitions Fund 735 administered by the Housing Division and awarded as grants to homebuyers, renters, for-profit and non-profit organizations.

SECTION 2. That the expenditure of capital improvement budget funds from this authorization will be for the provision of grants to assist homebuyers, renters, for-profit and non-profit organizations with grants for projects designed to increase and preserve the local supply of decent, safe, and sanitary housing including both affordable and market rate housing as part of the redevelopment efforts within the Franklinton Creative Community District.

SECTION 3. That for the purpose as stated in Section 1, the expenditure of \$601,560.67 or so much thereof as may be necessary, is hereby authorized from the Department of Development, Division 44-10, Fund 735, Project Number 440104-100005, Object Level One 06, Object Level Three 6617, OCA Code 735104.

SECTION 4. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

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

SECTION 6. That the City Auditor is hereby authorized 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 administrating said project that the project has been completed and the monies are no longer required for said project.

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

Legislation Number: 1110-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$31,945,000 for public safety and health projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$31,945,000.00 for public safety and health projects (\$31,945,000.00) Section 55(B) of the City Charter.

See Attached file: City of Columbus - 2014 Bonds - UT Ordinance - Public Safety & Health (\$31,945,000)

Legislation Number: 1111-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$4,485,000 for recreation and parks projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$4,485,000.00 for recreation and parks projects (\$4,485,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Recreation & Parks (\$4,485,000)

Legislation Number: 1112-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$36,540,000 for recreation and parks projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$36,540,000.00 for recreation and parks projects (\$36,540,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Recreation & Parks (\$36,540,000)

Legislation Number: 1113-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$64,405,000 for transportation projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$64,405,000.00 for transportation projects (\$64,405,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Streets & Highways (\$64,405,000)

Legislation Number: 1114-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$40,595,000 for public service projects, including transportation and refuse collection projects. This ordinance is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$40,595,000.00 for public service projects, including transportation and refuse collection projects (\$40,595,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Streets & Highways and Refuse Collection (\$40,595,000)

Legislation Number: 1115-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$12,385,000 for public utilities projects, including power and storm projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$12,385,000.00 for public utilities projects, including power and storm projects (\$12,385,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Power and Storm (\$12,385,000)

Legislation Number: 1116-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$48,265,000 for sanitary sewer projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$48,265,000.00 for sanitary sewer projects (\$48,265,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Sanitary Sewer (\$48,265,000)

Legislation Number: 1117-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$47,605,000 for water projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$47,605,000.00 for water projects (\$47,605,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Water (\$47,605,000)

Legislation Number: 1118-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$1,140,000 for City Attorney, Municipal Court Clerk and Human Resources projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$1,140,000 for City Attorney, Municipal Court Clerk and Human Resources projects (\$1,140,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - City Attorney, Municipal Court Clerk & Human Resources (\$1,140,000)

Legislation Number: 1119-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$10,310,000 for Office of Construction Management projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$10,310,000.00 for Office of Construction Management projects (\$10,310,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Construction Management (\$10,310,000)

Legislation Number: 1120-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$3,415,000 for information services projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$3,415,000.00 for information services projects (\$3,415,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Information Services (\$3,415,000)

Legislation Number: 1121-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$1,050,000 for fleet management projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$1,050,000.00 for fleet management projects (\$1,050,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Fleet Management (\$1,050,000)

Legislation Number: 1122-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$7,810,000 for economic and community development projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$7,810,000.00 for economic and community development projects (\$7,810,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Economic and Community Development (\$7,810,000)

Legislation Number: 1123-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$600,000 for Office of Construction Management projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$600,000.00 for Office of Construction Management projects (\$600,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Construction Management (\$600,000)

Legislation Number: 1124-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$500,000 for fiber optics systems projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$500,000.00 for fiber optics systems projects (\$500,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Fiber Optics (\$500,000)

Legislation Number: 1125-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance the authorizes issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,900,000 for fleet fuel site infrastructure projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,900,000.00 for fleet fuel site infrastructure projects (\$4,900,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Fleet Management (\$4,900,000)

Legislation Number: 1126-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,000,000 for economic and community development projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,000,000.00 for economic and community development projects (\$4,000,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Economic and Community Development (\$4,000,000)

Legislation Number: 1127-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$1,600,000 for recreation and parks projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$1,600,000.00 for recreation and parks projects (\$1,600,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Recreation & Parks (\$1,600,000)

Legislation Number: 1128-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds and notes in anticipation of bonds, in one or more series, an amount not to exceed \$163,860,000 for water projects.

To authorize the issuance of unlimited tax bonds and notes in anticipation of bonds, in one or more series, an amount not to exceed \$163,860,000.00 for water projects (\$163,860,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds BANs - UT Ordinance - Water (\$163,860,000)

Legislation Number: 1131-2014

Drafting Date: 5/7/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Timothy C. Hall., Area President, owner of the platted land, has submitted the plat titled “Cedar Run Section 4 Part 1” to the City Engineer’s Office for review and approval. This plat has been reviewed and approved by the City Engineer. The following legislation allows the City to accept said plat for property located south of Kennedy Road and west of the Franklin County/Licking County Line.

Emergency Justification: Emergency action is requested to allow development of this subdivision to proceed as currently scheduled.

To accept the plat titled “Cedar Run Section 4 Part 1”, from M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Timothy C. Hall., Area President, owner of the platted land; and to declare an emergency.

WHEREAS, the plat titled “Cedar Run Section 4 Part 1” (hereinafter “plat”), has been submitted to the City Engineer’s Office for approval and acceptance; and

WHEREAS, M/I Homes of Central Ohio, LLC, an Ohio limited liability company, by Timothy C. Hall., Area President, owner of the platted land, desires to dedicate to the public use all or such parts of the Drives and easements shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; 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 authorize the acceptance of this plat so development of this subdivision can proceed as currently scheduled 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 plat titled “Cedar Run Section 4 Part 1” on file in the office of the City Engineer, Division of Planning and Operations, be and the same is hereby accepted.

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: 1148-2014

Drafting Date: 5/9/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

BACKGROUND: This legislation authorizes the Director of the Department of Finance and Management to enter into various agreements, as necessary, to accept funding from payments, grants, donations or gifts to be provided to the City to assist with the construction renovation and child care addition to the former Reeb School, a historic landmark in the City's South Side. The facility will be known as the Reeb Avenue Center.

The former Reeb Avenue Elementary School is located at 280 East Reeb Avenue. It will be renovated and expanded to house non-profit organizations to provide programs and services that meet the needs of the neighborhood. The Reeb Avenue School was originally constructed in 1906. This project will renovate the historic portion of the building as well as the approximate 4,500 sq. ft. gymnasium addition that was constructed in 1968. The classroom portion of the 1968 addition will be demolished and replaced with an addition of approximately 18,000 sq. ft. for a daycare center.

The following organizations are the prospective tenants:

- South Side Learning & Development Center
- Boys and Girls Club of Columbus
- City of Columbus Pride Center
- St. Stephen's Community House
- Central Ohio Workforce Investment Corporation (COWIC)
- Godman Guild and Connect Ohio
- Community Development for All People
- Ruling Our Experience (ROX)
- American Red Cross
- Lutheran Social Services

The City of Columbus currently owns, and will continue to own, the building. A non-profit organization, the Reeb Avenue Center, is awaiting approval of its tax-exempt 501(c)(3) status from the IRS and will be formed to govern and serve as master tenant of the Reeb Avenue Center. Tenants will enter into lease agreements with the Board of the Reeb Avenue Center. Tenants will be expected to pay rents to cover the operating expenses of the Center and for the establishment of a capital fund reserve.

FISCAL IMPACT: The construction estimate for this renovation is estimated to be \$12,100,000. Of this, the City has committed \$6,725,000. The remainder of the funding (\$5,375,000) is to come from payments, donations, grants, contributions or gifts from private, federal and state entities. This ordinance does not authorize the expenditure of funds; it provides the Finance and Management Director with the authority to enter into various agreements to accept funding from various outside sources.

Emergency action is requested so as to authorize various agreements, as necessary, to accept financial or material payments, grants, contributions, donations or gifts that are to be provided to ensure funding is in place for the construction renovation contract later this summer.

To authorize the Director of the Department of Finance and Management to enter into various agreements, as necessary, to accept payments, grants, contributions, donations and gifts for the construction funding of the renovation of the Reeb Avenue Center; to authorize the City Auditor to deposit any monies received; and to declare an emergency.

WHEREAS, this legislation authorizes the Director of the Department of Finance and Management to enter into various agreements necessary for the acceptance of payments, grants, contributions, donations and gifts for the construction funding of the renovation and child care addition to the Reeb Avenue Center; and

WHEREAS, any monies received pursuant to these various agreements shall be placed into a fund for use in the renovation and childcare addition of the Reeb Avenue Center; and

WHEREAS, this ordinance authorizes the Director of Finance and Management to accept funds, but not for

their expenditure, without additional authorization from Columbus City Council; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management where it is immediately necessary to authorize various agreements necessary for the acceptance of donations or grants for the renovation and childcare addition of the Reeb Avenue Center 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 the Department of Finance and Management is hereby authorized to enter into various agreements necessary to accept payments, grants, contributions, donations and gifts for the renovation and childcare addition to the Reeb Avenue Center.

SECTION 2. That the City Auditor be and is hereby authorized to deposit any monies received.

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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves or vetoes the same.

Legislation Number: 1154-2014

Drafting Date: 5/12/2014

Current Status: Passed

Version: 1

Matter Type: Ordinance

Background: In February of 2014 Council approved legislation to contract \$4.1 million to demolish residential structures under the Vacant and Abandoned Properties Initiative. This legislation authorizes the Director of the Department of Development to modify and extend contracts established under the legislation; to enter into an agreement with the Central Ohio Community Improvement Corporation to receive additional funds from the Moving Ohio Forward, Phase 2 Program (MOF 2); appropriate and expend \$291,462 the City will receive under Phase 2; authorize the expenditure of \$1,245,501 from the 2013 Housing Preservation Fund and the General Government Grant Fund. The modifications are necessary to meet a new deadline established by the second phase of the program, to prepare for a possible extension of the first phase of the program and to authorize the expenditure of previously authorized funds.

Fiscal Impact: Funds are available in the General Government Grant Fund, Moving Ohio Forward Grant and the Development Taxable Bond Fund.

Emergency Justification: Emergency action is requested in order to complete the work within the grant deadline.

To authorize the Director of Development to enter into an agreement with the Central Ohio Community Improvement Corporation to receive additional funds under the Moving Ohio Forward Grant Program; to authorize the Director of the Department of Development, or designee, to modify and extend contracts with various contractors to perform asbestos testing, asbestos remediation, demolition, and deconstruction services on blighted structures; to amend the 2014 Capital Improvement Budget; to authorize the appropriation of \$291,462.00 from the General Government Grant Fund; to authorize the transfer of \$70,000.00 within the

General Government Grant Fund; to authorize the expenditure of \$627,624.00 from the General Government Grant Fund; to authorize the transfer \$550,000.00 within the Development Taxable Bond Fund; to authorize the expenditure of \$909,339.00 from the Development Taxable Bond Fund; and to declare an emergency. (\$1,536,963.00)

WHEREAS, in 2012, Mayor Michael B. Coleman announced the Vacant and Abandon Properties Initiative, a comprehensive plan to address vacant and abandoned properties, that includes a goal of demolishing hundreds of structures; and

WHEREAS, the Columbus Land Bank Program has receive title to over three hundred parcels by tax foreclosure, most of which are in need of demolition within the first few months of 2014; and

WHEREAS, the City entered into a grant agreement, to receive matching funds, with the Central Ohio Community Improvement Corporation for \$5.8 million dollars for demolition and the grant expenditure deadline is May 31, 2014; and

WHEREAS, the Attorney General of the State of Ohio has allocated additional funds under a phase 2 of Moving Ohio Forward Program; and

WHEREAS, the City must demolish the properties received by tax foreclosure within a very short timeframe to meet the grant deadline; and

WHEREAS, the City and the Central Ohio Community Improvement Corporation made a request to the Ohio Attorney General to extend the County's grant agreement; and

WHEREAS, the City established multiple contracts to perform asbestos testing, abatement, demolition and deconstruction work; and

WHEREAS, the following companies have the qualifications and licenses necessary to perform the volume of work required to meet the grant deadline: Watson General Contracting (contract compliance number: 311429409, expiration: 1/18/2015), Ransom Company (contract compliance number: 269401266, expiration: 8/3/2014, MBE), Egner Construction (contract compliance number: 010853960, expiration: 1/22/2015), Superior Enterprises Unlimited, LLC (contract compliance number: 452716791, expiration: 1/9/2016, MBE), Colvin Gravel Company (contract compliance number: 314441189, expiration: 1/3/2016), S.G. Loewendick & Sons, Inc. (contract compliance number: 314420502, expiration: 8/13/15), DSS Services, LLC (contract compliance number: 263454889, expiration: 9/3/14, AFA), R3, Inc. (contract compliance number: 113746960, expiration: 5/16/14, AFA), Hina Environmental Solutions, LLC (contract compliance number: 261342009, expiration: 11/27/2014, FBE); and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to modify and extend said contracts with various contractors in order to complete the work within the grant deadline, 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 enter into an agreement with the Central Ohio Community Improvement Corporation to receive up to \$291,462 under the Moving Ohio Forward Grant Program, Phase I. The funds will be used to reimburse the City for eligible costs associated with the demolition of residential structures.

SECTION 2. That the Director of the Department of Development, or designee, is hereby authorized to modify and extend contracts with the following contractors to perform asbestos testing, asbestos remediation, demolition, and deconstruction services on blighted structures:

Ransom Company
Watson General Contracting
Egner Construction Superior Enterprises Unlimited, LLC.
Colvin Gravel Company
S. G. Loewendick & Sons, Inc.
DSS Services, LLC
R3, Inc.
Hina Environmental Solutions, LLC

SECTION 3. That the 2014 Capital Improvements Budget, authorized by ordinance 0683-2014, be amended to provide sufficient authority for this project as follows:

Fund / Project / Project Name / Current C.I.B. / Amendment Amount / Amended C.I.B.
739/782004-100002/Vacant/Abandoned Demolition & Remed-Commercial/ \$50,000/(\$50,000)/\$0
739/782001-100005/Hsng Pres/Home Again/LBP Renovation/\$500,000/(\$500,000)/\$0
739/782004-100000/Vacant Housing Demolition/\$2,412,635/\$550,000/\$2,962,635

SECTION 4. That the sum of \$291,462.00 be and is hereby appropriated from the unappropriated balance of the General Government Grant Fund, Fund 220, Grant 441205, and from all monies estimated to come into said fund from any and all sources appropriated and un-appropriated for any other purpose during the fiscal year ending December 31, 2014, to the Department of Development, Administration Division, Division 44-01, Object Level One 03, Object Level Three 3292, OCA 441205.

SECTION 5. That the City Auditor is hereby authorized to transfer \$70,000 within the General Government Grant Fund, Fund 200, Grant 441205 as follows:

From:

Object Level One / OCA / Object Level Three

01/ 441205 / 1101

To:

Object Level One / OCA / Object Level Three

03 / 441205 / 3292

SECTION 6. That for the purpose stated in Section 2, the expenditure of \$627,624 from the Development Department, Division 44-01, Fund 220, Grant 441205, Object Level One 03, Object Level Three 3292, OCA

Code 441205 be hereby authorized.

SECTION 7. That the transfer of cash (\$550,000) be and is hereby authorized as follows:

From:

Fund/Project/Project Name/OL 01-03/OCA/Amount

739 / 782004-100002 / Vacant/Abandoned Demolition and Remediation Commercial / 06-6600 / 739042 / \$50,000

Fund/Project/Project Name/OL 01-03/OCA/Amount

739 / 782001-100005 / Housing Preservation/Home Again/ Land Bank Program Renovation / 06-6600 / 739015 / \$500,000

To:

Fund/Project/Project Name/OL 01-03/OCA/Amount

739 / 782004-100000 / Vacant Housing Demolition /06-6635 / 739040 / \$550,000

SECTION 8. That for the purpose stated in Section 2, the expenditure of \$909,339 from the Development Department, Division 44-01, Development Taxable Bond Fund, Fund 739, Project 782004-100000, Object Level One 06, Object Level Three 6635, OCA Code 739040 is hereby authorized.

SECTION 9. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated and the City Auditor shall establish such accounting codes as necessary.

SECTION 10. 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 Sections 6 and 8 above.

SECTION 11. 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.

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 passage and approval by the Mayor or ten days after its 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: 1110-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$31,945,000 for public safety and health projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$31,945,000.00 for public safety and health projects (\$31,945,000.00) Section 55(B) of the City Charter.

See Attached file: City of Columbus - 2014 Bonds - UT Ordinance - Public Safety & Health (\$31,945,000)

WHEREAS, at the election held on November 5, 2013 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Fifty-Two Million Five Hundred Thousand Dollars (\$52,500,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$31,945,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, renovating, and improving infrastructure for the Department of Public Safety and the Department of Health, acquiring real estate and interests in real estate, landscaping and otherwise improving the sites thereof, and acquiring furnishings, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is thirteen (13) years.

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 principal sum of Thirty-One Million Nine Hundred Forty-Five Thousand Dollars (\$31,945,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Unlimited Tax Bonds." The Unlimited Tax Bonds shall be designated "Various Purpose Unlimited Tax Bonds, Series 2014A," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of

marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
706	500505-100001	\$ 5,000	Public Health Equipment
701	310003-100000	1,550,000	Safety Cameras
701	310017-100002	700,000	Police and Fire 911 Joint Communications Center
701	320001-100009	11,500,000	800 MHz Digital Migration
701	330021-100000	1,640,000	Police Facility Renovation
701	330021-100004	1,600,000	McKinley Avenue Academy Improvements
701	330033-100000	1,000,000	Police Property Room/Crime Lab
701	340101-100002	1,500,000	Fire Apparatus Replacement - Medics
701	340101-100003	1,000,000	Fire Apparatus Replacement - Platform Ladders
701	340103-100000	2,200,000	Fire Facility Renovation
701	340103-100114	600,000	Fire Facility Renovation - Station No 16
701	340116-100001	2,500,000	Fire Self Contained Breathing Apparatus
701	340119-100000	150,000	Fire Station 35 - Far East
701	340130-100000	6,000,000	New Fire Station #2 Construction at Fulton Ave
Total		<u>\$31,945,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the “Code”). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1111-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$4,485,000 for recreation and parks projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$4,485,000.00 for recreation and parks projects (\$4,485,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Recreation & Parks (\$4,485,000)

WHEREAS, at the election held on November 4, 2008 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of One Hundred Twenty-Four Million Two Hundred Fifteen Thousand Dollars (\$124,215,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$4,485,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, renovating and improving municipal parks, playgrounds and recreation facilities including the acquisition of real estate and interests in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures, the acquisition and installation of furnishings, apparatus, communications equipment and other equipment, landscaping and making site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is seventeen (17) years.

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 principal sum of Four Million Four Hundred Eighty-Five Thousand Dollars (\$4,485,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the “Unlimited Tax Bonds.” The Unlimited Tax Bonds shall be designated “Various Purpose Unlimited Tax Bonds, Series 2014A,” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the

aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing

regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
702	510011-100004	\$ 4,200,000	Lincoln Pool and Boathouse Improvements
702	510035-100012	59,000	Alum Creek Maintenance Building
702	440006-100119	<u>226,000</u>	UIRF - Planning Area 19
Total		<u>\$4,485,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively

evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1112-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$36,540,000 for recreation and parks projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$36,540,000.00 for recreation and parks projects (\$36,540,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Recreation & Parks (\$36,540,000)

WHEREAS, at the election held on November 5, 2013 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of One Hundred Twenty-Three Million Nine Hundred Ten Thousand Dollars (\$123,910,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$36,540,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, renovating, and improving infrastructure for the Department of Recreation and Parks, including municipal parks, playgrounds and recreation facilities, acquiring real estate and interests in real estate, landscaping and otherwise improving the sites thereof, and acquiring furnishings, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen (15) years.

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 principal sum of Thirty-Six Million Five Hundred Forty Thousand Dollars (\$36,540,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the “Unlimited Tax Bonds.” The Unlimited Tax Bonds shall be designated “Various Purpose Unlimited Tax Bonds, Series 2014A,” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the

aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing

regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
702	440006-100000	\$ 753,200	UIRF Projects
702	510017-100000	703,500	Park & Playground Development
702	510017-100008	325,000	Wilson Rd Park Development Phase I
702	510017-100017	800,000	Franklin Park Conservatory
702	510017-100060	500,000	Battelle Riverfront Park
702	510017-100122	100,000	Deaf School Topiary Park
702	510017-100199	50,000	Hoover- Red Bank Marina Improvements
702	510017-100372	125,000	Strawberry Farms Improvements
702	510017-100386	800,000	Three Creeks Pole Barn
702	510017-100422	550,000	Westgate Park
702	510017-100455	50,000	Olentangy Water Trail
702	510017-100456	75,000	Public Drinking Fountain
702	510035-100000	639,500	Facility Renovations
702	510035-100004	200,000	Facility Improvements - Contingencies
702	510035-100010	3,450,000	Facility Improvements - HVAC
702	510035-100012	341,000	Alum Creek Maintenance Building
702	510035-100022	1,117,000	Kings Arts Complex
702	510035-100024	800,000	Facility Improvements - Roof Improvements
702	510035-100047	500,000	Santa Maria
702	510035-100052	5,403,000	Glenwood Recreation Center
702	510035-100060	150,000	Barack Rec Center
702	510035-100151	2,000,000	Indian Village Lodge Improvements
702	510035-100177	125,000	Martin Janis A/E
702	510035-100189	400,000	North Bank Park Pavilion
702	510035-100190	400,000	Franklin Park Davis Building A/E
702	510035-100191	200,000	Griggs Dam Keepers House A/E
702	510035-100207	60,000	Retreat at Turnberry A/E
702	510035-100265	2,500,000	Columbus Museum of Art
702	510039-100001	100,000	Street Trees
702	510039-100002	1,500,000	Emerald Ash Borer
702	510040-100001	250,000	Maintenance Equipment
702	510040-100003	150,000	Refrigerated Vehicle
702	510112-100000	774,000	Park Acquisition
702	510112-100121	600,000	Planning Area 21 Land Acquisitions
702	510229-100001	433,800	Bikeway Trail Safety - Citywide
702	510316-100111	3,925,000	Planning Area 11 Trail Improvements
702	510316-100115	3,550,000	Camp Chase Trail, Track Relocation
702	510316-100124	1,320,000	Planning Area 24 Trail Improvements
702	510319-100000	500,000	Playground Improvements
702	510429-100001	200,000	Equipment Replacement
702	510429-100004	70,000	Golf Hard Surface Improvements

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
702	510429-100016	<u>50,000</u>	Golf - Misc. Grounds Improvements
Total		<u>\$36,540,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax

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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1113-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$64,405,000 for transportation projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$64,405,000.00 for transportation projects (\$64,405,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Streets & Highways (\$64,405,000)

WHEREAS, at the election held on November 4, 2008 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Three Hundred Forty-Five Million Six Hundred Thirty Thousand Dollars (\$345,630,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$64,405,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of widening, opening, extending, constructing, paving, repaving, improving and changing the line of expressways, freeways, roads, highways, bikeways, streets, alleys, bridges, viaducts, bioswales, overpasses, underpasses, grade crossing eliminations, service and access roads, and sidewalks, including development of offstreet parking facilities, the acquisition and installation of parking meters, traffic control systems, equipment and signs, the acquisition of real estate and interests in real estate and related equipment, and landscaping and making site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is sixteen (16) years.

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 principal sum of Sixty-Four Million Four Hundred Five Thousand Dollars (\$64,405,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Unlimited Tax Bonds." The Unlimited Tax Bonds shall be designated "Various Purpose Unlimited Tax Bonds, Series 2014A," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the

custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
704	440005-100000	\$ 4,533,804	Urban Infrastructure Recovery Fund
704	440005-100014	120,000	Urban Infrastructure Recovery Fund - Taylor Ave. Streetscape
704	440104-100007	300,000	Roadway Improvements - Creative Campus
704	530020 - 100000	200,331	Street Equipment
704	530020 - 100022	200,000	Street Equipment - 800MHz Radio Upgrades/Replacements
704	530058-100005	2,500,000	Neighborhood Commercial Revitalization - TBD
704	530087-100005	427,400	ADA Curb Ramps - Repair
704	530104-100003	525,000	Alley Rehab - Downtown SID Improvements
704	530104-100004	1,133,155	Alley Rehab - Misc.
704	530161 - 100013	50,500	Roadway Improvements - SCMRP reimbursements
704	530161 - 100081	300,000	Roadway Improvements - Lazelle Road
704	530161 - 100139	4,670,000	Roadway Improvements - I-70/71 East Interchange - Phase 2D
704	530161 - 100142	2,345,000	Roadway Improvements - Nationwide Blvd Improvements
704	530210-100002	25,000	Curb Reconstruction - Qwik Curb Commodity
704	530282 - 100001	350,000	Resurfacing - Pavement and Asset Management Services
704	530282 - 100107	2,052,220	Resurfacing - Urban Paving - FRA US 23-10-.510 (PID 86661)
704	530282-100075	1,034,313	Resurfacing - Far Northwest
704	530282-100076	633,954	Resurfacing - Far North
704	530282-100077	892,389	Resurfacing - Rocky Fork-Blacklick
704	530282-100078	1,138,942	Resurfacing - Northwest
704	530282-100079	1,391,226	Resurfacing - Northland
704	530282-100080	44,126	Resurfacing - Far West
704	530282-100081	393,509	Resurfacing - West Scioto
704	530282-100082	509,245	Resurfacing - West Olentangy
704	530282-100083	834,630	Resurfacing - Clintonville
704	530282-100084	3,530,013	Resurfacing - North Linden
704	530282-100086	278,943	Resurfacing - Near North-University
704	530282-100087	683,047	Resurfacing - South Linden
704	530282-100088	4,246,854	Resurfacing - Hilltop
704	530282-100090	418,233	Resurfacing - Greenlawn- Frank Rd
704	530282-100091	69,796	Resurfacing - Downtown
704	530282-100092	3,757,703	Resurfacing - Near East

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
704	530282-100093	2,911,390	Resurfacing - Eastmoor - Walnut Ridge
704	530282-100094	173,485	Resurfacing - Far East
704	530282-100095	1,854,728	Resurfacing - Near South
704	530282-100096	627,492	Resurfacing - Far South
704	530282-100097	1,555,243	Resurfacing - Eastland - Brice
704	530282-100098	564,981	Resurfacing - Westland
704	530282-100101	1,553,538	Resurfacing - Citywide
704	530301-100000	3,201,215	Bridge Rehabilitation
704	530301-160771	50,000	Bridge Rehab - Fifth Avenue over Scioto River
704	530303-100000	800,000	Housing Initiatives - Roadway
704	540002-100005	66,000	Bikeway Development - SR161 Bikeway Connector/Sawmill Rd - Linworth Rd
704	540002-100010	50,000	Bikeway Development - Bike Hitches/Racks
704	540002-100026	294,000	Bikeway Development - Pavement Marking and Signage Contract
704	540002-100033	500,000	Bikeway Development - Bikeway General Engineering Design
704	540002-100045	1,090,000	Bikeway Development - Olentangy River Rd Shared Use Path - Ackerman to North Broadway
704	540005 - 100001	50,000	School Flashers - 20 MPH - Commodities
704	540007 - 100003	950,000	Traffic Signal Installation - Commodities
704	540008 - 100001	350,000	Sign Upgrading/Streetname Signs - Commodities
704	540013 - 100000	500,000	Permanent Pavement Markings
704	590105 - 100096	50,000	Pedestrian Safety Improvements - Sinclair Road Sidewalks
704	590105 - 100097	280,000	Pedestrian Safety Improvements - Morse Road at Sunbury Road
704	590105 - 100099	6,593	Pedestrian Safety Improvements - New Freedom Access to Transit-Citywide
704	590105 - 100103	175,000	Pedestrian Safety Improvements - Weinland Park Community Mobility Program Phase 2
704	590105 - 100104	450,000	Pedestrian Safety Improvements - Sullivant Avenue Curb Extensions and Westgate Ave. Improvements
704	590105-100000	129,407	Pedestrian Safety Improvements
704	590105-100039	135,000	Pedestrian Safety Improvements - Weinland Park Community Mobility Program (WPCMP)
704	590105-100042	40,000	Pedestrian Safety Improvements-COTA Sidewalks Phase 2
704	590105-100044	125,000	Pedestrian Safety Improvement - Rich St. Sidewalk Safe Routes to School
704	590105-100060	66,000	Pedestrian Safety Improvements-Brice Road Sidewalks
704	590105-100070	400,000	Pedestrian Safety Improvements - Godown Road Sidewalks-Francisco Road to Bethel Road
704	590105-100071	50,000	Pedestrian Safety Improvements - Waggoner Road Shared Use Path-Broad Street to Chapel Stone Road
704	590105-100077	300,000	Pedestrian Safety Improvement - Mound Street Sidewalks - Binns Boulevard to Wayne Avenue
704	590105-100078	600,000	Pedestrian Safety Improvement - Livingston Avenue Sidewalks Woodcrest to Lattimer
704	590105-100084	500,000	Pedestrian Safety Improvement - Sidewalk Design Program
704	590105-100087	2,600	Pedestrian Safety Improvement - Pedestrian Safety Commodities
704	590131-100003	55,995	American Addition Infrastructure
704	590910 - 100002	4,165,000	SciTech-OSU research park envir.
704	590955-100055	<u>143,000</u>	Operation Safewalks - Operation Safewalks Plan Update
	Total	<u>\$64,405,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to

reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

To provide for the payment of the costs of issuance of the Unlimited Tax Bonds, and the Limited Tax Bonds authorized by separate ordinances of this Council, to be issued at the same time as the Unlimited Tax Bonds (as used herein, the “2014A, B & C 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 2014A, B & C 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 2014A, B & C Bonds from the proceeds of the sale of the 2014A, B & C Bonds.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the “Code”). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax

Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1114-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$40,595,000 for public service projects, including transportation and refuse collection projects. This ordinance is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$40,595,000.00 for public service projects, including transportation and refuse collection projects (\$40,595,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Streets & Highways and Refuse Collection (\$40,595,000)

WHEREAS, at the election held on November 5, 2013 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Two Hundred Twenty Million Three Hundred Thousand Dollars (\$220,300,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$40,595,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, renovating, and improving infrastructure for the Department of Public Service, including Streets and Highways and Refuse Collection, acquiring real estate and interests in real estate, landscaping and otherwise improving the sites thereof, and acquiring furnishings, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is sixteen (16) years.

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 principal sum of Forty Million Five Hundred Ninety-Five Thousand Dollars (\$40,595,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the “Unlimited Tax Bonds.” The Unlimited Tax Bonds shall be designated “Various Purpose Unlimited Tax Bonds, Series 2014A,” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the

aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing

regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
704	440005-100000	\$ 3,004,989	Urban Infrastructure Recovery Fund
704	440005-100014	508,055	Urban Infrastructure Recovery Fund - Taylor Ave. Streetscape
704	440104 - 100008	2,730,000	Roadway Improvements - 18th Street
		100,000	Miscellaneous Economic Development - Port Columbus Traffic Study
704	440104 - 100014		
704	440104-100006	1,200,000	2012 Neighborhood Infrastructure
		1,670,000	Misc. Economic Development - Weinland Park (Columbus Coated Fabrics) Phase A
704	440104-100011	200,000	Neighborhood Commercial Revitalization - Streetscape Improvements
704	530058-100008		
704	530060 - 100000	455,000	59-09 Neil Ave Area Imps
704	530087-100002	1,000,000	ADA Curb Ramps - Citywide Curb Ramps
704	530103-100014	500,000	Arterial Street Rehab - James Rd
704	530103-100018	1,063,000	Arterial Street Rehab - Lockbourne Rd/Frebis Rd - SR104
704	530103-100042	350,000	Arterial Street Rehab - Alum Creek Drive - Frebis to Refugee
704	530103-100051	550,000	Arterial Street Rehab - Polaris Parkway
704	530103-100052	1,000,000	Arterial Street Rehab - Hamilton Rd I70 to Refugee Rd
704	530103-100054	1,000,000	Arterial Street Rehab - Hamilton Rd - 161 to Morse Rd - Phase A
		900,000	Roadway Improvements - Rich St - Town St Corridor Enhancement
704	530161 - 100141		
704	530161 - 100144	800,000	Roadway Improvements - Smoky Row Road
704	530161 - 100145	250,000	Roadway Improvements - Lazelle Road Phase A
704	530161 - 100146	55,000	Roadway Improvements - Scioto Greenways
704	530161 - 100148	250,000	Roadway Improvements - Lazelle Road Phase C
704	530161 - 100149	350,000	Roadway Improvements - Multimodal Thoroughfare Plan
704	530161 - 100158	1,000,000	Roadway Improvements - 70/71 Livingston Ave
704	530161 - 100159	500,000	Roadway Improvements - Library Infrastructure
704	530161 - 100160	250,000	Roadway Improvements - 11th Ave and 17th Ave
704	530161-100000	171,354	Roadway Improvements
704	530161-100152	78,646	Roadway Improvements - KIPP School - Agler Rd
704	530210-100015	1,000,000	Curb Reconstruction - Citywide Curb Rehabilitation Program
704	530282 - 100051	500,011	Resurfacing - Resurfacing Projects
704	530303-100000	1,886,014	Housing Initiatives - Roadway
		492,712	Traffic Signal Installation - Columbus Traffic Signal System Phase C
704	540007 - 100005		
704	590105-100000	1,742,931	Pedestrian Safety Improvements
704	590105-100072	50,000	Pedestrian Safety Improvements - Fairwood Ave Sidewalks
704	590131 - 100003	1,857,288	Miscellaneous Developments - American Addition Infrastructure
704	590415-100003	200,000	Misc. Economic Development - Schottenstein
704	590415-100012	4,000,000	Public Private Partnership (3P) Projects
704	590910 - 100002	1,700,000	SciTech-OSU research park envir.

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
704	590955-100006	900,000	Operation Safewalks - Marion Road
703	520001-100001	190,000	Mechanized Collection Equipment - 96-Gallon Containers
703	520001-100002	690,000	Mechanized Collection Equipment - 300 Gallon Containers
		2,795,163	Mechanized Collection Equipment - Automated Side Loader Trucks
703	520001-100003		
703	520001-100004	900,000	Mechanized Collection Equipment - Front - Box Loader Trucks
703	520001-100006	271,112	Mechanized Collection Equipment - Semi-Automated
703	520001-100009	136,725	Mechanized Collection Equipment - Knuckle Boom Trucks
703	520001-100010	20,000	Mechanized Collection Equipment - Dumpsters
703	520001-100011	250,000	Mechanized Collection Equipment - Recycling Containers
703	520004-100005	538,500	Alum Creek Remediation - Facility Improvements
703	520006-100001	538,500	Georgesville Road - Facility Improvements
Total		<u>\$40,595,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is

and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1115-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$12,385,000 for public utilities projects, including power and storm projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$12,385,000.00 for public utilities projects, including power and storm projects (\$12,385,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Power and Storm (\$12,385,000)

WHEREAS, at the election held on November 5, 2013 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Four Hundred Forty-Five Million Two Hundred Ninety-Five Thousand Dollars (\$445,295,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$12,385,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, renovating, and improving infrastructure for the Department of Public Utilities, including the Division of Water, Division of Power, and Division of Sewerage and Drainage, acquiring real estate and interests in real estate, landscaping and otherwise improving the sites thereof, and acquiring furnishings, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is twenty-five (25) years.

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 principal sum of Twelve Million Three Hundred Eighty-Five Thousand Dollars (\$12,385,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the “Unlimited Tax Bonds.” The Unlimited Tax Bonds shall be designated “Various Purpose Unlimited Tax Bonds, Series 2014A,” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the

aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing

regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
553	440007-100000	\$ 505,000	UIRF Funded Street Lighting Projects
553	670202-100000	13,905	Dierker Rd Street Lighting
553	670203-100000	6,489	Kenny Rd Street Lighting
553	670608-100000	300,000	Distribution System Improvements
553	670608-100007	2,260,000	Dublin Ave Control Building Site Improvements
553	670774-100000	298,972	Conversion to 3 Wire
553	670782-100000	288,688	Valleyview Street Lighting
553	670786-100000	482,040	Laurel Canyon Street Lighting
553	670829-100003	534,906	Circuit 7217 Conversion
685	610050-100000	150,000	Fountain Square
685	610053-100000	250,000	Whitman Rd SSI
685	610778-100000	175,000	Oakwood Ave SSI
685	610780-100000	25,000	Marion Rd. Area Projects No 2
685	610977-100000	2,300,000	Ashburton/Mayfair SSI
685	610990-100003	400,000	Joyce Ave Improvements Phase 3
685	611009-100000	2,395,000	Terrace Ave & Broad St SSI
685	611010-100000	1,000,000	Holt Ave/Somersworth Dr Stormwater System Imp
685	611011-100000	<u>1,000,000</u>	Cooper Park Stormwater SSI
Total		<u>\$12,385,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the respective Reserve Fund or the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the respective Reserve Fund or the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date

the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the “Code”). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1116-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$48,265,000 for sanitary sewer projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$48,265,000.00 for sanitary sewer projects (\$48,265,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Sanitary Sewer (\$48,265,000)

WHEREAS, at the election held on November 4, 2008 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Five Hundred Fifty-One Million Nine Hundred Seventy Thousand Dollars (\$551,970,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$48,265,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring real estate and interests in real estate, landscaping and making site improvements, expanding and improving existing wastewater treatment facilities, constructing new wastewater treatment facilities, acquiring and improving instrumentation and control systems, sewer lines, pumping stations, lagoons and levees, constructing storm and sanitary sewer septations, wetlands, bioswales, rain gardens and vegetated roofs, and acquiring related machinery, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is twenty-five (25) years.

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 principal sum of Forty-Eight Million Two Hundred Sixty-Five Thousand Dollars (\$48,265,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Unlimited Tax Bonds." The Unlimited Tax Bonds shall be designated "Various Purpose Unlimited Tax Bonds, Series 2014A," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the

Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial

interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation

bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
664	650014-100000	\$ 500,000	Sanitary Sewer Construction
664	650034-100006	3,000,000	Blacklick Creek Relief Tunnel
664	650100-100000	1,000,000	Sanitary Sewer Contingency
664	650113-100000	600,000	General Engineering Services (GES) Contract
664	650234-100000	500,000	Roof Replacement for DPU Facilities
664	650258-100001	1,008,000	Facilities and Equipment Upgrade for WSST
664	650260-100000	350,000	DPU General Engineering Consultant
664	650260-102000	880,000	JPWWTP Small Capital Projects
664	650260-103000	920,000	SWWTP Small Capital Projects
664	650262-101000	250,000	WWTFs PCM Small Capital Projects
664	650323-100000	3,800,000	WWTF Upgrade Project 88
664	650351-100001	1,700,000	Wastewater Treatment Facilities (WWTF) Construction and Contingencies
664	650368-100003	2,523,000	SWWTP Corrosion Prevention and Protective Coatings
664	650404-100041	5,000,000	2014 Annual Lining
664	650570-100000	200,000	Woodward Ave Sanitary Sewers
664	650600-100006	50,000	Franklin Main Interceptor Rehabilitation
664	650699-100000	1,200,000	Merwin Hill Assessment
664	650704-100001	6,500,000	OSIS Augmentation Sewer, Henry St - JPWWTP
664	650725-100011	500,000	Blacklick Creek Main Trunk
664	650755-100000	100,000	Third Ave CSO
664	650800-100000	2,000,000	General CA/CI
664	650870-100001	725,000	Blenheim/Glencoe Integrated Solution
664	650870-100002	400,000	Weisheimer/Indian Springs Integrated Solution
664	650870-100003	250,000	Morse/Dominion Integrated Solution
664	650870-100004	375,000	Overbrook/Chatham Integrated Solution
664	650870-100005	370,000	Cooke/Glenmont Integrated Solution
664	650870-100006	264,000	Schreyer/Springs Integrated Solution
664	650874-100001	4,500,000	Blueprint CIPP Lining
664	650888-100000	8,500,000	Scioto Main Sanitary Trunk Sewer Rehabilitation
664	650890-100000	<u>300,000</u>	Meeklyn Drive
	Total	<u>\$48,265,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Sanitary Sewer Reserve Fund or the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Sanitary Sewer Reserve Fund or the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1117-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds in an amount not to exceed \$47,605,000 for water projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of unlimited tax bonds in an amount not to exceed \$47,605,000.00 for water projects (\$47,605,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - UT Ordinance - Water (\$47,605,000)

WHEREAS, at the election held on November 4, 2008 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Five Hundred Twenty-Four Million Seven Hundred Thousand Dollars (\$524,700,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$47,605,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring real estate and interests in real estate, landscaping and making site improvements, improving existing water plants and acquiring and improving instrumentation and control systems, hydroelectric facilities, raw water conduits, transmission and distribution lines, booster stations, tanks, lagoons and levees; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is twenty-five (25) years.

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 principal sum of Forty-Seven Million Six Hundred Five Thousand Dollars (\$47,605,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Unlimited Tax Bonds." The Unlimited Tax Bonds shall be designated "Various Purpose Unlimited Tax Bonds, Series 2014A," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Bond Registrar shall select Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax 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 Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Bond Registrar. Each Unlimited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 6, each Unlimited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

Section 7. 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 Unlimited Tax Bonds. So long as any of the Unlimited Tax 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 Unlimited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

An Unlimited Tax 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 Unlimited Tax Bond or Unlimited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Unlimited Tax 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 Unlimited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Unlimited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Unlimited Tax 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 Unlimited Tax Bonds. All Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 8. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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, the 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds from the Depository, and authenticate and deliver Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds may be transferred only through a book entry and (ii) physical Unlimited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Unlimited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Unlimited Tax 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 Unlimited Tax Bonds, and to effect transfers of Unlimited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Unlimited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Unlimited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 100% of the aggregate principal amount of the Unlimited Tax Bonds, together with accrued interest on the Unlimited Tax 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 Unlimited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of

marketing or reoffering the Unlimited Tax 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 par amount of the Unlimited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
606	690006-100001	\$ 28,002	Hoover Reservoir Erosion Control-Smother's Road Embankment Stabilization
606	690026-100005	337,680	Indianola Parking Lot Imp's (Misc. Water Facilities)
606	690026-100008	67,536	Indianola Facility Imp's Study (Misc. Water Facilities)
606	690236-100000	69,766	Water Main Rehab (for projects not broken out)
606	690236-100051	607,824	Eastfield Dr. Area WL Imp's
606	690236-100052	675,360	Regina Ave. Area WL Imp's
606	690236-100056	675,360	Florence Ave. Area WL Imp's
606	690236-100067	40,177	Lamont Ave. Area WL Imp's
606	690236-100068	62,688	Silver Dr. Area WL Imp's
606	690236-100069	45,024	Project No. 32 WL Imp's
606	690236-100070	45,024	Project No. 33 WL Imp's
606	690236-100071	45,024	Project No. 34 WL Imp's
606	690236-100072	45,024	Project No. 35 WL Imp's
606	690236-100074	225,120	Eureka and Steel WL Imp's (joint w/Storm's Terrace/Broad SSI's)
606	690251-100000	22,512	O'Shaughnessy Hydroelectric - FERC
606	690265-100000	112,560	HCWP Raw Water Line
606	690286-100001	292,656	Alum Feed System Upgrade (HCWP Misc. Imp's)
606	690358-100000	67,536	Advanced Metering Infrastructure (AMI)
606	690370-100003	213,864	Upground Reservoir -Borrow Pit Restoration Project
606	690391-100000	45,024	HCWP A & B Raw & Finished Water Pump
606	690394-100000	31,517	Large Meters
606	690395-100000	450,240	Valve Renewal Program
606	690411-100000	58,531	Work Boat for Watershed (Watershed Misc. Imp's)
606	690411-100004	38,270	Independent Consultant Review (Watershed Misc. Imp's)
606	690421-100000	29,870	Watershed Protection Easements
606	690428-100001	1,530,816	DRWP Capacity Incr. Detailed Design
606	690428-100005	21,386,400	DRWP Capacity Incr. (Ion Exchange/Plant Reliability Upgrades
606	690430-100001	450,240	HCWP Treatment Imp's (Ozone Project)
606	690441-100001	22,512	Pump Motor Rehab (Alum Creek Pumping Station)
606	690444-100000	90,048	O'Shaughnessy Hydroturbine Imp's
606	690446-100000	112,560	General Engineering Services - Supply Group
606	690473-100001	675,360	Bethel Rd. Booster Station Imp's
606	690473-100005	337,680	Stand-By Power for Critical Water Booster Stations
606	690473-100006	405,216	Henderson Rd. Booster Station Upgrades
606	690473-100008	146,573	Fairwood Ave. Elevated Storage Tanks Demolition
606	690477-100000	337,680	Water Storage Tank Painting
606	690488-100000	13,011,936	PAWP Treatment Upgrades (EM)
606	690501-100000	225,120	Hague Ave. 24" WM Imp's
606	690508-100000	202,608	HCWP Lime Slaker Replacement
606	690518-100000	2,138,640	Professional Construction Mgmt. - Supply Group
606	690519-100000	146,328	HCWP Standby Power

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
606	690520-100000	123,816	DRWP Standby Power
606	690521-100003	270,144	Large Diameter Valve Repairs (Water Main Repairs)
606	690521-100004	270,144	2015 Water Main Repairs
606	690522-100000	652,848	SCADA System for Division of Water
606	690527-100000	135,072	2015 Fire Hydrant Replacements
606	690528-100001	56,280	2015 General Engineering Services - Distribution Group
606	690533-100000	135,072	PAWP Well Pump Replacement
606	690535-100000	112,560	DRWP UV Disinfection
606	690536-100000	135,072	HWCP UV Disinfection
606	690537-100001	40,522	Westgate Tank Replacement
606	690539-100000	112,560	PAWP Concept Plan Update
606	690550-100001	4,502	Utilities Complex Generator Automatic Transfer Switch
606	690591-100000	<u>4,502</u>	CW-103 Riverbank Stabilization (PAWP Misc. Imp's)
Total		<u>\$47,605,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Unlimited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Water Reserve Fund or the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Unlimited Tax Bonds, or from a loan, if applicable, from the Ohio Water Development Authority, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Water Reserve Fund or the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Unlimited Tax Bonds, the proceeds of such Unlimited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Unlimited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Unlimited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Unlimited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds which limits the amount of Unlimited Tax 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 Unlimited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Unlimited Tax 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 Unlimited Tax 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: 1118-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$1,140,000 for City Attorney, Municipal Court Clerk and Human Resources projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$1,140,000 for City Attorney, Municipal Court Clerk and Human Resources projects (\$1,140,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - City Attorney, Municipal Court Clerk & Human Resources (\$1,140,000)

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$1,140,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, developing, designing, improving and installing information systems software and hardware and related network infrastructure and related appurtenances thereto; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is ten (10) years.

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 principal sum of One Million One Hundred Forty Thousand Dollars (\$1,140,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series

2014B,” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as

defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the "Certificate of Award") setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

"Principal Retirement Dates" means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Purchaser. 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 and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
TBD	240101-100000	\$ 600,000	Electronic Case Management
780	780001-100005	500,000	Electronic Filing System
TBD	460001-100000	<u>40,000</u>	Performance Evaluation System
Total		<u>\$1,140,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Limited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the “Code”). The Municipality further covenants that it shall restrict the use of the proceeds of the Limited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Limited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds which limits the amount of Limited Tax 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 Limited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Limited Tax 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 Limited Tax 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: 1119-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$10,310,000 for Office of Construction Management projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$10,310,000.00 for Office of Construction Management projects (\$10,310,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Construction Management (\$10,310,000)

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$10,310,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving municipal facilities, including the acquisition of real estate, easements and other interests in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures and related appurtenances thereto, the acquisition of furnishings, apparatus, communications equipment and other equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen (15) years.

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 principal sum of Ten Million Three Hundred Ten Thousand Dollars (\$10,310,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014B," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or

denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax

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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the

City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices,” if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Purchaser. 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 and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
733	570030-100102	\$ 600,000	Facility Renovations - Project Cost Allocations
733	570030-100120	1,659,500	Facility Renovations - Various
733	570030-100144	200,000	Facilities Management Division - Misc. Capital
733	570030-100203	200,000	Staff Augmentation
733	570031-100001	833,000	City Hall Renovations - Various
733	570043-100025	4,342,500	Municipal Court - Phased Renovations
733	570064-100000	<u>2,475,000</u>	Reeb Elementary - Renovation
Total		<u>\$10,310,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders,

a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Limited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Limited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Limited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds which limits the amount of Limited Tax 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 Limited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute

and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Limited Tax 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 Limited Tax 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: 1120-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$3,415,000 for information services projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$3,415,000.00 for information services projects (\$3,415,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Information Services (\$3,415,000)

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$3,415,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, developing, designing, improving and installing information systems software and hardware and related network infrastructure and related appurtenances thereto; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is seven (7) years.

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 principal sum of Three Million Four Hundred Fifteen Thousand Dollars (\$3,415,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series

2014B,” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as

defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the "Certificate of Award") setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

"Principal Retirement Dates" means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Purchaser. 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 and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
514	470037-100000	\$ 250,000	Disaster Recovery Project
514	470046-100000	750,000	Connectivity Project Fiber/Wireless
514	470046-100002	10,000	Routing Equipment Upgrade
514	470046-100003	90,000	Uninterruptible Power Supply
514	470047-100000	625,000	Enterprise System Upgrades
514	470047-100002	250,000	Enterprise System Upgrades - Security Program
514	470047-100004	250,000	Enterprise Business Intelligence
514	470047-100005	170,000	Enterprise System Upgrades - GIS
514	470049-100001	600,000	Human Resources Information Phase II & III CHRIS Project
514	470050-100001	150,000	E-Gov Initiatives - Mobile Application
514	470052-100001	100,000	IVR Telephony Enhancements
514	470054-100007	25,000	Media Services - Field Camera System
514	470054-100010	25,000	Media Services - NLE Editor Purchases
514	470055-100000	<u>120,000</u>	Unified Communications
Total		<u>\$3,415,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate,

as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Limited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Limited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Limited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds which limits the amount of Limited Tax 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 Limited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other

documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Limited Tax 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 Limited Tax 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: 1121-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$1,050,000 for fleet management projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$1,050,000.00 for fleet management projects (\$1,050,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Fleet Management (\$1,050,000)

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$1,050,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving municipal facilities for the Division of Fleet Management, including the acquisition of real estate, easements and other interests in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures and related appurtenances thereto, the acquisition of furnishings, apparatus, communications equipment and other equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is ten (10) years.

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 principal sum of One Million Fifty Thousand Dollars (\$1,050,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014B," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or

denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax

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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the

City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices,” if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Purchaser. 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 and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
513	550005-100000	\$250,000	Fuel Tank Management
513	550008-100000	<u>800,000</u>	Fleet Auction Pavilion
Total		<u>\$1,050,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively

evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Limited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality further covenants that it shall restrict the use of the proceeds of the Limited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Limited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds which limits the amount of Limited Tax 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 Limited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Limited Tax 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 Limited Tax 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: 1122-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds in an amount not to exceed \$7,810,000 for economic and community development projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds in an amount not to exceed \$7,810,000.00 for economic and community development projects (\$7,810,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance - Economic and Community Development (\$7,810,000)

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$7,810,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of promoting economic and community development within the City of Columbus by purchasing, demolishing, renovating, improving, equipping and furnishing residential and commercial structures in the City, and acquiring, clearing, testing, remediating environmental issues, extending utilities, and otherwise improving residential and commercial sites in the City, and providing funds for grants in connection with the same; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is ten (10) years.

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 principal sum of Seven Million Eight Hundred Ten Thousand Dollars (\$7,810,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014B," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or

denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax

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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the

City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices,” if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Purchaser. 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 and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
735	440119-100000	\$ 250,000	Public Art
735	441749-100001	1,000,000	Green Columbus Fund
735	590415-100000	245,000	Economic & Community Development
782	782001-100000	2,000,000	Housing Preservation
782	782001-100008	1,000,000	Home Again - Westside Home Improvements
782	782001-100009	1,000,000	Home Again - Greater Linden Area Home Improvements
782	782001-100010	1,000,000	Home Again - Driving Park Area Home Improvements
782	782003-100000	350,000	Emergency Shelter Repair
782	782006-100000	215,000	Code Enforcement - 800MHz Digital Radio Migration
782	782007-100000	<u>750,000</u>	Harmony Project
Total		<u>\$7,810,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Limited Tax Bonds is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the “Code”). The Municipality further covenants that it shall restrict the use of the proceeds of the Limited Tax Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Limited Tax Bonds are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds which limits the amount of Limited Tax 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 Limited Tax 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 11. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

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 Limited Tax 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 Limited Tax 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: 1123-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$600,000 for Office of Construction Management projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$600,000.00 for Office of Construction Management projects (\$600,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Construction Management (\$600,000)

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$600,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing and improving municipal facilities, including the acquisition of real estate, easements and other interests in real estate, the construction, reconstruction, relocation, remodeling, enlargement and improvement of buildings and other structures and related appurtenances thereto, the acquisition of furnishings, apparatus, communications equipment and other equipment, landscaping and site improvements; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen (15) years.

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 principal sum of Six Hundred Thousand Dollars (\$600,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014C (Federally Taxable)," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or

denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax

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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the

City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices,” if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Limited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Limited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
732	570030-100120	<u>\$600,000</u>	Facility Renovations - Various
Total		<u>\$600,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Limited Tax 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 Limited Tax Bonds.

Section 12. 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 13. 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 14. 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: 1124-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$500,000 for fiber optics systems projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$500,000.00 for fiber optics systems projects (\$500,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Fiber Optics (\$500,000)

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$500,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, equipping and improving a fiber optic conduit system and a wireless infrastructure system in the City of Columbus; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is seven (7) years.

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 principal sum of Five Hundred Thousand Dollars (\$500,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014C

(Federally Taxable),” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as

defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the "Certificate of Award") setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

"Principal Retirement Dates" means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Limited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Limited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
514	470046-100001	<u>\$500,000</u>	CTSS Fiber Purchase B, C, D
	Total	<u>\$500,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Limited Tax 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 Limited Tax Bonds.

Section 12. 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 13. 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 14. 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: 1125-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance the authorizes issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,900,000 for fleet fuel site infrastructure projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,900,000.00 for fleet fuel site infrastructure projects (\$4,900,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Fleet Management (\$4,900,000)

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell up to \$4,900,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, equipping and improving a fleet fuel site for dispensing compressed natural gas; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is ten (10) years.

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 principal sum of Four Million Nine Hundred Thousand Dollars (\$4,900,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014C

(Federally Taxable),” or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as

defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the "Certificate of Award") setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

"Certificate of Award" means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

"Earliest Optional Redemption Date" means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

"Mandatory Redemption Dates" means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

"Mandatory Sinking Fund Requirements" means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

"Optional Redemption Prices," if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

"Principal Retirement Dates" means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

"Principal Retirement Schedule" means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Limited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Limited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
513	550006-100003	\$850,000	CNG West - Land Acquisition
513	550006-100004	350,000	CNG West - Station Design
513	550006-100006	<u>3,700,000</u>	CNG - COTA Partnership
Total		<u>\$4,900,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this

Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Limited Tax 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 Limited Tax Bonds.

Section 12. 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 13. 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 14. 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: 1126-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,000,000 for economic and community development projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$4,000,000.00 for economic and community development projects (\$4,000,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Economic and Community Development (\$4,000,000)

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$4,000,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of promoting economic and community development within the City of Columbus by purchasing, demolishing, renovating, improving, equipping and furnishing residential and commercial structures in the City, and acquiring, clearing, testing, remediating environmental issues, extending utilities, and otherwise improving residential and commercial sites in the City, and providing funds for grants in connection with the same; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is ten (10) years.

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 principal sum of Four Million Dollars (\$4,000,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014C (Federally Taxable)," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or

denominations equal in the aggregate to the unmatured principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be

awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices,” if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Limited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Limited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
739	782001-100007	\$ 500,000	Land Bank Property Renovation
739	782004-100000	2,500,000	Vacant Housing Demolition
739	782005-100000	<u>1,000,000</u>	Workforce Housing Initiative
Total		<u>\$4,000,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively

evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Limited Tax 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 Limited Tax Bonds.

Section 12. 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 13. 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 14. 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: 1127-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$1,600,000 for recreation and parks projects. This sale is currently planned to be conducted on a competitive basis.

To authorize the issuance of limited tax bonds (federally taxable) in an amount not to exceed \$1,600,000.00 for recreation and parks projects (\$1,600,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds - LT Ordinance (Taxable) - Recreation & Parks (\$1,600,000)

WHEREAS, this City Council (the “Council”) of the City of Columbus, Ohio (the “Municipality”) now deems necessary to issue and sell up to \$1,600,000 of bonds of the Municipality under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, renovating, and improving infrastructure for the Department of Recreation and Parks, including municipal parks, playgrounds and recreation facilities, acquiring real estate and interests in real estate, landscaping and otherwise improving the sites thereof, and acquiring furnishings, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is fifteen (15) years.

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 principal sum of One Million Six Hundred Thousand Dollars (\$1,600,000) (the “Bonds”), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot.

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 within 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 falls 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. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other limited tax bond issues of the Municipality,

authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Limited Tax Bonds." The Limited Tax Bonds shall be designated "Various Purpose Limited Tax Bonds, Series 2014C (Federally Taxable)," or as otherwise provided in the Certificate of Award, for the purpose described in the title of this Ordinance.

Section 5. The Limited Tax 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 Limited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Limited Tax Bonds are called for redemption, the Limited Tax 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 Limited Tax Bonds is authorized, the Bond Registrar shall select Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Limited Tax Bonds are on deposit at the office of the Bond Registrar at that time.

Section 6. The Limited Tax 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 Limited Tax 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 Limited Tax Bond, is signed by the Bond Registrar (as defined in Section 7 hereof) as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Limited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Limited Tax 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 Limited Tax Bonds shall be payable upon presentation and surrender of the Limited Tax Bonds at the office of the Bond Registrar. Each Limited Tax 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 7 hereof) at the address appearing therein.

Any interest on any Limited Tax 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 Limited Tax 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 Limited Tax 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 6, each Limited Tax Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Limited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Limited Tax Bond.

Section 7. 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 Limited Tax Bonds. So long as any of the Limited Tax 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 Limited Tax Bonds as provided in this Section (the "Bond Register"). Subject to the provisions of Section 6 hereof, the person in whose name any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmaturing principal amount of the Limited Tax Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Limited Tax 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 Limited Tax Bond or Limited Tax Bonds of any authorized denomination or denominations equal in the aggregate to the unmaturing principal amount of the Limited Tax 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 Limited Tax Bond for a period of fifteen days next preceding the date of its maturity.

In all cases in which Limited Tax Bonds are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Bond Registrar shall authenticate and deliver Limited Tax 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 Limited Tax Bonds. All Limited Tax 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 Limited Tax 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 Limited Tax 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 8. The Limited Tax 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 Limited Tax 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 Limited Tax Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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 Limited Tax 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, the 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 Limited Tax 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 Limited Tax 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 Limited Tax Bonds from the Depository, and authenticate and deliver Limited Tax 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 Limited Tax 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 Limited Tax Bonds may be transferred only through a book entry and (ii) physical Limited Tax Bonds in fully registered form are issued only to a Depository or its nominee as registered owner, with the Limited Tax Bonds “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Limited Tax 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 Limited Tax Bonds, and to effect transfers of Limited Tax Bonds, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

Section 9. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Limited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Limited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Limited Tax Bonds may be awarded and sold to such purchaser (the “Competitive Purchaser”) as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Limited Tax Bonds.

In the event that the Limited Tax Bonds are sold through a negotiated sale, the Limited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the “Negotiated Purchaser,” and together with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Limited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award (the “Certificate of Award”) setting forth the Original Purchaser for the Limited Tax Bonds, the aggregate principal amount of the Limited Tax Bonds to be issued, the dated date of the Limited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

As used in this Section 9 and Section 5 hereof:

“Certificate of Award” means the Certificate of Award authorized by this Section 9 to be executed by the Director of Finance and Management or the City Auditor setting forth and determining such terms and other matters pertaining to the Limited Tax Bonds, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which Limited Tax Bonds may be called for redemption at the option of the Municipality.

“Mandatory Redemption Dates” means the first day of the month in the years to be specified in the Certificate of Award in which the Limited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Limited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Limited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Optional Redemption Prices,” if any, for the Limited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Limited Tax 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 principal portion of the Bonds included in the Limited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Limited Tax 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 100% of the aggregate principal amount of the Limited Tax Bonds, together with accrued interest on the Limited Tax 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 Limited Tax 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 per centum (5.00%) per annum.

“Term Bonds” means those Limited Tax 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 day on which Limited Tax 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.

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 Limited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Limited Tax Bonds under the terms of this Ordinance and the Certificate of Award. Further, such officers are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Limited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Limited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Limited Tax 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 from the sale of the Limited Tax Bonds, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
712	510229-100004	\$200,000	Bike Share Program
712	510622-100000	1,100,000	COSI
712	510429-100017	<u>300,000</u>	Golf General Facility Improvements
Total		<u>\$1,600,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Bonds to another fund and project consistent with the purpose for which the Bonds are issued.

Any premium received from the sale of the Limited Tax Bonds shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

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 the Bonds in each year until full payment is made.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Special Income Tax Fund, Fund 430, as necessary to pay expenses related to the projects until such funds are received from the sale of the Limited Tax Bonds, at which time, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is “placed in service” within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Limited Tax Bonds, the proceeds of such Limited Tax Bonds shall be used to reimburse the fund from which the advance for costs of the project will be made.

This Council hereby declares that the Limited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

Section 10. The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

Section 11. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Limited Tax 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 Limited Tax Bonds.

Section 12. 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 13. 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 14. 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: 1128-2014

Drafting Date: 5/7/2014

Version: 1

Current Status: Passed

Matter Type: Ordinance

This ordinance authorizes the issuance of unlimited tax bonds and notes in anticipation of bonds, in one or more series, an amount not to exceed \$163,860,000 for water projects.

To authorize the issuance of unlimited tax bonds and notes in anticipation of bonds, in one or more series, an amount not to exceed \$163,860,000.00 for water projects (\$163,860,000.00) Section 55(B) of the City Charter.

See attached file: City of Columbus - 2014 Bonds BANs - UT Ordinance - Water (\$163,860,000)

WHEREAS, at the election held on November 5, 2013 on the proposition of issuing bonds for the purpose hereinafter stated in the sum of Four Hundred Forty-Five Million Two Hundred Ninety-Five Thousand Dollars (\$445,295,000) and levying taxes outside the ten mill limitation to pay the principal and interest on such bonds, the majority of those voting on the proposition voted in favor thereof; and

WHEREAS, this City Council (the "Council") of the City of Columbus, Ohio (the "Municipality") now deems necessary to issue and sell securities, in one or more series, comprised of bonds and notes in anticipation of bonds, or a combination thereof, in an amount not to exceed \$163,860,000, as determined by the City Auditor, under authority of the general laws of the State of Ohio, and in particular Section 133.23 of the Ohio Revised Code, for the purpose of acquiring, constructing, renovating, and improving infrastructure for the Department of Public Utilities, including the Division of Water, Division of Power, and Division of Sewerage and Drainage, acquiring real estate and interests in real estate, landscaping and otherwise improving the sites thereof, and acquiring furnishings, equipment and appurtenances; and

WHEREAS, the City Auditor has certified to this Council that the estimated life of the improvement stated above which is to be financed from the proceeds of said bonds exceeds five (5) years and the maximum maturity of said bonds is twenty-five (25) years, and if notes are issued in anticipation of the issuance of such bonds, the maximum maturity of such notes is twenty (20) years.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. AUTHORIZATION OF THE SECURITIES

Bonds of the Municipality shall be issued in one or more series, in the principal sum of One Hundred Sixty-Three Million Eight Hundred Sixty Thousand Dollars (\$163,860,000) (the "Bonds"), or such lesser amount as shall be set forth in the Certificate of Award, as hereinafter defined, for the purpose set forth above and for paying the cost of advertising, printing and legal services and other costs incidental thereto. The Bonds shall be issued in one lot. It is hereby determined that, for purposes of issuance and sale, it is in the best interests of the Municipality to combine the Bonds with other unlimited tax bond issues of the Municipality, authorized by other ordinances of this Council adopted on the date hereof. The Bonds and such other bonds may be issued in one or more series and will be jointly referred to herein as the "Unlimited Tax Bonds."

In anticipation of the issuance of all or a portion of the Bonds, this Council hereby authorizes the issuance of notes in anticipation of the Bonds, in one or more series (the “Notes,” and together with the Bonds, the “Securities”), upon the determination by the City Auditor that it is in the best interest of the Municipality to issue such Notes. The aggregate principal amount of the Securities issued pursuant to this Ordinance shall not exceed One Hundred Sixty-Three Million Eight Hundred Sixty Thousand Dollars (\$163,860,000).

SECTION 2. LEVY OF TAX

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 Securities are outstanding, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Securities as and when the same falls due and to provide a fund for the repayment of the principal of the Securities 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. COLLECTION OF TAX; SOURCE OF PAYMENT

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 Securities when and as the same falls due. Notwithstanding the foregoing, if the Municipality determines that funds will be available from other sources for the payment of the Securities 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 Securities in accordance with law.

SECTION 4. CERTIFICATE OF AWARD

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality one or more Certificates of Award (each, a “Certificate of Award”) setting forth and determining such terms and other matters pertaining to the Securities, their issuance, sale or delivery, as are authorized and directed to be determined therein by this Ordinance. The Certificate of Award shall designate the title of the Securities, the aggregate principal amount of the Securities to be issued, the dated date, the purchase price, the maturity schedule, the interest rates, the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance.

SECTION 5. DEFINITIONS

In addition to the words and terms elsewhere defined in this Ordinance, the following words and terms as used in this Ordinance shall have the following meanings unless the context or use indicates another or different meaning or intent, and such definitions shall be equally applicable to both the singular and plural forms of any of the words and terms herein defined:

“Authorized Denomination” means: (a) with respect to the Notes, denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof, and (b) with respect to the Bonds, denominations of \$5,000 and integral multiples in excess thereof.

“Drawing Certificate” means the Drawing Certificate that is in the form and includes terms not inconsistent with this Ordinance.

“Drawing Day” means the day interest shall commence to accrue with respect to a principal drawing, which shall occur on the day that a draw is endorsed on the Schedule of Principal Draws and Payments.

“Earliest Optional Redemption Date” means the date specified in the Certificate of Award as the earliest date on which the Securities may be called for redemption at the option of the Municipality.

“Interest Determination Date” means, with respect to the Notes, the Wednesday immediately preceding the commencement of such Interest Period, except that (i) if such day is not a Business Day, then the Interest Determination Date shall be the next preceding Business Day, and (ii) there shall be no Interest Determination Date for the Interest Period beginning on the Original Issuance Date.

“Interest Payment Date” means the dates specified in the Certificate of Award for the Notes and Bonds, as applicable.

“Interest Period” means, with respect to the Notes, (a) initially, a period from and including the Thursday in each calendar week to and including the Wednesday in the following week, except that the first Interest Period shall be the period from and including the Original Issuance Date to and including the Wednesday identified in the Certificate of Award as the last day of the first Interest Period, and (b) following a determination by the Municipality to convert the Notes to a fixed rate in accordance with the Certificate of Award, such period specified in the Certificate of Award.

“Mandatory Redemption Dates” means, with respect to the Bonds, the first day of the month in the years to be specified in the Certificate of Award in which the Unlimited Tax Bonds that are Term Bonds are to be redeemed pursuant to Mandatory Sinking Fund Requirements.

“Mandatory Sinking Fund Requirements” means, as to Unlimited Tax Bonds maturing on Term Maturity Dates, amounts sufficient to redeem such Unlimited Tax Bonds (less the amount of credit as provided in the Certificate of Award) on each Mandatory Redemption Date, as are to be set forth in the Certificate of Award.

“Maximum Authorized Amount” means, with respect to the Notes, the Maximum Authorized Amount specified in the Certificate of Award, which amount shall not exceed the maximum principal amount authorized by this Ordinance.

“Maximum Interest Rate” means, with respect to the Notes, the lesser of (a) the Maximum Interest Rate specified in the Certificate of Award, and (b) the maximum rate permitted by applicable law.

“Original Issuance Date” means the date on which the Notes are first authenticated and delivered pursuant to the Certificate of Award.

“Original Purchaser” means purchaser or purchasers of the Securities designated in the Certificate of Award.

“Optional Redemption Prices”, if any, for the Unlimited Tax Bonds shall be as set forth in the Certificate of Award.

“Principal Retirement Dates” means the day on which the Unlimited Tax 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 principal portion of the Bonds included in the Unlimited Tax Bonds is not later than the final maturity date permitted pursuant to Section 133.20, Ohio Revised Code.

“Principal Retirement Schedule” means the schedule for the retirement of the principal of the Unlimited Tax 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 the amount paid by the Original Purchaser to the Municipality as consideration for the Securities, which amount shall be set forth in the Certificate of Award, but such amount shall not be less than 100% of the original aggregate principal amount of the Securities, plus accrued interest from their date to the date of their delivery and payment therefor.

“Register” means the Register for any Securities, as specified in Section 8 of this Ordinance.

“Registrar” means the Registrar, as specified in Section 8 of this Ordinance.

“Schedule of Principal Draws and Payments” means, with respect to the Notes, the Schedule of Principal Draws and Payments attached to the form of Note and consistent with the terms of this Ordinance.

“SIFMA Index” means, as of any date, the seven-day high grade market index of tax exempt variable rate demand obligations, as produced by the Securities Industry and Financial Markets Association (“SIFMA”) or any successor thereto and published or made available by SIFMA, or any person acting in cooperation or under the sponsorship of SIFMA, or, if such index is unavailable, then such other publicly available index or measurement of seven-day yields on high grade tax exempt variable rate demand obligations selected by the Municipality and acceptable to the Original Purchaser.

“Specified Interest Rates” means (a) with respect to the Notes, the SIFMA Index plus the fixed interest rate spread over such index as specified in the Certificate of Award, which shall not exceed the Maximum Interest Rate, and (b) with respect to the Bonds, the interest rate or rates at which the Bonds shall bear interest, provided that the true interest cost of the Bonds shall not exceed seven per centum (7.00%) per annum.

“Term Bonds” means those Unlimited Tax 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 day on which Unlimited Tax 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.

SECTION 6. TERMS AND PROVISIONS OF NOTES

(a) Form; Maturity and Redemption. The Municipality shall issue, sell and deliver the Notes in an amount of not to exceed the Maximum Authorized Amount or such lesser amount as shall be drawn by the Municipality and disbursed by or on behalf of the Original Purchaser. The Notes may be issued as fully registered securities in an Authorized Denomination but not exceeding the aggregate principal

amount of Notes; shall be numbered as determined by the Registrar; shall mature and be dated as set forth in the Certificate of Award; shall bear interest at the Specified Interest Rates, payable on the dates specified in the Certificate of Award (the "Interest Payment Dates"), from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from the Drawing Day with respect to the principal amount shown on each respective Drawing Certificate; 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.

Initially, the Notes shall bear interest at the Specified Interest Rate that is adjusted weekly in accordance with the provisions of this Section 5. For the first Interest Period, the Notes shall bear interest at the rate per annum set forth in the Certificate of Award. For the second Interest Period and each Interest Period thereafter, the interest rate to be borne by Notes shall be determined at the Specified Interest Rate in the manner provided in the Certificate of Award. Interest shall be computed as provided in the Certificate of Award. The Notes shall bear interest at the Default Interest Rate following an Event of Default, all as provided in the Certificate of Award.

The Notes may be converted to an Interest Period that reflects a fixed rate of interest payable with respect to the Notes in accordance with the Certificate of Award, with principal of and interest on the Notes payable in accordance with such Certificate of Award.

Principal drawings by the Municipality shall be effected by (i) the Municipality's delivery of a Drawing Certificate to the Original Purchaser, (ii) in the case of a principal drawing, payment of the amount thereof by the Original Purchaser in accordance with the Drawing Certificate, and (iii) endorsement of the principal amount drawn on the schedule of Principal Draws and Payments attached to the form of the Note.

The Notes shall be subject to redemption, at the option of the Municipality, in whole or in part in an Authorized Denomination at a redemption price equal to 100% of the principal amount redeemed, plus accrued interest to the redemption date, on any date prior to stated maturity, following the redemption procedures as provided in the Certificate of Award.

Such additional terms related to the Notes, not inconsistent with this Ordinance, shall be specified in the Certificate of Award, including, if appropriate, provisions for penalty rates to apply for failure to comply with the terms of the Notes.

(b) Execution and Authentication and Payment. The Notes 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 any of those signatures may be a facsimile. No Note 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 Note, is signed by the Registrar as authenticating agent. Authentication by the Registrar shall be conclusive evidence that the Note so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of the Notes shall be payable upon presentation and surrender of the Notes at the office of the Registrar. Each Note shall bear interest from the later of the most recent Interest Payment Date to which interest has been paid or duly provided for, or from the Drawing Day. Interest on any Note shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Note 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 Register at the address appearing therein.

Subject to the foregoing provisions of this Section, each Note delivered by the Registrar upon transfer of or in exchange for or in lieu of any other Note shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Note.

(c) Sale of Notes; Certificate of Award. The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award setting forth the Original Purchaser for the Notes, the aggregate principal amount of the Notes to be issued, the dated date of the Notes, the maturity date of the Notes, the Purchase Price, the Specified Interest Rates, the Interest Payment Dates and any such additional information as shall be required by the terms of this Ordinance.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Term Sheet for the Notes, setting forth the conditions under which the Notes are to be sold and delivered, which 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.

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 Notes to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Notes under the terms of this Ordinance and the Certificate of Award.

SECTION 7. TERMS AND PROVISIONS OF UNLIMITED TAX BONDS

(a) Form; Maturity and Redemption. The Unlimited Tax 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 Unlimited Tax Bonds maturing on any one date; shall be numbered from R-1 upward; shall be dated as set forth in the Certificate of Award; 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 Unlimited Tax Bonds are called for redemption, the Unlimited Tax 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 Unlimited Tax Bonds is authorized, the Registrar shall select Unlimited Tax Bonds or portions thereof by lot within such maturity in such manner as the Registrar may determine, provided, however, that the portion of any Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bonds so called for redemption shall cease to bear interest on the redemption date, provided moneys for the redemption of said Unlimited Tax Bonds are on deposit at the office of the Registrar at that time.

(b) Execution and Authentication and Payment. The Unlimited Tax 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 Unlimited Tax 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 Unlimited Tax Bond, is signed by the Registrar as authenticating agent. Authentication by the Registrar shall be conclusive evidence that the Unlimited Tax Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance.

The principal of and premium, if any, and interest on the Unlimited Tax Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Registrar as paying agent. The principal of the Unlimited Tax Bonds shall be payable upon presentation and surrender of the Unlimited Tax Bonds at the office of the Registrar. Each Unlimited Tax 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 Register at the address appearing therein.

Any interest on any Unlimited Tax 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 Unlimited Tax Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The 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 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 Unlimited Tax 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, each Unlimited Tax Bond delivered by the Registrar upon transfer of or in exchange for or in lieu of any other Unlimited Tax Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Unlimited Tax Bond.

(c) Sale of Bonds; Certificate of Award; Official Statement The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to cause the Unlimited Tax Bonds to be sold by either competitive sale or by negotiated sale. In the event that the Unlimited Tax Bonds are sold by competitive sale, a Notice of Sale shall be published in the form and manner as shall be approved by the City Auditor or the Director of Finance and Management. After publication of such Notice of Sale, the Unlimited Tax Bonds may be awarded and sold to such purchaser (the "Competitive Purchaser") as shall offer, in the opinion of the City Auditor or the Director of Finance and Management, the best rate of interest on the Unlimited Tax Bonds.

In the event that the Unlimited Tax Bonds are sold through a negotiated sale, the Unlimited Tax Bonds shall be sold to the purchaser or purchasers (collectively, the "Negotiated Purchaser," and together

with the Competitive Purchaser, the “Original Purchaser”) designated in the Certificate of Award (as defined herein). The City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Bond Purchase Agreement with the Original Purchaser (which agreement may be combined with the purchase agreement for the purchase of other general obligation bonds authorized by separate ordinances of this Council), setting forth the conditions under which the Unlimited Tax Bonds are to be sold and delivered, which 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 City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to execute on behalf of the Municipality a Certificate of Award setting forth the Original Purchaser for the Unlimited Tax Bonds, the aggregate principal amount of the Unlimited Tax Bonds to be issued, the dated date of the Unlimited Tax 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) and shall include such additional information as shall be required by the terms of this Ordinance.

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 Unlimited Tax Bonds to the Original Purchaser. Those officers are further directed to take all steps necessary to effect due execution, authentication and delivery of the Unlimited Tax Bonds under the terms of this Ordinance and the Certificate of Award.

The distribution of an Official Statement of the Municipality, in preliminary and final form, relating to the original issuance of the Unlimited Tax Bonds is hereby authorized (which Official Statement may be the same offering document used in connection with the sale of other general obligation bonds and notes authorized by separate ordinances of this Council), 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 Unlimited Tax Bonds, and he is authorized and directed to advise the Original Purchaser in writing regarding limitations on the use of the Official Statement and any supplements thereto for purposes of marketing or reoffering the Unlimited Tax 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.

This Council hereby declares that the Unlimited Tax 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. Further, the City Auditor and Director of Finance and Management, or either of them individually, are hereby authorized and directed to execute and deliver, for the benefit of the bondholders, a Continuing Disclosure Certificate in such form as is approved by the officer executing such certificate, as necessary to assist the Original Purchaser in complying with Rule 15c2-12(b)(5) adopted by the Securities Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time. The approval of such Continuing Disclosure Certificate shall be conclusively

evidenced by the execution of such certificate by the City Auditor or Director of Finance and Management.

SECTION 8. APPLICATION OF PROCEEDS

The par amount of the Securities, plus any premium allocated to costs of the project as set forth in the Certificate of Award, shall be deposited in the City Treasury and allocated to the following funds and projects in the amounts set forth below:

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
606	690006-100001	\$ 96,384	Hoover Reservoir Erosion Control-Smother's Road Embankment Stabilization
606	690026-100005	1,162,320	Indianola Parking Lot Imp's (Misc. Water Facilities)
606	690026-100008	232,464	Indianola Facility Imp's Study (Misc. Water Facilities)
606	690236-100000	240,138	Water Main Rehab (for projects not broken out)
606	690236-100051	2,092,176	Eastfield Dr. Area WL Imp's
606	690236-100052	2,324,640	Regina Ave. Area WL Imp's
606	690236-100056	2,324,640	Florence Ave. Area WL Imp's
606	690236-100067	138,293	Lamont Ave. Area WL Imp's
606	690236-100068	215,777	Silver Dr. Area WL Imp's
606	690236-100069	154,976	Project No. 32 WL Imp's
606	690236-100070	154,976	Project No. 33 WL Imp's
606	690236-100071	154,976	Project No. 34 WL Imp's
606	690236-100072	154,976	Project No. 35 WL Imp's
606	690236-100074	774,880	Eureka and Steel WL Imp's (joint w/Storm's Terrace/Broad SSI's)
606	690251-100000	77,488	O'Shaughnessy Hydroelectric - FERC
606	690265-100000	387,440	HCWP Raw Water Line
606	690286-100001	1,007,344	Alum Feed System Upgrade (HCWP Misc. Imp's)
606	690358-100000	232,464	Advanced Metering Infrastructure (AMI)
606	690370-100003	736,136	Upground Reservoir -Borrow Pit Restoration Project
606	690391-100000	154,976	HCWP A & B Raw & Finished Water Pump
606	690394-100000	108,483	Large Meters
606	690395-100000	1,549,760	Valve Renewal Program
606	690411-100000	201,469	Work Boat for Watershed (Watershed Misc. Imp's)
606	690411-100004	131,730	Independent Consultant Review (Watershed Misc. Imp's)
606	690421-100000	102,815	Watershed Protection Easements
606	690428-100001	5,269,184	DRWP Capacity Incr. Detailed Design
606	690428-100005	73,613,600	DRWP Capacity Incr. (Ion Exchange/Plant Reliability Upgrades)
606	690430-100001	1,549,760	HCWP Treatment Imp's (Ozone Project)
606	690441-100001	77,488	Pump Motor Rehab (Alum Creek Pumping Station)
606	690444-100000	309,952	O'Shaughnessy Hydroturbine Imp's
606	690446-100000	387,440	General Engineering Services - Supply Group
606	690473-100001	2,324,640	Bethel Rd. Booster Station Imp's
606	690473-100005	1,162,320	Stand-By Power for Critical Water Booster Stations
606	690473-100006	1,394,784	Henderson Rd. Booster Station Upgrades
606	690473-100008	438,176	Fairwood Ave. Elevated Storage Tanks Demolition
606	690473-100008	66,341	Fairwood Ave. Elevated Storage Tanks Demolition
606	690477-100000	1,162,320	Water Storage Tank Painting
606	690488-100000	44,788,064	PAWP Treatment Upgrades (EM)
606	690501-100000	774,880	Hague Ave. 24" WM Imp's
606	690508-100000	697,392	HCWP Lime Slaker Replacement
606	690518-100000	7,361,360	Professional Construction Mgmt. - Supply Group
606	690519-100000	503,672	HCWP Standby Power
606	690520-100000	426,184	DRWP Standby Power

<u>Fund</u>	<u>Project</u>	<u>Amount</u>	<u>Description</u>
606	690521-100003	929,856	Large Diameter Valve Repairs (Water Main Repairs)
606	690521-100004	929,856	2015 Water Main Repairs
606	690522-100000	2,247,152	SCADA System for Division of Water
606	690527-100000	464,928	2015 Fire Hydrant Replacements
606	690528-100001	193,720	2015 General Engineering Services - Distribution Group
606	690533-100000	464,928	PAWP Well Pump Replacement
606	690535-100000	387,440	DRWP UV Disinfection
606	690536-100000	464,928	HWCP UV Disinfection
606	690537-100001	139,478	Westgate Tank Replacement
606	690539-100000	387,440	PAWP Concept Plan Update
606	690550-100001	15,498	Utilities Complex Generator Automatic Transfer Switch
606	690591-100000	<u>15,498</u>	CW-103 Riverbank Stabilization (PAWP Misc. Imp's)
Total		<u>\$163,860,000</u>	

While the Municipality anticipates spending the moneys allocated to the funds and projects in the manner set forth in the table above, the Municipality may determine, upon the approval of this Council, to reallocate proceeds of the Securities to another fund and project consistent with the purpose for which the Securities are issued.

Any premium received from the sale of the Securities shall be deposited in the City Treasury and shall be credited to such funds and used for such purposes as shall be specified in the Certificate of Award. All moneys necessary to carry out the purpose of this Ordinance are hereby deemed appropriated and authorized for expenditure by the City Auditor.

To provide for the payment of the costs of issuance of the Notes, 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 Notes, including fees and expenses of the Original Purchaser of the Notes incurred in connection with structuring, documenting, closing, monitoring or enforcing the Notes, including legal counsel to the Original Purchaser, the Municipality is hereby authorized to expend a sum not to exceed Two Hundred Thousand Dollars (\$200,000), 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 Notes from the proceeds of the sale of the Notes.

The City Auditor and the Director of Finance and Management, or either of them individually, are authorized to transfer funds from the unappropriated balance of the Water Reserve Fund or the Special Income Tax Fund, Fund 430, as necessary (a) to pay expenses related to the projects until such funds are received from the sale of the Securities, (b) from a loan, if applicable, from the Ohio Water Development Authority, or (c) to pay expenses related to projects necessary as a result of a failure of the holder of the Notes to honor a Drawing Certificate. Thereafter, upon the issuance of the Securities, origination of the loan from the Ohio Water Development Authority, or issuance of others bonds or notes to finance such projects, as applicable, the City Auditor and the Director of Finance and Management, or either of them individually, are authorized and directed to repay the Water Reserve Fund or the Special Income Tax Fund the amount transferred under this Section. The Municipality intends to make a reimbursement allocation on its books for such expenditures not later than eighteen months following the later to occur of the date of such expenditures to be reimbursed or the date the project for which such expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the

issuance of the Securities, the proceeds of such Securities shall be used to reimburse the fund from which the advance for costs of the project will be made.

SECTION 9. REGISTRATION; TRANSFER

The Trustees of the Sinking Fund of the City of Columbus are appointed to act as the authenticating agent, registrar, transfer agent and paying agent (collectively, the "Registrar") for the Securities. So long as any of the Securities remain outstanding, the Municipality will cause to be maintained and kept by the Registrar, at the office of the Registrar, all books and records necessary for the registration, exchange and transfer of Securities as provided in this Section (the "Register"). Subject to the provisions of Section 6 and 7 hereof (as applicable to the Notes and Bonds, respectively), the person in whose name any Securities shall be registered on the 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 Unlimited Tax Bond shall be made only to or upon the order of that person. Neither the Municipality nor the 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 Securities, 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 Registrar.

Any of the Securities, upon presentation and surrender at the principal office of the 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 Registrar, may be exchanged for Securities of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Securities surrendered, and bearing interest at the same rate and maturing on the same date.

Any of the Securities may be transferred only on the Register upon presentation and surrender thereof at the principal office of the 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 Registrar. Upon that transfer, the Registrar shall complete, authenticate and deliver new Securities of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Securities surrendered, and bearing interest at the same rate and maturing on the same date.

The Municipality and the Registrar shall not be required to transfer or exchange any of the Securities for a period of fifteen days next preceding the date of its maturity.

In all cases in which Securities are exchanged or transferred hereunder, the Municipality shall cause to be executed and the Registrar shall authenticate and deliver Securities in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Municipality and 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 Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Securities. All Securities 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 Securities 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, registrar, transfer agent and paying agent should serve as

Registrar, or co-Registrar in addition to the 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 Registrar Agreement with such entity, pursuant to which such bank or financial institution shall agree to serve as Registrar or co-Registrar for the Securities. If at any time such bank or financial institution shall be unable or unwilling to serve as Registrar or co-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 Registrar or co-Registrar hereunder. Each such successor Registrar (or co-Registrar) shall promptly advise all bondholders of the change in identity and its address.

SECTION 10. BOOK ENTRY SYSTEM

The Securities, 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 Securities 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 Securities in the form of physical securities or certificates; (iii) ownership of beneficial interests in any Security 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 Securities 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 Securities 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 Securities as provided in this Ordinance.

The 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 Security 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 Security 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 Security, upon any conditions which shall be satisfactory to the Registrar and the Municipality. That payment in any event shall be made to the person who is the registered owner of the Security 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 Registrar will furnish a copy of each of these agreements, certified to be correct by the Registrar, to other paying agents for Securities 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, the letter agreement among the Municipality, the Registrar and The Depository Trust Company, as Depository, to be delivered, in connection with the issuance of the Securities to the Depository for use in a book entry system.

If any Depository determines not to continue to act as a depository for the Securities for use in a book entry system, the Municipality and the Registrar may attempt to have established a securities

depository/book entry relationship with another qualified Depository under this Ordinance. If the Municipality and the Registrar do not or are unable to do so, the Municipality and the Registrar, after the Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Securities from the Depository, and authenticate and deliver Security 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 Securities), if the event is not the result of action or inaction by the Municipality or the 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 Securities may be transferred only through a book entry and (ii) physical Securities in fully registered form are issued only to a Depository or its nominee as registered owner, with the Securities “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Securities.

“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 Securities, and to effect transfers of Securities, in book entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York, and its nominees.

SECTION 11. FEDERAL INCOME TAX COMPLIANCE

The Municipality hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Securities is and will continue to be excluded from gross income for federal income tax purposes, in accordance with the Internal Revenue Code of 1986, as amended (the “Code”). The Municipality further covenants that it shall restrict the use of the proceeds of the Securities in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Securities are issued, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (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 Securities 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 Securities 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 Securities; 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 Securities 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 Securities which limits the amount of Security 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 Securities 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. ADDITIONAL INSTRUMENTS AND CERTIFICATIONS.

The Mayor, City Auditor, the Director of Finance and Management, and City Clerk, or any of them individually, are hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

SECTION 13. OPEN MEETING COMPLIANCE

It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Securities 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 Securities.

SECTION 14. VALID AND BINDING OBLIGATIONS

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. FILINGS WITH COUNTY AUDITORS

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. EFFECTIVE DATE

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 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: In determining the lowest bid for a contract the local bidder credit will not be applied.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

BID OPENING DATE - May 28, 2014 3:00 pm

SA005413 - CONST:JPWWTP SECURITY GATES/CAMERA SYS

BID NOTICES - PAGE # 1

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Paper proposals will be received by the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage, at 910 Dublin Road, 1st Floor Auditorium, Columbus, Ohio at 3:00 P.M. local time, and publicly opened and read at 910 Dublin Road at 3:00 P.M. local time on May 28, 2014 for Jackson Pike Wastewater Treatment Plant, Security Gates and Camera System Improvements, C.I.P. 650260-102002, Contract No. SCP 03JP. The work for which proposals are invited consists of: replacement of access gates and gate actuators, modifications to security fencing and access roads, addition of security cameras, and modifications to the plant security system; 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.

Copies of plans and specifications are available to prospective bidders at the Utility Permit Office, 3rd Floor, 910 Dublin Road, Columbus, Ohio, 43215. The first bid set is free, additional sets will be \$25 (no partial sets).

Copies of plans and specifications are available for viewing at the following locations:

1. Division of Sewerage and Drainage, Treatment Engineering, 1250 Fairwood Avenue, Room 0020, Columbus, OH 43206-3372.
2. Office of Chester Engineers, 88 E. Broad Street, Suite 1980, Columbus, Ohio 43215.

Questions must be in writing, by courier, personal delivery, by fax, or by email and can be submitted to Burt Otani, Chester Engineers, telephone 614 224 4419, fax 614 224 4492, e-mail botani@chesterengineers.com. Questions must be received at least seven (7) days prior to the Bid Opening date, by 12:00 P.M., Noon, of that day. Any interpretations of questions so raised, which in the opinion of the City or its representative require interpretations, will be issued by Addenda mailed, faxed or delivered to holders of record no later than five (5) days prior to the date fixed for the opening of bids. The City or its representative will not be bound by any oral interpretations which are not reduced to writing and included in the addenda.

In order for a Proposal to be considered responsive, the bidder must submit all required information for the project as outlined in the advertisement for bids.

All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City and will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. All materials received will be open to the public once the sealed proposals are publicly opened and read.

ORIGINAL PUBLISHING DATE: May 15, 2014

BID OPENING DATE - May 29, 2014 11:00 am

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA005406 - Flocculator Paddle Replacement Parts UTC

1.1 Scope: This bid proposal is to provide the City of Columbus, Division of Power and Water, with a "Catalog" offer to purchase various Flocculator Paddle Replacement Parts for use at its water treatment plants within the Columbus metropolitan area. The proposed contract will be in effect through September 30, 2016. The City estimates spending \$150,000 annually for this contract.

1.2 Classification: All items purchased and supplied under this contract are required to conform to the original engineering drawing dimensions and specifications, which are included with this bid packet. The City of Columbus will provide all installation requirements. Bidders are required to show experience in providing this type of equipment as detailed in these specifications.

1.2.1 Bidder Experience: The equipment offeror must submit an outline of its experience and work history in this type of equipment for the past five years.

1.2.2 Bidder References: The equipment 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.

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

ORIGINAL PUBLISHING DATE: May 16, 2014

SA005407 - PSPO/TRAFFIC REFLECTIVE SIGN SHEETING

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 Control Sign Sheeting for use in fabricating traffic control signage to be installed along roadways throughout the City of Columbus. It is the intent to issue a ?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 May 31, 2016.

1.2 Classification: The materials to be purchased shall be high-performance microprismatic reflective sheeting; super high intensity prismatic reflective sheeting; very high intensity prismatic reflective sheeting; fluorescent high performance microprismatic retroreflective sheeting; retroreflective truck and trailer conspicuity tape; conformable retroreflective microprismatic sheeting for emergency vehicle graphics; traffic control non-reflective sheeting; reflective sheeting for reboundable traffic control devices; electronic cuttable film; and premium clear protective overlamine.

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

ORIGINAL PUBLISHING DATE: May 02, 2014

SA005412 - DPS/REFUSE/8C YD FRT LD REFUSE CONTAINER

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: This proposal is to provide the City of Columbus, Division of Refuse Collection, with a Universal Term Contract (UTC) to purchase eight (8) cubic yard front loader refuse containers, as well as replacement parts for the containers being bid. All of the refuse containers will be serviced by front loader collection vehicles throughout the City, by City personnel and/or agent(s) of the City, for utilization in residential collections and by City agencies. The resulting contract will be in effect through September 30, 2016 with the option to extend one (1) additional year. The City estimates it will spend approximately \$35,000.00 annually.

1.2 Classification: Proposals shall reflect a unit price for the purchase and delivery of eight (8) cubic yard front loader refuse containers, as well as replacement parts for the containers being bid. Containers shall be delivered fully assembled to the location(s) designated on each separate purchase order. Bidder must provide references that have used the proposed container for at least two years. Bidders are required to show experience in providing these types of containers and warranty service as detailed in these specifications.

1.2.1 Bidder Experience: The refuse container 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: The refuse container 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 May 14, 2014. Responses will be posted as an addendum to this bid on the City's website (vendorservices.columbus.gov) no later than 5:00 p.m. (local time) on May 19, 2014. 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: May 06, 2014

SA005414 - AUTOMOTIVE PREVENTIVE MAINT SERVICES

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus to obtain proposals to establish a Universal Term Contract(s) (UTC) to supply Automotive Preventive Maintenance (PM) Services for various City vehicles up to and including September 30, 2016.

1.2 Classification: The contract(s) resulting from this bid proposal will provide for the option of automotive preventive maintenance (PM) services per bid document. Preventive maintenance includes changing oil, replacing filter, checking and filling fluid levels to manufactures recommended level and visual inspections of glass, brakes, shocks, drive train, seals, hoses, belts, horn, battery and cables. Bidder's business must be able to provide Vehicle Preventive Maintenance (PM) Services and to meet the City's requirements.

1.2.1 Bidder Experience: The maintenance offeror must submit an outline of its experience and work history in these types of equipment and maintenance for the past five years.

1.2.2 Bidder References: The maintenance offeror shall have documented proven successful contracts in at least four agencies equivalent to the size of the City's current metropolitan service area.

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 May 19, 2014. 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 May 22, 2014. See Section 3.2.4 for additional details.

ORIGINAL PUBLISHING DATE: May 08, 2014

SA005418 - R&P Wilson Rd Athletic Field REBID

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

ADVERTISEMENT FOR BIDS

Paper proposals will be received by the City of Columbus, Department of Recreation & Parks, Division of Planning & Design, at 1111 East Broad Street, Columbus, OH 43205 until 11:00 A.M. local time on May 29, 2014 and publicly opened and read immediately thereafter for:

WILSON ROAD PARKLAND ATHLETIC FIELD GRADING REBID

The work for which proposals are invited consists of: Clearing and grubbing, grading, seed, 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.

Copies of plans and specifications will be available on May 12, 2014 at ARC, 1159 Dublin Road, Columbus, OH 43215, upon a non-refundable payment per bid set to ARC. Bidders may contact ARC at (614) 224-5149 or via their website www.e-arc.com for the cost of bid sets.

Questions must be emailed and can be submitted to Jeff Anderson, jsanderson@columbus.gov. Questions must be received by May 21, 2014.

In order for a Proposal to be considered responsive, the bidder must submit all required information for the project on the proper forms, P-1 through P-51, in a sealed envelope marked WILSON ROAD PARKLAND ATHLETIC FIELD GRADING REBID.

All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City and will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. All materials received will be open to the public once the sealed proposals are publicly opened and read.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Contract Documents refer to City of Columbus, Ohio Construction and Material Specifications (CMS), 2012 edition and will become part of the terms and conditions of the contract to be awarded. Hard copies of this document are available for examination or purchase at the Department of Public Service, 109 N. Front St, 3rd Floor, Room 301, Columbus, Ohio 43215 (614) 645-8376, and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio 43215, (614) 645-6141. An electronic version of the document can be viewed at <http://publicservice.columbus.gov/DocListing.aspx?id=47645>

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, in the form of a Proposal Bond or Certified Check, with a surety or sureties licensed to conduct business in the State of Ohio. The amount of the guaranty shall be ten (10) percent of the bid amount or numerically in dollars and cents, including all alternates submitted which increases the amount of the bid. All bonds signed by an agent must be accompanied by a surety power of attorney, most recent surety financial statement, and current Ohio Department of Insurance Certificate of Compliance.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

PREVAILING WAGE RATE

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond in the amount of 100 percent of the contract price with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, 2012 edition, will be required to assure the faithful performance of the work. All bonds signed by an agent must be accompanied by a surety power of attorney, most recent surety financial statement, and current Ohio Department of Insurance Certificate of Compliance

CONTRACT COMPLETION

The City anticipates issuing a notice to proceed within 4 to 6 weeks from the bid opening. All work is to be complete by 90 days from Notice to Proceed.

ORIGINAL PUBLISHING DATE: May 10, 2014

SA005408 - Intersection Imps - Main at McNaughten

1.1 Scope: The City of Columbus, Department of Public Service is receiving proposals until 1:00 P.M. May 29, 2014, for professional engineering consulting services for the Intersection Improvements - Main Street at McNaughten Road project. Proposals are being received electronically by the Department of Public Service, Office of Support Services. Proposals shall be submitted to DPSRFP@columbus.gov.

This project, also known as FRA US 40 22.160 (PID Number 97197), includes completion of the Project Development Process (PDP) for improvements to the intersection of East Main Street at McNaughten Road and to the East Main Street corridor from McNaughten Road to Manor Drive. Design is partially funded by the Ohio Department of Transportation (ODOT). The purpose of the project is to reduce congestion at the intersection of Main and McNaughten, improve safety, and address deficiencies in the pedestrian system.

The selected Consultant shall attend a scope meeting anticipated on or about June 13, 2014. 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. All questions concerning the RFP are to be sent to capitalprojects@columbus.gov. The last day to submit questions is May 22, 2014. Responses will be posted on the Vendor Services web site as an addendum. Phone calls will not be accepted.

ORIGINAL PUBLISHING DATE: May 08, 2014

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA005391 - Res. Urban Paving SR 317 PID 92345

Electronic proposals will be received by the Department of Public Service through Bid Express at <https://www.bidx.com/dps.oh/>, until May 29, 2014 at 3:00 P.M. local time, for Resurfacing - Urban Paving - SR317 - Hamilton Road (PID 92345), C.I.P. No. 530282-100071.

Hard copy proposals will not be accepted by the City.

The work for which proposals are invited consists of: repairing and resurfacing 3.07 miles of Hamilton Road (S.R.-317) as indicated on the plans by means of planning, resurfacing, curb repair, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth at <https://www.bidx.com/dps.oh/>.

Only pre-qualified contractors are eligible to submit bids for this PROJECT. Pre-qualification status must be in force at the time of bid, at the time of award, and through the life of the construction contract. The "prime" contractor must perform no less than 50 percent of the total original price.

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 <https://www.bidx.com/dps.oh/> 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 (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: May 22, 2014

SA005404 - PLANNING - REAL ESTATE MARKET STUDY

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

CONSULTANT SERVICES -
BRICE-TUSSING REAL ESTATE MARKET STUDY

THE CITY OF COLUMBUS, OH, DEPARTMENT OF DEVELOPMENT, PLANNING DIVISION, SEEKS PROFESSIONAL CONSULTANT TO PROVIDE REAL ESTATE MARKET STUDY OF THE AREA AROUND THE BRICE-TUSSING PLANNING AREA, WHICH IS LOCATED IN THE SOUTHEASTERN PORTION OF 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. Note - detailed specifications are attached to page 2 of Solicitation.

ORIGINAL PUBLISHING DATE: May 21, 2014

BID OPENING DATE - June 3, 2014 1:00 pm

SA005394 - OCM-PS A/E CITY HALL DOORS/SECURITY AREA

ADVERTISEMENT FOR BIDS

REQUEST FOR STATEMENTS OF QUALIFICATION (RFSQ) FOR:
PROFESSIONAL ARCHITECTURAL/ENGINEERING CONSULTING SERVICES

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain Request for Statements of Qualifications (RFSQ) to establish a contract for PROFESSIONAL ARCHITECTURAL/ENGINEERING CONSULTING SERVICES FOR CITY HALL DOORS AND SECURITY AREA RENOVATION.

1.2 Classification: Solicitation of professional services of an architectural/engineering firm to renovate the six exterior doors as well as the security desk area on the east side of the Columbus City Hall Building, 90 West Broad Street, Columbus, Ohio 43215.

1.3 Deadline for questions is Tuesday, May 20, 2014 at 12:00 p.m. Contact Jennifer Henderson with the Office of Construction Management via email (jrhenderson@columbus.gov) or fax (614-645-0254) only.

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

ORIGINAL PUBLISHING DATE: April 23, 2014

BID NOTICES - PAGE # 10

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA005423 - Econ & Comm Dev - Pizzuti Short North

Electronic proposals will be received by the Department of Public Service through Bid Express only at <https://www.bidx.com/dps.oh/>, until June 3, 2014 at 3:00 P.M. local time, for Economic & Community Development - Pizzuti Short North, C.I.P. No. 590415-100009.

Hard copy proposals will not be accepted by the City.

The work for which proposals are invited consists of: installation of recycled Brick Pavers on Millay Alley, sidewalk and streetscape improvements on North High Street east and west side at the Pizzuti Hotel and Office/Retail center, sidewalk and ADA ramp improvements to Park Street and Russell Street, resurfacing Russell Street between Park Street and High Street, traffic signal adjustments/update at Russell Street and High Street, changing Russell Street from one way east to one way west, updated pavement marking and signage on Russell Street and High Street, and other such work as may be necessary to complete the contract in accordance with the plans and specifications set forth at Bid Express.

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 <https://www.bidx.com/dps.oh/> 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.

Effective 01/01/15, companies must be prequalified by the City to be awarded a construction contract or to be a subcontractor on a newly awarded construction contract. Applications for 2015 prequalification will be accepted through October 31, 2014. Go to <http://www.columbus.gov/prequalification.aspx> if you have questions about the prequalification process or to obtain a prequalification application.

ORIGINAL PUBLISHING DATE: May 14, 2014

BID OPENING DATE - June 4, 2014 12:00 pm

SA005421 - FMD - ELEVATOR MAINTENANCE & SERVICE

BID NOTICES - PAGE # 11

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Division of Facilities Management, to obtain a bid proposal to establish a contract for: ELEVATOR MAINTENANCE AGREEMENT FOR BUILDINGS UNDER THE PURVIEW OF FACILITIES MANAGEMENT

Classification: Contractor shall be licensed, bonded, experienced, and insured for all work. A mandatory pre-bid meeting will take place on MONDAY, MAY 19, 2014 at 9:00 a.m. at the 640 W. Nationwide Blvd., Columbus, Ohio 43215. You must attend the pre-bid meeting and walk through(s) in order to be considered for this project. There will be a mandatory building walk through after the pre-bid meeting and a mandatory building walk through Tuesday, May 20, 2014 at 9:00 a.m. Details and locations will be provided at the mandatory pre-bid meeting. Each company will be limited to one (1) vehicle during the walk-through, Monday, May 19, 2014, due to limited parking downtown.

All questions and concerns pertaining to the specifications shall be directed in writing to Janet Walsh, Building Maintenance Manager at jlwalsh@columbus.gov prior to Wednesday, May 28, 2014 by 12:00 p.m. Addendums will be issued accordingly and can be found in Vendor Services under the individual bid number.

Bids are to be returned, on Wednesday, June 4, 2014 at 12:00 p.m., to 640 W. Nationwide Blvd., Columbus, Ohio 43215, first floor main office. Any bids received after 12:00 p.m. will be accepted but not opened. A bid opening will occur at 12:00 p.m. Bids must be received before 12:00 p.m. to be accepted. Bids shall be time stamped. Facilities Management receives no U.S. Mail Service to this location. Bids will need to be dropped off or couriered. Building hours are 7:00 a.m. until 3:30 p.m. Bids cannot be faxed.

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: May 13, 2014

SA005419 - CON:MARION/LOCKBOURNE RD STORMWATER IMP

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Paper proposals will be received by the City of Columbus, Department of Public Utilities, Division of Sewerage and Drainage at 910 Dublin Road, 4th Floor, Columbus, Ohio until 3:00 P.M. local time, and publicly opened and read at 910 Dublin Road, 1st Floor Auditorium, Columbus, Ohio at 3:00 P.M. local time on June 4, 2014, for MARION ROAD STORMWATER SYSTEM IMPROVEMENTS, CIP 610771-100000 & LOCKBOURNE ROAD STORMWATER SYSTEM IMPROVEMENTS, CIP 610772-100000. The work for which proposals are invited consists of: construction of approximately 12,500 LF of 12- thru 36-inch storm sewer and associated appurtenances, 99,500 SF of sidewalk, and other such work as may be necessary to complete the contract in accordance with the plans (CC-15708/2601 DR E & CC-15852/2746 DR E) and specifications set forth in the Bid Submittal Documents.

Copies of plans and specifications are available to prospective bidders at the Utility Permit Office, 3rd Floor, 910 Dublin Road, Columbus, Ohio, 43215. The first bid set is free, additional sets will be \$25 (no partial sets).

Questions must be submitted via email to Mike Griffith, mpgriffith@columbus.gov no later than close of business on Wednesday, May 28, 2014.

In order for a Proposal to be considered responsive, the bidder must submit all required information for the project as outlined in the advertisement for bids.

All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City and will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. All materials received will be open to the public once the sealed proposals are publicly opened and read.

ORIGINAL PUBLISHING DATE: May 10, 2014

SA005432 - CONST-2014 MAIN LINE VALVE REPLACEMENTS

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Paper proposals will be received by the City of Columbus, Department of Public Utilities, Division of Water at 910 Dublin Road, 4th Floor, Columbus, Ohio until 3:00 P.M. local time, and publicly opened and read at 910 Dublin Road, 1st Floor Auditorium, Columbus, Ohio at 3:00 P.M. local time on Wednesday, June 4, 2014 for the 2014 Main Line Valve Replacements project, C.I.P. No. 690395-100000, Contract No. 2080. The work for which proposals are invited consists of the replacement of existing water valves and appurtenances at various locations within the City of 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.

Copies of plans and specifications are available to prospective bidders at the Utility Permit Office, 3rd Floor, 910 Dublin Road, Columbus, Ohio, 43215. The first bid set is free, additional sets will be \$25 (no partial sets).

Questions must be received in writing and can be submitted to Evan DiSanto, P.E., LEED AP at emdisanto@columbus.gov. Questions must be received by noon on Wednesday, May 28, 2014.

In order for a Proposal to be considered responsive, the bidder must submit all required information for the project as outlined in the advertisement for bids.

All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City and will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. All materials received will be open to the public once the sealed proposals are publicly opened and read.

ORIGINAL PUBLISHING DATE: May 20, 2014

SA005433 - HCWP MISC ALUM FEED IMPROV UPGRADE CONST

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Sealed paper proposals will be received by the City of Columbus, Department of Public Utilities, Division of Water, at the office of the Director of Public Utilities, 4th Floor, 910 Dublin Road, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at the 1st floor Auditorium, 910 Dublin Road, Columbus, Ohio 43215, at 3:00 P.M. local time on June 4, 2014 for HAP CREMEAN WATER PLANT MISCELLANEOUS IMPROVEMENTS ? ALUM FEED SYSTEM UPGRADE, CONTRACT NO. 2069, CIP NO. 690286-100001. The work for which proposals are invited consists of furnishing all labor, materials, equipment, and incidentals as specified, and required to provide for the installation of a liquid alum chemical feed system including chemical day tanks, transfer pumps, chemical feed pumps, piping, motorized valves, magnetic flowmeter, and PLC control panel. Related work consists of electrical power supply for new equipment, architectural improvements to windows and doors, plumbing improvements including tankless water heater and eyewash and shower, heating and ventilation improvements including air handling equipment and ductwork, demolition of two existing liquid alum chemical feed systems in separate locations, 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.

PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, in the form of a Proposal Bond or Certified Check, with a surety or sureties licensed to conduct business in the State of Ohio. The amount of the guaranty shall be ten (10) percent of the bid amount or numerically in dollars and cents, including all alternates submitted which increases the amount of the bid. All bonds signed by an agent must be accompanied by a surety power of attorney, most recent surety financial statement, and current Ohio Department of Insurance Certificate of Compliance.

PREVAILING WAGE RATE

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239. The City recommends the Prime Contractor obtain the completed Prevailing Wage affidavit from all subcontractors upon completion of the sublet portions of work, and prior to providing final payment to subcontractors.

PRE-BID CONFERENCE

A pre-bid conference for this project will be held on May 22, 2014 at 9:00 a.m., in the Administration/Maintenance Building conference room of the Hap Cremean Water Plant, 4250 Morse Road, Columbus, Ohio 43230. This conference is not mandatory; however, bidders shall comply with and be responsible for the information discussed at the pre-bid conference. A brief tour of the affected plant and site areas will be conducted following the pre-bid conference. Any Bidder wishing to inspect the affected work site area must furnish their own steel toe shoes/boots and safety glasses/goggles. No additional opportunity will be provided to tour the secure areas of the project site.

ORIGINAL PUBLISHING DATE: May 21, 2014

SA005435 - CONST-PAWP MISC BANK STABILIZATION IMPROV

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

Sealed paper proposals will be received by the City of Columbus, Department of Public Utilities, Division of Water, at the office of the Director of Public Utilities, 4th Floor, 910 Dublin Road, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at the 1st floor Auditorium, 910 Dublin Road, Columbus, Ohio 43215, at 3:00 P.M. local time on June 4, 2014 for PARSONS AVENUE WATER PLANT MISCELLANEOUS IMPROVEMENTS - CW-103 BANK STABILIZATION, CIP NO. 690291-100000. The work for which proposals are invited consists of: furnishing all labor, materials, equipment, and incidentals as specified, and required to remove and dispose of fallen trees, brush and debris; perform limited excavation of the river bank to meet lines and grades; place and anchor geogrid and filter fabric; remove a portion of an existing 3" iron pipe drain; place and grout approximately 25 cubic yards of riprap; seed and mulch disturbed areas, 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 bidder is required to submit a Proposal Guaranty, in the form of a Proposal Bond or Certified Check, with a surety or sureties licensed to conduct business in the State of Ohio. The amount of the guaranty of not less than ten (10) percent of the bid amount or numerically in dollars and cents, including all alternates submitted which increases the amount of the bid. All bonds signed by an agent must be accompanied by a surety power of attorney, most recent surety financial statement, and current Ohio Department of Insurance Certificate of Compliance. Bidders must comply with the prevailing wage rates on Public Improvements in the county in which the work is performed and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239. A pre-bid conference for this project will be held on May 22, 2014 at 1:00 p.m., in the 1st Floor conference room of the Parsons Avenue Water Plant, 5600 Parsons Avenue, Lockbourne, Ohio 43137. This conference is not mandatory; however, bidders shall comply with and be responsible for the information discussed at the pre-bid conference. A second tour of the work site will take place on May 27, 2014 at 1:00 p.m. These two tours will be the only opportunities to tour these secure facilities prior to the bid opening.

Copies of the bid submittal document are on file in the office of the Division Of Water, Technical Support Section, Utilities Complex, 2nd floor, 910 Dublin Road, Columbus, Ohio 43215, Phone (614-645-7100) and Key Blue Prints, Inc., 195 East Livingston Avenue, Columbus, Ohio 43215 (Phone: 614-228-3285) (Website: PLANROOM <http://www.keycompanies.com/>). Copies of the bid submittal document are available for purchase to prospective bidders on May 21, 2014 through the office of Key Blue Prints, Inc., upon payment of \$15.00 per set plus tax and cost of shipping. Payment shall be made payable to Key Blue Prints, Inc. No refunds will be made.

Questions must be in writing and can be submitted to Cynthia Moorhead, P.E., 2nd Floor, 910 Dublin Road, Columbus, Ohio 43215 and/or email to csmoorhead@columbus.gov or fax (614) 645-6165. Questions must be received by 3:00pm local time on May 28, 2014. Any interpretations of questions so raised, which in the opinion of the City or its representative require interpretations, will be issued by Addenda mailed, faxed or delivered to holders of record no later than five (5) days prior to the date fixed for the opening of bids. The City or its representative will not be bound by any oral interpretations which are not reduced to writing and included in the addenda.

In order for a Proposal to be considered responsive, the bidder must submit all required information for the project as outlined in the advertisement for bids. Proposals must be submitted on the proper forms contained in the bid documents and the bid documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for:

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

PARSONS AVENUE WATER PLANT MISCELLANEOUS IMPROVEMENTS-
CW-103 BANK STABILIZATION, CIP NO. 690291-100000

All materials submitted in response to this advertisement will become part of the awarded contract; will become the property of the City and will not be returned; and will be considered public records subject to disclosure as contemplated by Ohio Revised Code Section 149.43. All materials received will be open to the public once the sealed proposals are publicly opened and read.
ORIGINAL PUBLISHING DATE: May 21, 2014

SA005434 - RFI - Gunshot Detection System

The City of Columbus, Department of Public Utilities, is requesting information in order to compare gunshot detection systems capable of pinpointing incoming small arms fire from a shooter in an urban environment. In the near future, the Department of Public Utilities may be in the market to purchase a perimeter defense solution of this type that can be operated continuously at critical Public Utilities infrastructure locations throughout our service area.

If you are aware of a similar gunshot detection systems that meets most or all of the following needs, please respond to this Request for Information. The gunshot detection system shall be capable of detecting incoming supersonic and subsonic small arms fire, pinpointing the hostile shooter(s) and displaying their location, allowing for a rapid and coordinated response. The system should be engineered to prevent false alarms caused by non-ballistic events such as vehicle traffic, firecrackers, and other urban activity. The system shall detect the shooter under all environmental conditions (day/night/fog/rain/snow, etc.).

This solicitation is not a bid. This is a Request for Information only. Please respond to this Request for Information with materials that will help the City of Columbus understand the market for a gunshot detection system capable of these defined tasks. Please respond to SAMcquirt@columbus.gov. Please limit your responses to 25 pages. The information received will be used by the City of Columbus to help it determine what products will meet the City's needs and to potentially draft specifications for future bids.
ORIGINAL PUBLISHING DATE: May 21, 2014

BID OPENING DATE - June 5, 2014 11:00 am

SA005400 - ULTRA LOW DIESEL AND BIODIESEL FUEL UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: This proposal is to provide the City of Columbus, Fleet Management Division and their potential Regional Cooperative Partners a Universal Term Contract (blanket type) to purchase approximately 1.3 million gallons annually of Ultra Low Sulfur Diesel, Biodiesel and Non-Road Diesel Fuel for delivery at various City locations. The proposed contract will be in effect through September 30, 2016.

1.2 Classification: The successful bidder will provide, deliver, and unload bulk quantities of Ultra Low Sulfur Diesel, Biodiesel and Non-Road Diesel Fuel. Delivery locations require the successful bidder to deliver via both tank wagon and transport. Bidders are required to show experience in providing this type of product as detailed in these specifications.

1.2.1 Bidder Experience: The Ultra Low Sulfur Diesel, Biodiesel and Non-Road Diesel Fuel offeror must submit an outline of its experience and work history providing product as specified for the past five years.

1.2.2 Bidder References: The Ultra Low Sulfur Diesel, Biodiesel and Non-Road Diesel Fuel 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 Monday, May 12, 2014. 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 Monday, May 19, 2014. See Section 3.2.3 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: May 20, 2014

SA005415 - RFP FIBER MARKETING/RATE STRUCTURE

The City of Columbus is soliciting proposals from qualified offerors to partner with the city, or any agent designated thereby (hereafter city) to market, develop a rate structure, and a billing model for cost recovery of the city's fiber optic infrastructure in support of supplying fiber optic broadband services to businesses, educational and governmental agencies.

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

ORIGINAL PUBLISHING DATE: May 08, 2014

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA005420 - Thermoplastic Tank Liner Replacement

1.1 Scope: It is the intent of the City of Columbus, Division of Water, to obtain formal bids to establish a contract to furnish labor, materials, equipment, and incidentals required to remove existing liner and provide and install a thermoplastic tank liner suitable for contact with 12.5% sodium hypochlorite solution in existing Welded Steel Storage Tank, 12 feet diameter, straight tank height 18 feet. The thermoplastic tank liner will be installed at the Dublin Road Water Plant.

1.2 Classification: The contract resulting from this bid proposal will provide for the purchase of materials and equipment necessary to install, test and make ready for operation a thermoplastic tank liner suitable for contact with 12.5% sodium hypochlorite solution in an existing Welded Steel Storage Tank. This contract will include the removal and disposal of existing liner and installation of the new liner system at the City of Columbus Dublin Road Water Plant Sodium Hypochlorite Building. 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 thermoplastic tank liner offeror must submit an outline of its experience and work history in experience in producing tank liners and shall show evidence of at least 5 installations in satisfactory service.

1.2.2 Bidder References: The thermoplastic tank liner 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 Pre-Bid Site Visit: A pre bid site visit will take place on Wednesday, May 21, 2014 starting at 9:00 am local time at the City of Columbus, Dublin Road Water Plant, 940 Dublin Road, OH 43215. See Section 3.2.4 for further details.

1.2.4 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 Monday, May 26, 2014. 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 Thursday, May 29, 2014. 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: May 10, 2014

SA005422 - WEARING APPAREL - UTC

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

1.1 Scope: It is the intent of the City of Columbus Recreation and Parks Department to secure bids for the purchase of various pieces of recreation wearing apparel for its employees and the Community Recreation and Youth Sports participants on an as needed basis, delivered to one central location for distribution through June 30, 2016.

1.2 Classification: Items for bid are listed in the proposal pages and are itemized according to product, size and color. Most will require custom silk-screening or embroidery. Bidder must list price, brand, product number and all available colors for each item bid upon. For uniformity, many items require specific brands to be bid, no substitutes.

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

ORIGINAL PUBLISHING DATE: May 20, 2014

SA005431 - PUS&D Gas Chromatograph/Mass Spectromete

1.1 Scope: The City of Columbus Division of Sewerage and Drainage intends through this solicitation to purchase for immediate delivery two (2) gas chromatograph/mass spectrometer systems (GC/MS) and associated software that will be used for testing waste water samples for volatile organic chemicals.

1.2 Classification: The selected bidder will deliver and install two (2) gas chromatograph/mass spectrometer systems. One GC/MS system will include a gas chromatograph, mass spectrometer, autoinjector (for semi-volatile analysis system), workstations, software (including mass spectral library data bases), licenses, monitors, and printers. One system will include a gas chromatograph, mass spectrometer, workstations, software (including mass spectral library data bases), licenses, monitors, and printers. The awarded bidder shall configure and install the equipment, provide a demonstration on the features of the equipment, and provide training. The awarded bidder shall provide an Operations Manual, Maintenance and Repair Manuals, and a Parts List.

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

ORIGINAL PUBLISHING DATE: May 17, 2014

BID OPENING DATE - June 6, 2014 4:00 pm

SA005365 - GIS Professional Services- ENG

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

The City of Columbus, Ohio is soliciting Request for Proposal (RFP) pursuant to Columbus City Code 329.14 from experienced professional consulting/engineering firms to assist with the continued development of the Department of Public Utilities (DPU) Geographic Information System (GIS). GIS Services may include, but are not limited to: Data Development and Conversion, Field Data Collection, On-site Staff Augmentation, Needs Assessments and Business Process Analysis (BPA), GIS Application Development, and GIS Systems Integration. The goal of this RFP is to provide DPU access to professional firms with extensive experience developing, implementing and expanding the use of GIS in Public Utilities organizations.

ORIGINAL PUBLISHING DATE: April 08, 2014

BID OPENING DATE - June 12, 2014 11:00 am

SA005417 - Sludge Grinder Parts & Services UTC

1.1 Scope: It is the intent of the City of Columbus, Division of Sewerage and Drainage to obtain formal bids to establish a contract for the purchase of JWC Environmental Sludge Grinder ("Muffin Monster") Parts and Services. The equipment is used to reduce solids for pump protection in the sewerage collection and processing system. Bidders must submit their standard published price lists. The Division of Sewerage and Drainage is also soliciting for service cost to repair and/or refurbish the equipment. The proposed contract will be in effect through May 31, 2016. The City estimates spending \$215,000.00 annually for this contract.

1.2 Classification: This bid proposal and the resulting universal term contract will provide for the purchase and delivery of JWC Environmental Sludge Grinder ("Muffin Monster") Parts and Services. The City of Columbus will provide all installation requirements and maintenance. However, it may be required that the City of Columbus may need the supplier to repair equipment at their site or on site in the City of Columbus. All offerors are required to show experience in providing these types of equipment and repair and warranty service as detailed in these specifications.

1.2.1 Bidder Experience: The Sludge Grinder offeror must submit an outline of its experience and work history in these types of equipment, repair and warranty services for the past five years.

1.2.2 Bidder References: Sludge Grinder 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.

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

ORIGINAL PUBLISHING DATE: May 10, 2014

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA005426 - FIBER PROJECT FIRE STATION 3

1.1 Scope: This Invitation to Bid (ITB) is to remove existing City owned multi-pair copper cabling in AT&T's duct system and replace it with new single mode fiber optic cable. This new fiber optic cable will be initially placed to enable the City to provide fiber optic connections to serve the new Fire Station 3 on Greenlawn Avenue and Berliner Park but it will also position us to create a new cross-connect location to the Columbus Traffic Management System (CTSS) thereby providing diverse routing for Columbus Municipal Courts, Children's Hospital Neighborhood Security Cameras, Fire Stations 1, 3, 8, 14 & 24, Police Precincts 7, 11 & 12, Police Property Room, Police Crime Lab, The Jerry Hammond Center, the Columbus Health Department and several other locations.

1.2 Specification Questions: In order to enable accurate communication in respect to this bid, and to provide bidders the opportunity to seek clarification on any matters pertaining to the bid requirements, and to enhance the bidders understanding of the City's needs, questions regarding this bid must be sent by in writing via email to vendorservices@columbus.gov no later than May 28 2014 @ 11:00 a.m. E-mails containing the written questions should include the Solicitation number and Title in the subject line. There will be a pre-bid and walk-thru at the site Thursday, May 22, 2014 at 10:00 a.m. While the pre-bid and walk-thru are not mandatory it is highly recommended.

ORIGINAL PUBLISHING DATE: May 17, 2014

SA005427 - FIBER PROJECT E FRANKLINTON

1.1 Scope: This Invitation to Bid (ITB) is to build an emergency alternate path to protect our users on the fibers that currently pass through the Franklin County Veteran's Memorial which is slated to be demolished this fall, to position us to serve the Scioto Peninsula and the Franklinton area and to begin construction of the planned south and west ring connections of the city owned fiber optic cable system. By constructing a new 288 strand single mode fiber optic backbone from the fiber routing center currently located inside of the Columbus City Hall Campus, we will begin to create several cross-connect locations and to bring alternate entries to and create new entries for several City Safety, Recreation & Parks and County and Partner locations. This phase along with Phase II will bring service to locations such as COSI, the new downtown zoo, Police Sub 3 & 8, Scioto Mile and Dodge Recreation Center and Pool.

1.2 Specification Questions: In order to enable accurate communication in respect to this bid, and to provide bidders the opportunity to seek clarification on any matters pertaining to the bid requirements, and to enhance the bidders understanding of the City's needs, questions regarding this bid must be sent by in writing via email to vendorservices@columbus.gov no later than no later than May 28 2014 @ 11:00 a.m. E-mails containing the written questions should include the Solicitation number and Title in the subject line. There will be a pre-bid and walk-thru at the site Thursday, May 21, 2014 at 10:00 a.m. While the pre-bid and walk-thru are not mandatory it is highly recommended.

ORIGINAL PUBLISHING DATE: May 17, 2014

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA005429 - FIBER CONSTRUCTION WOODROW AVE

1.1 Scope: This Invitation to Bid (ITB) is to replace two existing obsolete thirty year old 0.750" coaxial cables and the 1/4" steel strand they're hanging on with a new 5/16" steel strand and a new 288 strand single mode fiber optic cable. This new 288 strand cable will be placed along with two existing 288 strand cables on Sycamore Street just east of Champion into a new street side pedestal, thereby creating a new cross-connect location to provide diverse routing for Columbus Municipal Courts, Children's Hospital Neighborhood Security Cameras, Fire 1, 3, 8 & 14, Police Precincts 7, 11 & 12, Police Property Room, Police Crime Lab, The Jerry Hammond Center, the Columbus Health Department and several other locations.

ORIGINAL PUBLISHING DATE: May 17, 2014

SA005430 - CROSS CONNECT FIBER PEDESTALS

1.1 Scope: This Invitation to Bid (ITB) is to complete the Morse Road / Dublin-Granville and several other area connections of the city owned fiber optic cables contained within the Columbus FiberNet system (hereafter referred to as "CFN"), the CityNet Fiber system (hereafter referred to as "CNF") and the Columbus Traffic Signal System (hereafter referred to as "CTSS") by linking them into the fiber routing center currently located inside of the Columbus City's North Data Routing Center on Carolyn Avenue and to several other data routing centers to complete the fiber construction and make these fiber pieces into fully functional systems. This will also provide diverse routes for the Sunbury Watershed and the Hap Cremean Water Plant as well as the Police Center on Freeway Drive, SRB on Morse, Fire 24 & 6, the new CNG station on Morse Road and several other facilities in this northeast, central and southern quadrants of the city.

ORIGINAL PUBLISHING DATE: May 17, 2014

SA005437 - ENCASE CYBERSECURITY v5

Scope: This proposal is to provide the City of Columbus, Department of Technology (DoT) with software licensing, maintenance and support, and professional services to implement Encase Cybersecurity v5. The City is a current Encase customer with recent deployment of Encase Enterprise v7.

Classification: The City is looking for offerors that meet the requirements to provide the Encase Cybersecurity solution described in this specification. Only authorized partners or distributors of Guidance Software Encase solutions are eligible to bid in response to this ITB.

ORIGINAL PUBLISHING DATE: May 22, 2014

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

SA005368 - Roadway Improvements-18th I-70 to Main

City funded Professional Services Ad

1.1 Scope: The City of Columbus, Department of Public Service is receiving proposals until 1:00 P.M. local time, June 12, 2014, for professional engineering consulting services for the Roadway Improvements - 18th Street - I-70 to Main Street design project. Proposals are being received electronically by the Department of Public Service, Office of Support Services. Proposals shall be submitted to DPSRFP@columbus.gov.

This project consists of the engineering and related services necessary to produce construction plans and associated deliverables for improvements to South 18th Street from the bridge over I-70 to East Main Street.

The selected Consultant shall attend a scope meeting anticipated on or about June 24, 2014. If the Project Manager is not available, the Consultant may designate an alternate to attend in their place.

1.2 Classification: Firms wishing to submit a proposal must meet the mandatory requirements stated in the RFP. All questions concerning the RFP are to be sent to capitalprojects@columbus.gov. The last day to submit questions is June 5, 2014. Responses will be posted on the Vendor Services web site as an addendum. Phone calls will not be accepted.
ORIGINAL PUBLISHING DATE: May 22, 2014

BID OPENING DATE - June 13, 2014 3:00 pm

SA005439 - ENG: SWWTP BIOSOLIDS LAND APP FACILITY

BID NOTICES - PAGE # 24

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

REQUEST FOR PROPOSALS:

CIP 650356-100002: SOUTHERLY WASTEWATER TREATMENT PLANT
BIOSOLIDS LAND APPLICATION FACILITY

OWNER:

City of Columbus, Ohio
Department of Public Utilities
Division of Sewerage and Drainage
Treatment Engineering
1250 Fairwood Avenue, Room 0020
Columbus, OH 43206-3372
Troy K. Branson, P.E., Project Manager
Phone No.: (614) 645-7363

PROPOSAL SUBMISSION:

Sealed proposals will be received by the Department of Public Utilities (DPU) of the City of Columbus at the office of Treatment Engineering, 1250 Fairwood Ave. Room 0020, Columbus, Ohio 43206 until 3:00 p.m., Local Time on Friday, June 13, 2014.

DESCRIPTION OF WORK:

This contract will provide professional engineering services for infrastructure to the SWWTP in order to facilitate the maximum beneficial agricultural use of the plant's biosolids by land application including biosolids storage tanks with associated mixing and pumping equipment, liquid piping, load-out facilities, and an odor control system. This project will also provide a storage structure for dewatered cake biosolids, piping to pump digested and undigested biosolids cake sludge simultaneously to the cake storage silos, and piping to link the biosolids land application tanks with the dewatering, thickening, and digester processes. The primary goal of this project is to provide sufficient storage facilities, basic feed piping, and a temporary digested liquid biosolids load-out facility by March 21, 2016; thereby, reducing the need to incinerate. A second construction phase is envisioned to complete the construction of facilities to permanently eliminate incineration via expanded and enhanced land application programs.

BASIS OF SELECTION:

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

EXAMINATION AND PROCUREMENT OF DOCUMENTS:

Copies of the Request for Proposals are on file and may be examined at the following location:

Division of Sewerage and Drainage
Treatment Engineering (TE)
1250 Fairwood Avenue, Room 0020
Columbus OH 43206-3372
(614/645-7363)

RFP information packages will be available beginning Thursday, May 22, 2014. There is no charge for the information package. Proposals will be received by the City until 3:00 p.m., Local Time on Friday, June 13, 2014.

THE CITY BULLETIN
BIDS WANTED - PURCHASING OFFICE AND OTHER DIVISIONS

For additional information concerning this Request for Proposal (RFP), including procedures for obtaining a copy of the RFP 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 RFP number in the open solicitations listing

PRE-PROPOSAL CONFERENCE: A Pre-proposal Meeting is scheduled for Monday, June 2, 2014, at 1:30 p.m. at the Southerly Wastewater Treatment Plant, 6977 S. High Street, Administration Conference Room, Columbus, Ohio 43137. It will be followed by a tour of the affected site and existing facilities.
ORIGINAL PUBLISHING DATE: May 22, 2014

BID OPENING DATE - June 16, 2014 4:00 pm

SA005425 - OCM-A/E CONSULT SERV FOR CONS CALL CTR

**REQUEST FOR STATEMENTS OF QUALIFICATION (RFSQ) FOR:
PROFESSIONAL ARCHITECTURAL/ENGINEERING CONSULTING SERVICES**

1.1 Scope: It is the intent of the City of Columbus, Department of Finance and Management, Office of Construction Management, to obtain Request for Statements of Qualifications (RFSQ) to establish a contract for PROFESSIONAL ARCHITECTURAL/ENGINEERING CONSULTING SERVICES pertaining to the Consolidated Call Center.

1.2 Classification: Solicitation of professional services to improve the efficiency, reliability and long term functionality of the City of Columbus's call center functions.

1.3 Deadline for questions is Monday, June 9, 2014 at 4:00 p.m. Contact Jennifer Henderson with the Office of Construction Management via email (jrhenderson@columbus.gov) or fax (614-645-0254) only.

For additional information concerning this bid, including procedures for obtaining a copy of the bid document(s) and how to submit a proposal, you must go to the City of Columbus Vendor Services web page (<http://vendorservices.columbus.gov>) and view this bid number in the open solicitations listing.
ORIGINAL PUBLISHING DATE: May 16, 2014

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: PN0005-2014

Drafting Date: 1/6/2014

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: University Area Review Board 2014 Meeting Schedule
Contact Name: Daniel Ferdelman, AIA
Contact Telephone Number: 614-645-6096 Fax: 614-645-1483
Contact Email Address: dbferdelman@columbus.gov

University Area Review Board 2014 Meetings

Date of Submittal	Date of Meeting
	2231 N. High St.- Rm. 100 (Northwood & High Building) 6:30pm
January 9, 2014	January 16, 2014
February 6, 2014	February 20, 2014
March 6, 2014	March 20, 2014
April 3, 2014	April 17, 2014
May 1, 2014	May 15, 2014
June 5, 2014	June 19, 2014
July 3, 2014	July 17, 2012
August 7, 2014	August 21, 2014
September 4, 2014	September 18, 2014
October 2, 2014	October 16, 2014
November 6, 2014	November 20, 2014
December 4, 2014	December 18, 2014

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 contact staff.

Legislation Number: PN0025-2014

Drafting Date: 1/28/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Revised Administrative Rules for private boat docks and stakes

Contact Name: Eric Brandon

Contact Telephone Number: 645-5253

Contact Email Address: ebrandon@columbus.gov

Columbus Recreation and Parks Permit and Rental Services Section

Revised

Administrative Rules for private boat docks and stakes on City Reservoirs (not to include boat club leased properties):

Columbus City Code, section 921.01-8 (O)(1) provides that: **“The Recreation and Parks Commission may adopt administrative rules for floating boat dock construction, maintenance and other privileges pertaining to the use of undeveloped city parkland. Violation of administrative rules shall result in the temporary or permanent revocation of docking privileges and/or impoundment of vessel(s) and removal of associated structures on parkland.”** Pursuant to the above-mentioned authority, the Recreation and Parks Commission does hereby approve and adopt the following administrative rules listed below.

These Administrative Rules shall be effective thirty days after being approved and signed by the Recreation and Parks Commission and the Director of the Recreation and Parks Department and published in the City Bulletin. These Rules may be superseded by an act of City Council.

Existing authorized docks exceeding any applicable design limitations as specified in these rules, may continue to be authorized until such time as the contiguous property owner either (i) fails to **renew the annual permit** or (ii) **transfers title to the property**.

The Recreation and Parks Department reserves the right to require general liability insurance naming the City of Columbus as an addition insured from private dock, stake, or mooring customer with at least a ninety (90) day notice.

As used in these Rules, the following definitions shall apply:

1. **Abandoned** - means any personal property, including a dock or other structure, that has remained on or attached to City property for at least 48 hours that does not have a valid dock permit, or is extensively damaged, or is considered a navigational hazard, regardless of whether it is being actively used by a contiguous property owner.
2. **Header dock** - The primary structure of a floating dock. The section of dock in which other dock sections or a ramp is attached to.
3. **Finger dock** - A secondary dock extension from the header dock.
4. **Mooring** - buoy or float providing a tie off for a boat, set to an anchor to hold the boat secure.
5. **Ramp** - The section of the dock that connects the floating portion of the dock to the shore (some docks may be on feet or wheels).
6. **“I” Dock** - For purposes of these administrative rules, an “I” dock shall mean a dock extending from shore in a straight line, generally perpendicular to the shoreline, with no sections attached to the header dock.
7. **“T” Dock** - For purposes of these administrative rules, a dock generally consisting of a header dock with a finger dock attached in the shape of a “T”, or can be an inverted “T” shape.
8. **“L” Dock** - For purposes of these administrative rules, an “L” dock is a dock shaped like an “L”, with one side being the header dock and the other side a finger dock, and can be placed in several positions according to need or preference.

9. “U” Dock - For purposes of these administrative rules, a “U” dock consists of a header dock generally parallel to the shore (but may be perpendicular), with at least two finger docks extending from the header dock into the shape of a “U”, “F”, “E” or similar type shape.
10. Platform Dock - For purposes of these administrative rules, a platform dock is a dock that is attached to shore by a ramp, and generally is described as a square or rectangular shape (although it may take different shapes), and can moor multiple vessels from respective sides.
11. Spuds - For the purpose of these administrative rules, spuds are defined as metal posts, no wider than 4” in diameter, inside a sleeve attached to the dock that stabilize the dock by use of friction against the riverbed and not by being driven, drilled, augured or pushed into the riverbed. The “foot” end of the spud (the portion against the river bottom) must be capped or otherwise closed and not be an open pipe. Spuds should not have chisel shaped or pointed ends.
12. Stake - A metal or wood post, not to exceed four (4) inches in diameter, extending a minimum of four (4) feet and a maximum of six (6) feet above the ground, to secure a watercraft to shore.
13. Rip rap - The placement of rocks or other similar materials as approved by the Division of Power and Water in accordance with United States Army, Corps of Engineers regulations to prevent or reduce shoreline erosion.
14. Director - “Director” shall mean the Director of Recreation and Parks or his or her duly authorized designee.
15. Structure - “Structure” means a combination of materials, other than a building, to form a construction that is safe and stable including, but not limited to, docks, stadium, gospel or circus tent, reviewing stand, platforms, staging, observation tower, shed, coal bin, or fence in excess of six (6) feet in height. The term “structure” shall be construed as if followed by the words “or parts thereof.”
16. Building - “Building” means any structure having a roof supported by columns or walls, or any series of structures separated only by “fire separations” but contained under a common roof or within common walls, and requiring a building permit in accordance with Title 41 of the Building Code that is used for shelter, occupancy, enclosure, or support of persons, animals, or property.
17. Encroachment - “Encroachment” means any building, structure, or personal property that extends beyond the property line of a contiguous property owner and trespasses onto City owned or controlled property.

Administrative Rules:

- 1) Plans for new docks and stakes or for alterations to existing docks and stakes must be submitted to the Columbus Recreation and Parks, Permit and Rental Services Section. All structures must comply with the current City of Columbus Code (CCC 921.01-8), and all specifications authorized by the United States Army Corps of Engineers under federal regulation. When in conflict, whichever code is more restrictive takes precedence. In cases where private property meets the water’s edge, dock permits are still required pursuant to the following rules, as the City of Columbus regulates all City waterways. A valid Land Stewardship Agreement must be on file with the City of Columbus prior to the issuance of any dock or stake permit.
- 2) Plans for new docks and stakes or alterations to existing docks and stakes must include the following:
 - a) Plat plan of the property with the owner’s name and address and the proposed location of the dock or stake plainly marked.
 - b) Detailed plan of the dock illustrating:
 - i) Dimensions
 - ii) Materials
 - iii) Method of attachment to shore
 - iv) Proposed alterations
 - c) Proposed dates for construction and installation (which must be at least 10 business days later than the date of submission) are subject to the approval of the plan.
 - d) Requests for stairs, if necessary, must be included in the application (certain restrictions apply, see items 17 and 18).
- 3) The overall width of any section of any private floating dock may not be less than four (4) feet.
- 4) The overall width of any Finger dock may not exceed six (6) feet.

- 5) The overall width of any header dock may not exceed eight (8) feet.
- 6) The overall width of any platform dock may not exceed twelve (12) feet.
- 7) The overall width of any ramp section may not exceed eight (8) feet.
- 8) Flotation for the floating docks must meet or exceed Federal and Ohio Department of Natural Resources standards. Metal drums and plastic barrels are not permitted. Treated wood materials used for decking and/or walkways shall comply with Federal and State Environmental Protection Agency recommendations and regulations. All wooden materials should be free of any chemicals that are toxic to aquatic life. Lumber pressure-treated with Alkaline Copper Quaternary (AQC) process is very corrosive therefore special care should be used when selecting fasteners and hardware. (US ACOE Rule #3) Galvanized or plated hardware should be used in dock construction.
- 9) The dock (including any ramp, attachment(s) and including any vessel(s)) may not extend greater than forty (40) feet from the on shore platform or twenty five percent (25%) of the width of the channel at that point, whichever is less. The overall area of any dock, including any vessel(s) docked at that location, may not exceed twenty-six (26) feet in width (parallel to shore) The forty (40) feet will be the measurement of the length of the dock and ramp at the point it is attached to the landing platform or otherwise affixed to shore and not the distance it extends into the reservoir due to the angle of attachment.
- 10) The floating dock structure shall not have any walls or enclosed areas. An open sided canopy may be permitted provided that the overall height of the canopy structure does not exceed twelve (12) feet from the surface of the dock. Canopy covers must be metal, canvas, nylon or other fabric and no advertising may be displayed on the canopy.
- 11) As part of the floating dock permit there may be a landing platform area on shore, not to exceed eighty (80) square feet in size. The only purpose of this platform is to provide a secure structure to serve as an attachment point for the floating dock. No concrete, cement or mortar is permitted as part of this platform. This structure may not include any walls, roofs or other improvements except an approved handrail if desired. The landing platform shall be constructed at ground level unless the terrain is not even, then only elevated enough so that the platform may be level as close to the ground as possible. The landing platform may not extend over the water beyond the ordinary high water mark (as defined by the U.S. Army Corps of Engineers). The specific site of the landing platform will be determined by the Director based upon best management practices.
- 12) No part of the floating dock, stake(s), or permitted landing platform may be constructed from any materials or constructed in any manner to be considered a permanent structure. (i.e. there will be no use of concrete and all sections must be removable by use of common hand tools). Tying to trees (either the dock or any watercraft) or attachment to any natural feature (rocks, stumps, etc.) is strictly prohibited.
- 13) Each qualified, contiguous, private property owner will be permitted a maximum of one private floating dock permit. Each private floating dock may be permitted to moor no more than three vessels registered to that private property owner (provided that all three vessels and dock fit into the area described in item 9).
- 14) The proposed location of the private floating dock, stake(s) or mooring shall be determined by the Director and contained within the area of City of Columbus owned shoreline defined by an extension of the contiguous, private property owner's boundary lines. In cases where the angles are not perpendicular, or nearly perpendicular, this area will be determined by drawing a line perpendicular to the shoreline back to the contiguous, private property owner's sideline. In the case of private moorings, the length of the mooring rope/chain/cable shall not allow the vessel to exceed this area. If there is not a suitable site within this area, the request may be denied.
- 15) When permitted, private moorings must be located no farther than fifty (50) feet from the normal pool shoreline, but may not be any further than 25% of the width of the channel at that point. Moorings will only be considered for use on Hoover and O'Shaughnessy Reservoirs. Mooring anchors must be approved before placement and should be properly sized for the boat being moored (items such as used engine blocks are specifically prohibited). Each private mooring must be marked with at least a twelve (12) inch round diameter, orange marine buoy. The owner's address must be clearly marked upon the buoy.

- 16) When an application is approved, a contiguous, private property owner may install a boat stake or stakes. The stake(s) shall be driven or set into the ground by the permit holder at a site designated by the Director. No concrete or cement may be used. The stake(s) shall have a space for the permit decal and owner's address to be displayed, facing the water. The stake(s) shall be maintained in a safe condition by the permit holder and removed by the permit holder in the event that the stake permit is not renewed for any succeeding year. Boat stake(s) may not be relocated (due to low water levels, better access or any other reason) without written permission from the Director.
- 17) If the Director determines that any dock, structure, stairs, or other previously approved improvement (located on or attached to City property has become a detriment to the City, the person who installed such improvement shall remove it at their expense upon receiving written notice of the Director's determination. If the person who installed the improvement is no longer the contiguous property owner, the City may remove and dispose of said encroachment.

If the current contiguous property owner wishes to continue to use the improvement in conjunction with a pre-existing dock or stake, that property owner (referred to herein as the "responsible party") may submit a request to the Director to allow the improvement to remain. If the Director allows the improvement to remain, the responsible party must do all of the following:

- 1.) Submit a new or renewal dock/stake permit application
- 2.) Submit a signed Responsibility Form
- 3.) Keep the dock or stake permit current and valid.

If at any time the responsible party fails to renew their dock or stake permit by the annual March 15 deadline, the improvement shall no longer be approved and must be removed at the expense of the responsible party.

In areas where it is necessary, as determined by the Director, a single set of wood or properly reinforced steps may be approved to access the dock as part of an approved path. Installation of new stairs must be in compliance with City of Columbus building codes. The stairs must not be set in concrete.

18. In cases where there are violations with the land stewardship agreement, contiguous property owners shall have up to one calendar year from the notice of violation to resolve said violations. If the violations are not resolved after one year, the Director may revoke the private dock, stake or mooring permit.
- 19) The five (5) foot wide path to allow access to the private dock or stake (as described in Columbus City Code 921.01-8 (N) may be mown, but must be maintained in as natural a condition as possible and may not include cement, mortar, bricks or boardwalks. The Director must approve the location of this path. The path must follow the most direct line to the shoreline that affects the least amount of vegetation or natural features of the City of Columbus property. Permission to cut down trees or alter the landscape to create a path will not be granted, except that cutting of trees and brush less than 1" in diameter at the ground may be approved on a limited basis with permission.
 - a) When necessary due to site conditions, the following improvements may be considered for a permit.
 - i) Washed river gravel on top of filter fabric, not to exceed three (3) inches in depth.
 - ii) Pavers or natural stones not to exceed sixteen (16) inches in diameter and not to be set closer than six (6) inches together.
 - iii) Options "i" and "ii" combined provided all conditions of both are met.
 - b) Paths may not be approved if the following conditions exist:
 - i) If location of the path would threaten rare or endangered species of plants or wildlife. The Ohio Department of Natural Resources shall be considered the naming authority for these species.
 - c) Areas of shoreline that are within designated Nature Preserve areas will not be permitted any modifications to accommodate a dock or path, but may be approved if the naturally existing conditions are acceptable (pursuant to City Code (Title 9, Chapter 921.01-8 (A)(2)).
- 20) The installation of facilities conducive to human habitation; including but not limited to household furnishings, water or electrical lines or hook ups, living quarters, sewers, toilets, or fueling facilities are not permitted on any private

floating or permanent dock.

- 21) Electrical service existing as of the effective date of these Administrative Rules on City of Columbus property that was previously authorized by the City of Columbus in writing will be allowed to remain until such time as there is a failure to submit an annual permit application with the applicable rental fee. In the event of a failure to submit an annual permit application the electrical service must be removed by the contiguous property owner at their expense. If the contiguous property owner fails to remove the electrical service the City may do so. Future dock permits will not be considered until the electrical service is removed.

For as long as the electrical service remains, the adjacent property owner must provide and maintain a lath marker where the electric line crosses the private property line onto City property and a like marker near the dock marking the same. The marker should indicate, in writing, "under-ground electric - do not dig". The material for the marker should be the same as markers used for roads and highways that is flexible plastic, which would not pose any threat of impaling a person. Failure to maintain these markers in accordance with this section at all times will be cause for immediate suspension or revocation of the dock permit.

In the event that there is any question as to whether the installation or the device meets all codes, the permit holder will be required to submit a letter from a licensed electrical contractor stating that he/she has personally inspected the device and installation and affirming that the installation and the device meets all City, State and Federal codes.

Solar powered, battery operated or self contained generator operated devices may be approved by the Director. Before any such device is installed the property owner must provide a sketch of the proposed electrical devices to be installed in connection with the dock permit. This sketch must include all lights, outlets, and related accessories. If the permit holder elects to use an extension cord to power a permitted electrical device at a dock then the cord may only be used when the permit holder is at the dock actively using the device. Extension cords must be plugged into a GFCI (ground fault circuit interrupter) outlet on the adjacent, private property. At all other times the extension cord must be removed from the park property.

The quantity of lights must be kept to a minimum, and are limited to the path and dock/stake/mooring. All lights must be directed downward and not toward the water, other residences or parks areas.

- 22) A hand powered or mechanical boatlift will be permitted so long as all other rules pertaining to docks are followed. Lifts that require electricity must comply with the established electric service rules contained within these Administrative Rules (item #21). Application for a boatlift must be **in writing** as part of the proposed dock plan and include specifications of the lift device.
- 23) No pilings may be driven through the water into the riverbed. Guide or support poles attached to the dock (or lift device) must have flat *feet* that rest on the riverbed or use non-driven spuds. Spuds must be removable using common hand tools and the permit holder must be able to demonstrate this upon request of the Recreation and Parks Department. Failure or inability to remove the spuds will be considered grounds for revoking dock privileges.
- 24) All floating docks, stakes and associated structures not previously authorized by the City prior to the effective date of these Administrative Rules must be designed and constructed to have the least impact visually and physically upon the City of Columbus owned property and dock must be maintained in a safe condition. Permittees must make every reasonable effort to construct and operate the authorized dock or stake(s) in a manner so as to minimize any adverse impact on fish, wildlife and natural environmental values including water quality.
- 25) Permitted docks and stakes must properly display the annual permit and property address (address must include at least the house numbers in three (3) inch high letters) on the dock structure or stake(s). The permit and address shall be placed on the dock or stake and face the open navigable water, visible to patrol watercraft.
- 26) The primary purpose of the private floating dock structure shall be as a safe mooring for permitted watercraft. This regulation does not exclude the permit holder, his/her family and guests from legally fishing from the dock. Personal property used in connection with recreational water activities, such as chairs, dock boxes, mooring lines, and so forth, shall be permitted on dock structures so long as such property is not otherwise prohibited by paragraph 18, this Section

or other Sections of these Rules. Private docks may not have any items attached to them or be used for any purpose other than safe mooring of permitted watercraft. Guest watercraft meeting code requirements, may moor to the permit holder's dock, however if the duration exceeds sixteen (16) hours on any date, the permit holder must obtain a temporary permit from the Columbus Recreation and Parks Permit and Rental Services Section, and all related regulations apply.

- 27) Requests for modifications or renovations to an existing dock must be in writing and approved by the Director. No work shall commence until the Director's written approval is received by the property owner. The property owner is hereby authorized to make minor repairs to the dock and associated structure when necessary to ensure the safety of the users. These repairs must use identical replacement materials and may not alter the appearance or dimensions of the permitted structure. No chemical treatments may be applied (paint, waterproofing, etc.) while the dock structure is in the water or sitting on City of Columbus owned property.
- 28) Private boat docks, stakes, associated structures and fixtures, other encroachments or private property discovered on or attached to City of Columbus park land without permission or in violation of Columbus City Code or these Rules will be considered abandoned and may be removed and disposed of by the Recreation and Parks Department; the Columbus Division of Power and Water acting as an agent of the Recreation and Parks Department under the terms of the "Water Supply Reservoir Cooperative Management Agreement", or by any law enforcement officer within their jurisdiction.
- a) Prior to removing abandoned private, personal property from City of Columbus property, the City will send notice to the contiguous property owner to allow them the opportunity to remove the personal property on their own. A letter sent via first class, U.S. mail to the name and address listed on the county auditor's web site for the contiguous property requesting removal within 30 days shall be deemed sufficient notice.

The Recreation and Parks Commission and the Director of the Columbus Recreation and Parks Department hereby adopt and authorize these Administrative Rules.

Legislation Number: PN0060-2005

Drafting Date: 2/23/2005

Current Status: Clerk's Office for Bulletin

Version: 1

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: PN0062-2014

Drafting Date: 3/13/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: East Franklinton Review Board 2014 Meeting Schedule - REVISED

Contact Name: Devayani Puranik

Contact Telephone Number: (614) 645-0663

Contact Email Address: ddpuranik@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 645-0663. To confirm the meetings, contact staff.

Application Deadline	Business Meeting*	Regular Meeting
	50 W. Gay 1st Fl. Room B 12:00pm	50 W. Gay 1st Fl. Room A 3:00pm
March 4, 2014	March 11, 2014	March 18, 2014
April 1, 2014	April 8, 2014	April 15, 2014
May 6, 2014	May 13, 2014	May 20, 2014
June 3, 2014	June 10, 2014	June 17, 2014
July 1, 2014	July 8, 2014	July 15, 2014
August 5, 2014	August 12, 2014	August 19, 2014
September 2, 2014	September 9, 2014	September 16, 2014
October 7, 2014	October 14, 2014	October 21, 2014
November 4, 2014	November 11, 2014	November 18, 2014
December 2, 2014	December 9, 2014	December 16, 2014
January 6, 2015	January 13, 2015	January 20, 2015

*Meetings subject to cancellation. Please contact staff to confirm.

Applications should be submitted by 5:00pm on deadline day to:

City of Columbus Planning Division
 Attn: Devayani Puranik
 50 W. Gay St. 4th Fl.
 Columbus OH 43215
 Board Website: www.columbus.gov/planning/efrb.aspx

Legislation Number: PN0067-2014

Drafting Date: 3/18/2014

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Land Review Commission 2014 Schedule

Contact Name: Kevin Wheeler

Contact Telephone Number: 614-645-6057

Contact Email Address: kjwheeler@columbus.gov <<mailto:kjwheeler@columbus.gov>>

The following scheduled Land Review Commission meetings are subject to cancellation. Please contact staff member to confirm.

50 West Gay Street
3rd Floor Conference Room
9:00am

April 17, 2014
May 15, 2014
June 19, 2014
July 17, 2014
August 21, 2014
September 18, 2014
October 16, 2014
November 20, 2014
December 18, 2014

Legislation Number: PN0120-2014

Drafting Date: 5/14/2014

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Public Notice

Notice/Advertisement Title: Proposed Improvement and Estimated Assessments

Contact Name: Michelle Larsen

Contact Telephone Number: (614) 645-5066

Contact E-mail: melarsen@columbus.gov

NOTICE OF PROPOSED IMPROVEMENT AND ESTIMATED ASSESSMENTS TO LEVIED THEREFORE

The Council of the City of Columbus, Ohio, by Resolution No. 0077X-2014, at its meeting on May 12, 2014, declared it necessary to construct streetscape improvements and levy a special assessment in the City of Columbus, Ohio for streetscape improvements on the south side of Nationwide Boulevard between North Front Street and North High Street, the north and south sides of and in the median of Nationwide Boulevard between North High Street and North 4th Street, parcels at the intersection of Nationwide Boulevard, and North High Street north to the south edge of the railroad bridge, all in Downtown Columbus, all as shown on the Plans and Specifications on file in the office of the Director of the Department of Public Service for the Roadway Improvements - Nationwide Boulevard Improvements project. The design of the improvements is complete.

Project Information: The aforesaid resolution also provided that the roadway improvements shall be made in accordance with the Plans and Specifications and the grade of the Project and of any street shall be the grade as shown on the Plans and Specifications. Such Plans and Specifications shall be installed as shown on the plans designated as construction drawing 3091 Drawer E, titled Improvements of Nationwide Blvd. and N. High St.: Nationwide Blvd. (N. Front to N. Fourth St.) and High St. (Nationwide Blvd. to a Point 300+’ north), that are on file within the Department of Public Service, Director’s

Office, 50 W. Gay St., 2nd Fl., Columbus, Ohio 43215. Further information regarding this project or questions about the assessment process should be directed to Michelle Larsen, Department of Development, at (614) 645-5066.

Assessment Report: Under Section 168 of the Columbus City Charter, the City Engineer is required to prepare an Assessment Report. The report establishes the estimated amount of the assessment proposed to be levied against each lot or parcel of land based on the proportional benefit to each such parcel; applicable deductions or credits; and the estimated amount of the City's portion including the portion assumed within the preliminary resolution. The percentage of proportional benefit for each parcel is multiplied by the special assessments for the entire Special Benefit District (\$1,900,000.00) to determine the amount of special assessments to be paid by such parcel. This Assessment Report is on file in the offices of the City Clerk located within City Hall, 90 W. Broad Street, Columbus, Ohio 43215.

Your Assessment: The amount proposed to be levied against the lots or parcels of land standing in your name are as follows:

City of Columbus, 400 N. High St, Parcel #010-187793, 26.61% of the Estimated Assessment in the total amount of \$505,514.36 at \$50,551.44 annually;

Franklin County Convention Facilities Authority, 88 E. Nationwide Blvd, Parcel #010-066002, 1.96% of the Estimated Assessment in the total amount of \$37,251.18 at \$3,725.12 annually;

City of Columbus Ohio, 88 E. Nationwide Blvd, Parcel #010-255887, 4.37% of the Estimated Assessment in the total amount of \$82,958.29 at \$8,295.83 annually;

HER Inc, 77 E. Nationwide Blvd, Parcel #010-022765, 0.98% of the Estimated Assessment in the total amount of \$18,565.50 at \$1,856.55 annually;

Boulevard Inn LLC, 00000 E. Nationwide Blvd., Parcel #010-003391, 0.24% of the Estimated Assessment in the total amount of \$4,615.83 at \$461.58 annually;

Boulevard Inn LLC, 49 E. Nationwide Blvd, Parcel #010-008648, 0.26% of the Estimated Assessment in the total amount of \$5,008.79 at \$500.88 annually;

Boulevard Inn LLC, 00000 E. Nationwide Blvd., Parcel #010-035044, 0.15% of the Estimated Assessment in the total amount of \$2,805.30 at \$280.53 annually;

Boulevard Inn LLC, 33 E. Nationwide Blvd, Parcel #010-035045, 7.73% of the Estimated Assessment in the total amount of \$146,937.33 at \$14,693.73 annually;

City of Columbus, 350 N. High St, Parcel #010-187792, 16.12% of the Estimated Assessment in the total amount of \$306,276.75 at \$30,627.68 annually;

Boulevard Inn LLC, 55 E. Nationwide Blvd, Parcel #010-022764, 1.06% of the Estimated Assessment in the total amount of \$20,163.75 at \$2,016.38 annually;

Nationwide Mutual Insurance Co, 1 Nationwide Pl, Parcel #010-014003, 33.78% of the Estimated Assessment in the total amount of \$641,835.22 at \$64,183.52 annually;

Naughten Partners Limited Partnership, 89 E. Nationwide Blvd, Parcel #010-000624, 0.72% of the Estimated Assessment in the total amount of \$13,680.00 at \$1,368.00 annually;

Kinnear Research Associates LTD, 111 E. Nationwide Blvd, Parcel #010-032920, 3.13% of the Estimated Assessment in the total amount of \$59,535.00 at \$5,953.50 annually;

Kinnear Research Associates LTD, 111 E. Nationwide Blvd, Parcel #010-038186, 0.06% of the Estimated Assessment in the total amount of \$1,110.48 at \$111.05 annually;

Kinnear Research Associates II LLC, N. Fourth St, Parcel #010-013779, 0.04% of the Estimated Assessment in the total amount of \$724.09 at \$72.41 annually;

Kinnear Research Associates II LLC, N. Fourth St, Parcel #010-017601, 0.04% of the Estimated Assessment in the total amount of \$804.16 at \$80.42 annually;

Kinnear Research Associates II LLC, 138 E. Chestnut, Parcel #010-027727, 0.22% of the Estimated Assessment in the total amount of \$4,191.25 at \$419.12 annually;

Kinnear Research Associates II LLC, 130-36 E. Chestnut St, Parcel #010-028459, 1.87% of the Estimated Assessment in the total amount of \$35,462.25 at \$3,546.23 annually;

Kinnear Research Associates II LLC, Lazelle St, Parcel #010-215489, 0.03% of the Estimated Assessment in the total amount of \$585.80 at \$58.58 annually;

Kinnear Research Associates II LLC, 151 E. Nationwide Blvd, Parcel #010-030650, 0.21% of the Estimated Assessment in the total amount of \$3,921.75 at \$392.18 annually;

Kinnear Research Associates II LLC, 129 E. Nationwide Blvd, Parcel #010-021552, 0.22% of the Estimated Assessment in the total amount of \$4,092.75 at \$409.28 annually;

Kinnear Research Associates III LLC, E. Nationwide Blvd, Parcel #010-033279, 0.03% of the Estimated Assessment in the total amount of \$518.13 at \$51.81 annually;

Kinnear Research Associates III LLC, E. Nationwide Blvd, Parcel #010-053339, 0.04% of the Estimated Assessment in the total amount of \$756.08 at \$75.61 annually;

Kinnear Research Associates III LLC, 111 E. Chestnut Blvd., Parcel #010-063761, 0.06% of the Estimated Assessment in the total amount of \$1,096.65 at \$109.67 annually;

Kinnear Research Associates II LLC, 111 E. Nationwide Blvd, Parcel #010-215488, 0.08% of the Estimated Assessment in the total amount of \$1,589.31 at \$158.93 annually;

Objection of Assessment: The owner of any lot or parcel who objects to their estimated assessment of the apportionment calculation of the assessment shall file an objection, in writing, with the City Clerk within two (2) weeks from the last date of service of this notice, estimated to be May 24, 2014, and any owner who fails to do so shall be deemed to have waived any objections to such assessment to the extent of the amount estimated. If and when objections to such assessments have been filed within the required two week notice period, the Columbus City Council shall appoint a Board of Revision, consisting of three disinterested free holders of the City, residents of the City, and shall fix the time and place for the hearing by such board of such objections, of which at least one week's notice shall be given in the City Bulletin which is available for inspection and/or purchase from the offices of the City Clerk located within City Hall, 90 W. Broad Street, Columbus, Ohio 43215

PLEASE NOTE: The Board of Revision has very limited authority to recommend that an estimated assessment be changed. The Board IS authorized to consider issues such as a calculation error (for example, the proportional benefit of the property to be assessed is inaccurate). However, the Board IS NOT authorized to consider issues such as the property owner's ability to afford the estimated assessment or the property owner's desire not to take part in the planned improvement.

Proceeding with the Improvements: If a Board of Revision is convened and a revision or amendment to the Assessment Report is required, all property owners will be issued notices of revised estimated assessments. In the event that no objections were filed with the City Clerk, Columbus City Council shall declare its determination to proceed with the improvements by passage of an ordinance. This ordinance shall require the vote of at least five members of council in accordance with the provisions of Section 173 of the Columbus City Charter.

Andrea Blevins
City Clerk

Legislation Number: PN0121-2014

Drafting Date: 5/15/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Columbus Board of Zoning Adjustment May 27, 2014 Agenda

Contact Name: David Reiss

Contact Telephone Number: 645-7973

Contact Email Address: DJReiss@Columbus.gov

AGENDA
BOARD OF ZONING ADJUSTMENT
CITY OF COLUMBUS, OHIO
MAY 27, 2014

The Columbus Board of Zoning Adjustment will hold a public hearing on the following applications on **TUESDAY, MAY 27, 2014 at 6:00 P.M.** in the First Floor Hearing Room of the Department of Building & Zoning Services, 757 Carolyn Avenue.

The Board of Zoning Adjustment hears requests for Special Permits, Appeals and Variances to the requirements of the Columbus Zoning Code, Title 33, of the Columbus City Codes. The Board does not hear applications to amend the Official Zoning Map. Specific case information may be obtained by contacting the Department of Building & Zoning Services, 757 Carolyn Avenue, 645-4522.

SPECIAL NOTE TO THE APPLICANT: It is important that you or your representative be present at the public hearing. It is the rule of the Board to dismiss an application when a representative is not present.

Meeting Accommodations: It is the policy of the City of Columbus that all City-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA, please call the City's ADA Coordinator at (614) 645-7671 or email raisbell@columbus.gov at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

1. Application No.: 14310-00143

Location: 1200 WEST THIRD AVENUE (43212), located on the north side of West Third Avenue, approximately 130 feet east of Doten Avenue.

Area Comm./Civic: Fifth by Northwest Area Commission

Existing Zoning: C-4, Commercial District

Request: Variance(s) to Section(s):

3312.49, Minimum numbers of parking spaces required.

To reduce the minimum number of additional parking spaces from 2 to 0.

Proposal: To expand an existing patio by 148 sq.ft.

Applicant(s): James Woodland, III; 1200 West Third Avenue; Columbus, Ohio 43212

Property Owner(s): IEZZI Properties, LLC; PO Box 20307; Columbus, Ohio 43220

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

2. Application No.: 14310-00164

Location: 1341 NORTON AVENUE (43212), located on the west side of Norton Ave., approximately 242 ft. north of W. 3rd Ave.

Area Comm./Civic: Fifth by Northwest Area Commission

Existing Zoning: M, Manufacturing District

Request: Variance(s) to Section(s):

3312.49, Minimum numbers of parking spaces required.

To reduce the required number of additional parking spaces from 12 to 0. (107 spaces will be provided.)

Proposal: To convert a mixed manufacturing and office use into strictly an office use.

Applicant(s): Grandview 1341 L.L.C.; c/o Thomas Sampson; Behal, Sampson, Dietz, Inc.; 990 W. 3rd Ave. Columbus, Ohio 43212

Property Owner(s): Grandview 1341 L.L.C.; c/o Edward Friedman; 536 S. Wall St.; Columbus, Ohio 43215

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

3. Application No.: 14310-00165

Location: 737 KERR STREET (43215), located at the northwest corner of Kerr Street and Cedar Alley

Area Comm./Civic: Italian Village Commission

Existing Zoning: R-4, Residential District

Request: Variance(s) to Section(s):

3332.18, Basis of computing area.

To increase lot coverage from 50% to 70%.

3332.21, Building lines

To reduce the building line from 25' to 0'.

3332.25, Maximum side yards required

To reduce the maximum side yards from 8' to 0'.

3332.26, Minimum side yard permitted

To reduce the minimum side yards from 5' to 0'.

3312.49, Minimum numbers of parking spaces required.

To reduce the minimum number of parking spaces from 2 to 1.

3321.05, Vision clearance.

To allow a structure to encroach into the vision clearance triangle.

Proposal: To construct an attached single-car garage with living space above.

Applicant(s): Eric D. Marineau, Atty; 22 E. 4th Avenue, Ste 1A; Columbus, Ohio 43201

Property Owner(s): Berry Ohio Holdings, LLC; 9440 Vista Point Drive; Thornville, Ohio 43076

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

4. Application No.: 14310-00172

Location: 886 NORTH PEARL STREET (43215), located at the northeast corner of Prescott & Pearl St.

Area Comm./Civic: Italian Village Commission

Existing Zoning: AR-1, Apartment Residential District

Request: Variances(s) to Section(s):

3333.12, AR-1 and AR-4 area district requirements.

To reduce the lot area requirement of 900 sq. ft. per dwelling unit for a corner lot to a lot area of 413.8 sq. ft.

per dwelling unit for an apartment building.

3333.15, Basis of computing area.

To increase the allowable lot area that a building may occupy from 50% of the lot area to 88% of the lot area.

3333.18, Building lines.

To reduce the required building line from 10 ft. or greater to 2 ft.

3333.22, Maximum yard required.

To reduce the sum of the side yards required from 20% of the lot width or more (12.3 ft. in this instance) to allow the maximum side yards to equal 8% of the width of the lot (5.5 ft. in this instance).

3333.23, Minimum side yards permitted.

To reduce the minimum side yard from 5 ft. to 2 ft.

3333.24, Rear yard.

To reduce the required rear yard area from 25% of the total yard area to 2.3% of the total lot area.

3312.49, Minimum numbers of parking spaces required.

To reduce the required number of parking spaces from 36 (1.5/unit) to 20 (.83/unit) or by 16 spaces.

3309.14, Height district.

To increase the overall height of a building from 35 ft. to 38.5 ft.

Proposal: To construct a 24 unit apartment building.

Applicant(s): Berror Properties; c/o Michael T. Shannon; 500 S. Front St., Suite 1200; Columbus, Ohio 43215

Property Owner(s): Pearl and Prescott, L.L.C.; c/o Michael T. Shannon; 500 S. Front St., Suite 1200; Columbus, Ohio 43215

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

5. Application No.: 14310-00174

Location: 608 NORTH HIGH STREET (43215), located at the northeast corner of former E. Poplar Ave. (now a park) & N. High St., north of the High St. cap.

Area Comm./Civic: Italian Village Commission

Existing Zoning: C-4, Commercial District

Request: Variance(s) to Section(s):

3312.49, Minimum numbers of parking spaces required.

To reduce the minimum number of additional parking spaces from 17 to 0. (0 parking spaces are provided.)

Proposal: To convert a dry cleaning store into a restaurant use.

Applicant(s): Carter Bean; J. Carter Bean, Architect; 4400 N. High St., Suite 401; Columbus, Ohio 43214

Property Owner(s): C. & W. 608 N. High, L.L.C.; 1020 Dennison Ave., Suite 102; Columbus, Ohio 43201

Case Planner: Dave Reiss, 645-7973

E-mail: DJReiss@Columbus.gov

6. Application No.: 13310-00191

Location: 937-949 WEST THIRD AVENUE (43212), located at the southeast corner of West Third Ave. and Dover Ave.

Area Comm./Civic: 5th by Northwest Area Commission

Existing Zoning: M, Manufacturing District

Request: Variance(s) to Section(s):

3312.49, Minimum numbers of parking spaces required.

To reduce the minimum number of required parking spaces from 40 to 0.

Proposal: To convert 17,248 sq.ft of existing warehouse and office space to retail.

Applicant(s): James R. Rishel; 300 E. Broad Street, Ste. 450; Columbus, Ohio 43215

Property Owner(s): CER Real Estate Investments, LLC; 580 North Fourth Street, Ste 120; Columbus, Ohio

43215

Case Planner: Jamie Freise, 645-6350

E-mail: JFFreise@Columbus.gov

Legislation Number: PN0122-2014

Drafting Date: 5/19/2014

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, May 19, 2014, the Civil Service Commission passed a motion to abolish the specification for the classification Mobility Options Division Administrator, and amend Rule XI accordingly (Job Code 0232).

During its regular meeting held on Monday, May 19, 2014, the Civil Service Commission passed a motion to revise the specification for the classification Utility Service Manager, retitle it to read Water Service Manager, and amend Rule XI accordingly (Job Code 3280).

Legislation Number: PN0123-2014

Drafting Date: 5/20/2014

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Columbus City Council Public Safety & Judiciary Committee Hearing on Peer-to-Peer Transportation Legislation

Contact Name: Gretchen James

Contact Telephone Number: 614-645-5346

Contact Email Address: gdjames@columbus.gov

Councilmember Zach M. Klein, chair of the Public Safety & Judiciary Committee, will hold a public hearing on Wednesday, May 28th, 2014, at 2pm to discuss proposed code changes that will introduce peer-to-peer transportation services into the city's Vehicle for Hire code. Public testimony will be accepted and the meeting will be broadcast live on CTV, Columbus' government television channel 3 on local cable systems. Speaker slips will be accepted on the day of the hearing until 2pm. The general rules of speaking before Council will apply.

Legislation Number: PN0125-2014

Drafting Date: 5/21/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: 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: May 5, 2014

Contact Name: Kim O'Harra

Contact Telephone Number: 614-645-0618

Contact Email Address: kaoharra@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: May 5, 2014

Legislation Number: PN0126-2014

Drafting Date: 5/21/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Italian Village Commission Meeting

Contact Name: Connie L Torbeck

Contact Telephone Number: 645-0664

Contact Email Address: cltorbeck@columbus.gov <<mailto:cltorbeck@columbus.gov>>

The Italian Village Commission meeting that was cancelled on May 20th is being re-scheduled to Tuesday, May 27, 2014.

The meeting will be held at 50 W. Gay St., First Floor - Conf. Room B starting at 6:15pm.

Legislation Number: PN0127-2014

Drafting Date: 5/21/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: 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: May 20, 2014

Contact Name: Kim O'Harra

Contact Telephone Number: 614-645-0618

Contact Email Address: kaoharra@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: May 20, 2014

Legislation Number: PN0128-2014

Drafting Date: 5/21/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: 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: May 20, 2014

Contact Name: Kim O'Harra

Contact Telephone Number: 614-645-0618

Contact Email Address: kaoharra@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: May 20, 2014

Legislation Number: PN0129-2014

Drafting Date: 5/21/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Revised By-Laws of the Far South Columbus Area Commission

Contact Name: Jo Anne St. Clair

Contact Telephone Number: 614-645-5220

Contact Email Address: JASclair@Columbus.gov

[See attached.]

Legislation Number: PN0130-2014

Drafting Date: 5/22/2014

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: City Council Zoning Agenda for 6/2/2014

Contact Name: Geoffrey Starks

Contact Telephone Number: 614-645-7293

Contact Email Address: gjstarks@columbus.gov

REGULAR MEETING NO. 31

CITY COUNCIL (ZONING)

JUNE 2, 2014

6:30 P.M.

COUNCIL CHAMBERS

ROLL CALL

READING AND DISPOSAL OF THE JOURNAL

EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION

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

1059-2014

To grant a Variance from the provisions of Sections 3332.029, SR, Suburban Residential District; 3312.49, Minimum numbers of parking spaces required; and 3332.27, Rear yard, of the Columbus City codes; for the property located at 1635 SOUTH HAMILTON ROAD (43227), to permit a community center with reduced development standards in the SR, Suburban Residential District (Council Variance # CV14-007).

1143-2014

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District; 3332.05, Area district lot width requirements; 3332.19, Fronting on a public street; and 3332.27, Rear yard, of the Columbus City codes; for the property located at 213 WILBER AVENUE (43215), to permit a rear single-unit dwelling above a detached garage (carriage house) on a lot developed with a single-unit dwelling with reduced development standards in the R-4, Residential District (Council Variance # CV14-013).

Legislation Number: PN0312-2013

Drafting Date: 12/10/2013

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Rocky Fork-Blacklick Accord 2014 Meeting Schedule

Contact Name: Christine Leed

Contact Telephone Number: (614) 645-8791

Contact Email Address: clleed@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 contact staff. To confirm meeting, contact staff.

Application Deadline Hearing Dates

New Albany City Hall
99 W. Main St.
New Albany OH 43054
6:00pm

December 19, 2013

January 16, 2014

January 23, 2014

February 20, 2014

February 20, 2014

March 20, 2014

March 20, 2014

April 17, 2014

April 17, 2014

May 15, 2014

November 11, 2014
December 16, 2014

December 9, 2014
January 13, 2015

Applications should be submitted by 5:00pm on deadline day to:

City of Columbus Planning Division
Attn: Christine Leed
50 W. Gay St. 4th Fl.
Columbus OH 43215

Legislation Number: PN0314-2013

Drafting Date: 12/10/2013

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Columbus Art Commission 2014 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 staff.

Application Deadline	Business Meeting Dates King Arts Complex 867 Mt. Vernon Ave.* 8:30am to 10:00am	Hearing Dates City of Columbus 50 W. Gay St., 1st Fl. Room B* 6:00pm
January 3, 2014	January 8, 2014	January 23, 2014
February 7, 2014	February 12, 2014	February 27, 2014
March 7, 2014	March 12, 2014	March 27, 2014
April 4, 2014	April 9, 2014	April 24, 2014
May 2, 2014	May 14, 2014	May 22, 2014
June 6, 2014	June 11, 2014	June 26, 2014
July 3, 2014	July 9, 2014	July 24, 2014
No August Hearing	August 13, 2014	No August Hearing
September 5, 2014	September 10, 2014	September 25, 2014
October 3, 2014	October 8, 2014	October 23, 2014
November 7, 2014	November 12, 2014	November 20, 2014 *
December 5, 2014	December 10, 2014	December 18, 2014 *

Meeting locations subject to change; contact staff to confirm

*Meeting date moved due to Holidays. Room location is also moved to Room A

Legislation Number: PN0316-2013

Drafting Date: 12/11/2013

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: German Village Commission 2014 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 camoody@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 contact staff.

Application Deadline	Business Meeting Dates (50 W. Gay St., 1st Fl. Rm A.) 12:00pm	Regular Meeting Date German Village Meeting Haus (588 S Third St.) 4:00pm
December 23, 2013	December 30, 2013	January 7, 2014
January 21, 2014	January 28, 2014	February 4, 2014
February 18, 2014	February 25, 2014	March 4, 2014
March 18, 2014	March 25, 2014	April 1, 2014
April 22, 2014	April 29, 2014	May 6, 2014
May 20, 2014	May 27, 2014	June 3, 2014
June 17, 2014	June 24, 2014	July 1, 2014
July 22, 2014	July 29, 2014	August 5, 2014
August 19, 2014	August 26, 2014	September 9, 2014
September 23, 2014	September 30, 2014	October 7, 2014
October 21, 2014	October 28, 2014	November 11, 2014
November 18, 2014	November 25, 2014	December 2, 2014
December 23, 2014	December 30, 2014	January 6, 2015

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
50 W. Gay St., 4th Fl.
Columbus OH 43215-9031

Legislation Number: PN0317-2013

Drafting Date: 12/11/2013

Current Status: Clerk's Office for Bulletin

Version: 1

Matter Type: Public Notice

Notice/Advertisement Title: Brewery District Commission 2014 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 jagoodman@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 contact staff.

Application Deadline	Business Meeting Dates (50 W. Gay St. 1st Fl. Rm. A) 12:00pm	Regular Meeting Date (50 W. Gay St. 1st Fl. Rm. B) 6:15pm
December 19, 2013	December 30, 2013*/ **	January 7, 2014 *
January 23, 2014	January 30, 2014	February 6, 2014
February 20, 2014	February 27, 2014	March 6, 2014
March 20, 2014	March 27, 2014	April 3, 2014
April 17, 2014	April 24, 2014	May 1, 2014
May 22, 2014	May 29, 2014	June 5, 2014
June 19, 2014	June 26, 2014	July 8, 2014*
July 24, 2014	July 31, 2014	August 7, 2014
August 21, 2014	August 28, 2014	September 4, 2014
September 18, 2014	September 25, 2014	October 2, 2014
October 23, 2014	October 30, 2014	November 6, 2014
November 20, 2014	November 25, 2014 *	December 4, 2014
December 18, 2014	December 23, 2014 *	January 6, 2015 *

*Date change due to Holiday

**Room location change: to Room B

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
50 W. Gay St., 4th Fl.
Columbus OH 43215-9031

Legislation Number: PN0318-2013

Drafting Date: 12/11/2013

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Victorian Village Commission 2014 Meeting Schedule

Contact Name: James Goodman

Contact Telephone Number: (614) 645-7920

Contact Email Address: jagoodman@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 jagoodman@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 contact staff.

Application Deadline	Business Meeting Dates (50 W. Gay St., 1st Fl. Rm A.) 12:00pm	Regular Meeting Date (50 W. Gay St., 1st Fl. Rm B.) 6:15pm
December 26, 2013	January 2, 2014	January 9, 2014
January 30, 2014	February 6, 2014	February 13, 2014
February 27, 2014	March 6, 2014	March 13, 2014
March 27, 2014	April 3, 2014	April 10, 2014
April 24, 2014	May 1, 2014	May 8, 2014
May 29, 2014	June 5, 2014	June 12, 2014
June 26, 2014	July 2, 2014*	July 10, 2014
July 31, 2014	August 7, 2014	August 14, 2014
August 28, 2014	September 4, 2014	September 11, 2014
September 25, 2014	October 2, 2014	October 9, 2014
October 30, 2014	November 6, 2014	November 13, 2014
November 26, 2014*	December 4, 2014	December 11, 2014
December 24, 2014*	December 30, 2014**/**	January 8, 2015

*Date Change due to Holiday

**Room location change: Room B

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
50 W. Gay St., 4th Fl.
Columbus OH 43215-9031

Legislation Number: PN0319-2013

Drafting Date: 12/11/2013

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Italian Village Commission 2014 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 cltorbeck@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 contact staff.

Application Deadline	Business Meeting Date (50 W. Gay St., 1st Fl. Rm. A.) 12:00pm	Regular Meeting Date (50 W. Gay St., 1st Fl. Rm. B) 6:15pm
January 7, 2014	January 14, 2014	January 21, 2014
February 4, 2014	February 11, 2014	February 18, 2014
March 4, 2014	March 11, 2014	March 18, 2014
April 1, 2014	April 8, 2014	April 15, 2014
May 6, 2014	May 13, 2014	May 20, 2014
June 3, 2014	June 10, 2014	June 17, 2014
July 1, 2014	July 8, 2014	July 15, 2014
August 5, 2014	August 12, 2014	August 19, 2014
September 2, 2014	September 9, 2014	September 16, 2014
October 7, 2014	October 14, 2014	October 21, 2014
November 4, 2014	November 11, 2014	November 18, 2014
December 2, 2014	December 9, 2014	December 16, 2014
January 6, 2015	January 13, 2015	January 20, 2015

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
Historic Preservation Office
50 W. Gay St., 4th Fl.
Columbus OH 43215-9031

Legislation Number: PN0320-2013

Drafting Date: 12/11/2013

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Historic Resource Commission 2014 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 cltorbeck@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 contact staff.

Application Deadline	Business Meeting Dates (50 W. Gay St., 1st Fl. Rm A) 12:00pm	Regular Meeting Date (50 W. Gay St., 1st Fl. Rm B) 6:15pm
January 2, 2014	January 9, 2014	January 16, 2014
February 6, 2014	February 13, 2014	February 20, 2014
March 6, 2014	March 13, 2014	March 20, 2014
April 3, 2014	April 10, 2014	April 17, 2014
May 1, 2014	May 8, 2014	May 15, 2014
June 5, 2014	June 12, 2014	June 19, 2014
July 3, 2014	July 10, 2014	July 17, 2014
August 7, 2014	August 14, 2014	August 21, 2014
September 4, 2014	September 11, 2014	September 18, 2014
October 2, 2014	October 9, 2014	October 16, 2014
November 6, 2014	November 13, 2014	November 20, 2014
December 4, 2014	December 11, 2014	December 18, 2014
January 2, 2015	January 8, 2015	January 15, 2015

Mail or deliver completed Certificate of Appropriateness applications to:

City of Columbus
 Historic Preservation Office
 50 W. Gay St., 4th Fl.
 Columbus OH 43215-9031

Legislation Number: PN0321-2013

Drafting Date: 12/11/2013

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: rblack@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 645-6821 or by e-mail to rblack@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 contact staff.

Business Meeting Dates
(50 W. Gay St., 1st Fl., Rm. A)
12:00pm

January 29, 2014
March 26, 2014
May 28, 2014
July 30, 2014
September 24, 2014
November 26, 2014
January 28, 2015

Legislation Number: PN0331-2013

Drafting Date: 12/16/2013

Version: 1

Current Status: Clerk's Office for Bulletin

Matter Type: Public Notice

Notice/Advertisement Title: Downtown Commission 2014 Meeting Schedule

Contact Name: Daniel Thomas

Contact Telephone Number: 614-645-8404

Contact Email Address: djthomas@columbus.gov

Downtown Commission 2014 Meetings

Regular Meeting

50 W. Gay St.
1st Floor - Room B
8:30am - 11:00am

January 28, 2014
February 25, 2014
March 25 2014
April 22, 2014
May 27, 2014
June 24 2014
July 22, 2014
August 26, 2014
September 23, 2014
October 21, 2014
November 18 2014
December 16, 2014

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 contact staff.

Legislation Number: PN0338-2013

Drafting Date: 12/23/2013

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
2014

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 8, 2013 - 1111 East Broad Street, 43205
Wednesday, February 12, 2013 - 1111 East Broad Street, 43205
Wednesday, March 12, 2013 - 1111 East Broad Street, 43205
Wednesday, April 9, 2013 - 1111 East Broad Street, 43205
Wednesday, May 14, 2013 - 1111 East Broad Street, 43205
Wednesday, June 11, 2013 - 1111 East Broad Street, 43205
Wednesday, July 9, 2013 - 1111 East Broad Street, 43205
August Recess - No meeting
Wednesday, September 10, 2013 - 1111 East Broad Street, 43205
Wednesday, October 8, 2013 - 1111 East Broad Street, 43205
Wednesday, November 12, 2013 - 1111 East Broad Street, 43205
Wednesday, December 10, 2013 - 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**

Legislation Number: PN0340-2013

Drafting Date: 12/27/2013

Version: 1

Current Status: Clerk's Office for Bulletin

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 77 North Front Street, 3rd Floor, Columbus, Ohio as well as on the 1st Floor in the City Job Center. Please note that all visitors are required to produce a picture ID, authenticating their identity, in order to visit the applications area on the 3rd Floor. Applicants interested in City jobs should check our website or visit the Commission offices.

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE
DIVISIONS OF DESIGN AND CONSTRUCTION, MOBILITY OPTIONS, AND
PLANNING AND OPERATIONS

EFFECTIVE DATE: MAY 5, 2014

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 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 2105.08 STOP AND YIELD INTERSECTIONS

Stop signs shall be installed at intersections as follows:

AUDEN AVE shall stop for FOURTH ST
NERUDA AVE shall stop for FOURTH ST

SECTION 2105.09 TURNS AT INTERSECTIONS

Mandatory turn lanes shall be removed as follows:

HAMILTON AVE at HUDSON ST
The northbound traffic in the lane second from the east curb shall no longer be required to turn left.
HAMILTON AVE at HUDSON ST
The northbound traffic in the lane first from the east curb shall no longer be required to turn right.

SECTION 2105.12 CROSSWALKS

Midblock crosswalks shall be installed across:

THURBER DR, 450 feet south of COLLINS AVE

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

PARKING REGULATIONS

The parking regulations on the 209 foot long block face along the S side of BROAD ST from LAZELLE ST extending to FOURTH ST shall be

Range in feet	Code Section	Regulation
0 - 31	2105.17	NO STOPPING ANYTIME
31 - 101	2155.03	2 HR PARKING METER 8AM - 4PM MON - FRI AND 8AM - 6PM SAT.
31 - 101	2105.17	NO STOPPING 4PM - 6PM WEEKDAYS
31 - 101	2105.17	NO STOPPING 12AM- 6AM TUESDAYS FOR STREET CLEANING
101 - 209	2105.14	BUS STOP ONLY

The parking regulations on the 592 foot long block face along the N side of FOURTH AVE from PERRY ST extending to MICHIGAN AVE shall be

Range in feet	Code Section	Regulation
0 - 47	2105.17	NO STOPPING ANYTIME
47 - 566	2105.17	NO PARKING 8AM - 4PM SECOND TUESDAY OF MAY, AUGUST, NOVEMBER
47 - 436	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
436 - 460	2105.17	NO STOPPING ANYTIME
460 - 474		NAMELESS ALLEY
474 - 500	2105.17	NO STOPPING ANYTIME
500 - 566	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
566 - 592	2105.17	NO STOPPING ANYTIME

The parking regulations on the 291 foot long block face along the S side of FOURTH AVE from PERRY ST extending to OREGON AVE shall be

Range in feet	Code Section	Regulation
0 - 25	2105.17	NO STOPPING ANYTIME
25 - 262	2105.17	NO PARKING 8AM - 4PM SECOND WEDNESDAY OF MAY, AUG., NOV., FOR STREET SWEEPING
25 - 119	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
119 - 138	2105.17	NO STOPPING ANYTIME
138 - 152		NAMELESS ALLEY
152 - 172	2105.17	NO STOPPING ANYTIME
172 - 262	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
262 - 291	2105.17	NO STOPPING ANYTIME

The parking regulations on the 209 foot long block face along the E side of FOURTH ST from CHERRY ST extending to RICH ST shall be

Range in feet	Code Section	Regulation
0 - 25	2105.17	NO STOPPING ANYTIME
25 - 166	2105.17	NO STOPPING 12AM - 6AM MONDAYS FOR STREET CLEANING
25 - 166	2155.03	2 HR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
166 - 209	2105.17	NO STOPPING ANYTIME

The parking regulations on the 209 foot long block face along the W side of FOURTH ST from CHERRY ST extending to RICH ST shall be

Range in feet	Code Section	Regulation
0 - 29	2105.17	NO STOPPING ANYTIME
29 - 99	2105.17	NO STOPPING 12AM- 6AM TUESDAYS FOR STREET CLEANING
29 - 51	2155.04	2 HR PARKING METER HCP ONLY 8AM - 6PM EXCEPT SUN AND HOLIDAYS
51 - 99	2155.03	2 HR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
99 - 209	2105.17	NO STOPPING ANYTIME

The parking regulations on the 214 foot long block face along the W side of FOURTH ST from LYNN ST extending to GAY ST shall be

Range in feet	Code Section	Regulation
0 - 28	2105.17	NO STOPPING ANYTIME
28 - 163	2105.17	NO STOPPING 12AM- 6AM TUESDAYS FOR STREET CLEANING
28 - 94	2155.03	3 HR PARKING METERS ONLY 8AM -10PM EXCEPT SUNDAYS AND HOLIDAYS
94 - 122	2151.01	(STATUTORY RESTRICTIONS APPLY)
122 - 163	2155.03	3 HR PARKING METERS ONLY 8AM -10PM EXCEPT SUNDAYS AND HOLIDAYS
163 - 214	2105.17	NO STOPPING ANYTIME

The parking regulations on the 309 foot long block face along the W side of HOMESTEAD DR from DUXBERRY AVE extending to MAYNARD AVE shall be

Range in feet	Code Section	Regulation
0 - 118	2151.01	(STATUTORY RESTRICTIONS APPLY)
118 - 134		NAMELESS ALLEY
134 - 144	2151.01	(STATUTORY RESTRICTIONS APPLY)
144 - 167	2105.03	HANDICAPPED PARKING ONLY
167 - 309	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 208 foot long block face along the S side of LONG ST from FRONT ST extending to WALL ST shall be

Range in feet	Code Section	Regulation
0 - 40	2105.17	NO STOPPING ANYTIME
40 - 174	2155.03	3 HR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
40 - 174	2105.17	NO STOPPING 12AM- 6AM TUESDAYS FOR STREET CLEANING
174 - 208	2105.17	NO STOPPING ANYTIME

The parking regulations on the 256 foot long block face along the W side of MARIBETH PLACE from MOYER LANE extending to OLSON PLACE shall be

Range in feet	Code Section	Regulation
0 - 226	2151.01	(STATUTORY RESTRICTIONS APPLY)
226 - 256	2105.17	NO STOPPING ANYTIME

The parking regulations on the 340 foot long block face along the W side of NEIL AVE from FIFTH AVE extending to SIXTH AVE shall be

Range in feet	Code Section	Regulation
0 - 340	2105.17	NO PARKING 8AM - 10AM 1ST & 3RD FRI APR-OCT FOR STREET CLEANING
0 - 102	2105.14	BUS STOP ONLY
102 - 317	2105.21	NO PARKING 8AM - 5PM EXCEPT CITY PERMIT B OR P
317 - 340	2105.17	NO STOPPING ANYTIME

The parking regulations on the 496 foot long block face along the E side of NEIL AVE from FIFTH AVE extending to SIXTH AVE shall be

Range in feet	Code Section	Regulation
0 - 496	2105.17	NO PARKING 8AM - 10AM 1ST & 3RD THUR APR-OCT FOR STREET CLEANING
0 - 40	2105.17	NO STOPPING ANYTIME
40 - 441	2105.21	NO PARKING 8AM - 5PM EXCEPT CITY PERMIT B OR P
441 - 496	2105.17	NO STOPPING ANYTIME

The parking regulations on the 645 foot long block face along the S side of OLSON PLACE from TONDA LANE extending to MARIBETH PLACE shall be

Range in feet	Code Section	Regulation
0 - 615	2151.01	(STATUTORY RESTRICTIONS APPLY)
615 - 645	2105.17	NO STOPPING ANYTIME

The parking regulations on the 452 foot long block face along the S side of PEMBROKE AVE from PARKWOOD AVE extending to ELDRIDGE AVE shall be

Range in feet	Code Section	Regulation
0 - 40	2105.17	NO STOPPING ANYTIME
40 - 199	2151.01	(STATUTORY RESTRICTIONS APPLY)
199 - 222	2105.03	HANDICAPPED PARKING ONLY
222 - 261	2151.01	(STATUTORY RESTRICTIONS APPLY)
261 - 275		NAMELESS ALLEY
275 - 452	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 292 foot long block face along the E side of PERRY ST from FOURTH AVE extending to VERMONT PLACE shall be

Range in feet	Code Section	Regulation
0 - 31	2105.17	NO STOPPING ANYTIME
31 - 263	2105.17	NO PARKING 8AM - 4PM SECOND TUESDAY OF MAY, AUGUST, NOVEMBER
31 - 111	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
111 - 132	2105.17	NO STOPPING ANYTIME
132 - 142		NAMELESS ALLEY
142 - 167	2105.17	NO STOPPING ANYTIME
167 - 263	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
263 - 292	2105.17	NO STOPPING ANYTIME

The parking regulations on the 292 foot long block face along the E side of PERRY ST from VERMONT PLACE extending to FIFTH AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 262	2105.17	NO PARKING 8AM - 4PM SECOND TUESDAY OF MAY, AUGUST, NOVEMBER
30 - 117	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
117 - 136	2105.17	NO STOPPING ANYTIME
136 - 152		NAMELESS ALLEY
152 - 168	2105.17	NO STOPPING ANYTIME
168 - 292	2105.14	BUS STOP ONLY

The parking regulations on the 644 foot long block face along the E side of PERRY ST from THIRD AVE extending to FOURTH AVE shall be

Range in feet	Code Section	Regulation
0 - 75	2105.17	NO STOPPING ANYTIME
75 - 615	2105.17	NO PARKING 8AM - 4PM SECOND TUESDAY OF MAY, AUGUST, NOVEMBER
75 - 125	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
125 - 140	2105.17	NO STOPPING ANYTIME
140 - 156		NAMELESS ALLEY
156 - 175	2105.17	NO STOPPING ANYTIME
175 - 467	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
467 - 488	2105.17	NO STOPPING ANYTIME
488 - 504		NAMELESS ALLEY
504 - 524	2105.17	NO STOPPING ANYTIME
524 - 615	2105.21	3 HR PARKING 8AM - 4PM, MON - FRI EXCEPT CITY PERMIT C
615 - 644	2105.17	NO STOPPING ANYTIME

The parking regulations on the 176 foot long block face along the N side of SOMMERFELD PLACE from ROBERSON ST extending to VERDE PLACE shall be

Range in feet	Code Section	Regulation
0 - 176	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 176 foot long block face along the S side of SOMMERFELD PLACE from ROBERSON ST extending to VERDE PLACE shall be

Range in feet	Code Section	Regulation
0 - 47	2105.17	NO STOPPING ANYTIME
47 - 67	2105.03	HANDICAPPED PARKING ONLY
67 - 135	2151.01	(STATUTORY RESTRICTIONS APPLY)
135 - 176	2105.17	NO STOPPING ANYTIME

The parking regulations on the 703 foot long block face along the N side of SPRING ST from HIGH ST extending to THIRD ST shall be

Range in feet	Code Section	Regulation
0 - 300	2105.17	NO STOPPING ANYTIME
300 - 666	2105.17	NO STOPPING 12AM - 6AM MONDAYS FOR STREET CLEANING
300 - 323	2105.03	HANDICAPPED PARKING ONLY
666 - 703	2105.17	NO STOPPING ANYTIME

The parking regulations on the 210 foot long block face along the E side of THIRD ST from ELM ST extending to LONG ST shall be

Range in feet	Code Section	Regulation
0 - 40	2105.17	NO STOPPING ANYTIME
40 - 173	2105.17	NO STOPPING 12AM - 6AM MONDAYS FOR STREET CLEANING
40 - 173	2155.03	2 HR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
129 - 173	2105.17	NO PARKING VALET ZONE 6PM - 11PM EVERYDAY
173 - 210	2105.17	NO STOPPING ANYTIME

The parking regulations on the 222 foot long block face along the E side of WASHINGTON AVE from NURSERY LANE extending to THURMAN AVE shall be

Range in feet	Code Section	Regulation
0 - 71	2151.01	(STATUTORY RESTRICTIONS APPLY)
71 - 85		NAMELESS ALLEY
85 - 115	2105.17	NO STOPPING ANYTIME
115 - 170	2151.01	(STATUTORY RESTRICTIONS APPLY)
170 - 222	2105.17	NO STOPPING ANYTIME

The parking regulations on the 966 foot long block face along the E side of WESTWOOD AVE from FIFTH AVE extending to KING AVE shall be

Range in feet	Code Section	Regulation
0 - 51	2105.17	NO STOPPING ANYTIME
51 - 112	2151.01	(STATUTORY RESTRICTIONS APPLY)
112 - 139	2105.17	NO STOPPING ANYTIME
139 - 159		NAMELESS ALLEY
159 - 181	2105.17	NO STOPPING ANYTIME
181 - 783	2151.01	(STATUTORY RESTRICTIONS APPLY)
783 - 804	2105.17	NO STOPPING ANYTIME
804 - 820		NAMELESS ALLEY
820 - 966	2105.17	NO STOPPING ANYTIME

The parking regulations on the 345 foot long block face along the S side of WHITTIER ST from TWENTY-SECOND ST extending to OHIO AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 142	2151.01	(STATUTORY RESTRICTIONS APPLY)
142 - 167	2105.17	NO STOPPING ANYTIME
167 - 181		NAMELESS ALLEY
181 - 200	2105.17	NO STOPPING ANYTIME
200 - 301	2151.01	(STATUTORY RESTRICTIONS APPLY)
301 - 345	2105.17	NO STOPPING ANYTIME

The parking regulations on the 790 foot long block face along the S side of WHITTIER ST from BRUCK ST extending to WASHINGTON AVE shall be

Range in feet	Code Section	Regulation
0 - 32	2105.17	NO STOPPING ANYTIME
32 - 387	2151.01	(STATUTORY RESTRICTIONS APPLY)
387 - 419	2105.17	NO STOPPING ANYTIME
419 - 434		NAMELESS ALLEY
434 - 453	2105.17	NO STOPPING ANYTIME
453 - 700	2151.01	(STATUTORY RESTRICTIONS APPLY)
700 - 790	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: TRACIE DAVIES, 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: MAY 20, 2014

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 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 2105.08 STOP AND YIELD INTERSECTIONS

Stop signs shall be installed at intersections as follows:

MICHIGAN AVE shall stop for FIRST AVE

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

PARKING REGULATIONS

The parking regulations on the 774 foot long block face along the S side of GATES ST from JAEGER ST extending to BRUCK ST shall be

Range in feet	Code Section	Regulation
0 - 738	2151.01	(STATUTORY RESTRICTIONS APPLY)
738 - 774	2105.17	NO STOPPING ANYTIME

The parking regulations on the 956 foot long block face along the E side of HARRIS AVE from SULLIVANT AVE extending to WICKLOW RD shall be

Range in feet	Code Section	Regulation
0 - 39	2105.17	NO STOPPING ANYTIME
39 - 144	2151.01	(STATUTORY RESTRICTIONS APPLY)
144 - 163	2105.17	NO STOPPING ANYTIME
163 - 177		NAMELESS ALLEY
177 - 201	2105.17	NO STOPPING ANYTIME
201 - 878	2151.01	(STATUTORY RESTRICTIONS APPLY)
878 - 902	2105.03	HANDICAPPED PARKING ONLY
902 - 956	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 228 foot long block face along the S side of KOSSUTH ST from BANK ST extending to FRONT ST shall be

Range in feet	Code Section	Regulation
0 - 38	2105.17	NO STOPPING ANYTIME
38 - 183	2151.01	(STATUTORY RESTRICTIONS APPLY)
183 - 228	2105.17	NO STOPPING ANYTIME

The parking regulations on the 550 foot long block face along the W side of PERRY ST from QUALITY PLACE extending to FIRST AVE shall be

Range in feet	Code Section	Regulation
0 - 515	2151.01	(STATUTORY RESTRICTIONS APPLY)
515 - 550	2105.17	NO STOPPING ANYTIME

The parking regulations on the 700 foot long block face along the S side of SOUTHWOOD AVE from WAGER ST extending to SEVENTEENTH ST shall be

Range in feet	Code Section	Regulation
0 - 313	2151.01	(STATUTORY RESTRICTIONS APPLY)
313 - 337	2105.03	HANDICAPPED PARKING ONLY
337 - 672	2151.01	(STATUTORY RESTRICTIONS APPLY)
672 - 700	2105.17	NO STOPPING ANYTIME

The parking regulations on the 282 foot long block face along the E side of ST CLAIR AVE from OLMSTEAD AVE extending to LEONA AVE shall be

Range in feet	Code Section	Regulation
0 - 29	2105.17	NO STOPPING ANYTIME
29 - 162	2151.01	(STATUTORY RESTRICTIONS APPLY)
162 - 185	2105.03	HANDICAPPED PARKING ONLY
185 - 251	2151.01	(STATUTORY RESTRICTIONS APPLY)
251 - 282	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: TRACIE DAVIES, 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: MAY 20, 2014

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 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 2105.08 STOP AND YIELD INTERSECTIONS

Stop signs shall be installed at intersections as follows:

COMET RD shall stop for CATAPLA DR
LAWSON CT shall stop for FIELDING SCHOOL RD
LAWSON DR shall stop for FIELDING SCHOOL RD
SULLIVANT AVE shall stop for SOUDER AVE

Stop signs shall be removed from intersections as follows:

FIELDING SCHOOL RD shall no longer stop for LAWSON CT/LAWSON DR
Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

PARKING REGULATIONS

The parking regulations on the 504 foot long block face along the S side of ATCHESON ST from OHIO AVE extending to CHAMPION AVE shall be

Range in feet	Code Section	Regulation
0 - 171	2151.01	(STATUTORY RESTRICTIONS APPLY)
171 - 231	2105.17	NO STOPPING ANYTIME
231 - 504	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 330 foot long block face along the S side of BUCKINGHAM ST from ST CLAIR AVE extending to GARFIELD AVE shall be

Range in feet	Code Section	Regulation
0 - 152	2151.01	(STATUTORY RESTRICTIONS APPLY)
152 - 170		NAMELESS ALLEY
170 - 330	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 462 foot long block face along the N side of CHESTNUT ST from PEARL ST extending to THIRD ST shall be

Range in feet	Code Section	Regulation
0 - 21	2105.17	NO STOPPING ANYTIME
21 - 131	2155.03	2 HR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
21 - 131	2105.17	NO STOPPING 12AM - 6AM MONDAYS FOR STREET CLEANING
131 - 219	2105.14	BUS STOP ONLY
219 - 295	2105.17	NO STOPPING ANYTIME
295 - 411	2155.03	2 HR PARKING METERS 8AM - 6PM EXCEPT SUNDAYS AND HOLIDAYS
295 - 462	2105.17	NO STOPPING 12AM - 6AM MONDAYS FOR STREET CLEANING
411 - 423		TWO-WHEELED MOTORIZED VEHICLE PARKING OTHER TIMES
411 - 423	2105.21	NO PARKING EXCEPT CITY PERMIT TW 8AM - 5PM MON- SAT
423 - 462	2105.17	NO STOPPING ANYTIME

The parking regulations on the 295 foot long block face along the W side of FIELDING SCHOOL RD from LAWSON CT extending to GREEN RAVINE DR shall be

Range in feet	Code Section	Regulation
0 - 75	2105.17	NO STOPPING ANYTIME
75 - 295	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 566 foot long block face along the N side of GRANVILLE ST from TAYLOR AVE extending to PARKWOOD AVE shall be

Range in feet	Code Section	Regulation
0 - 73	2151.01	(STATUTORY RESTRICTIONS APPLY)
73 - 98	2105.03	HANDICAPPED PARKING ONLY
98 - 360	2151.01	(STATUTORY RESTRICTIONS APPLY)
360 - 382	2105.17	NO STOPPING ANYTIME
382 - 394		NAMELESS ALLEY
394 - 535	2151.01	(STATUTORY RESTRICTIONS APPLY)
535 - 566	2105.17	NO STOPPING ANYTIME

The parking regulations on the 462 foot long block face along the N side of HARVARD AVE from PARKWOOD AVE extending to ELDRIDGE AVE shall be

Range in feet	Code Section	Regulation
0 - 268	2151.01	(STATUTORY RESTRICTIONS APPLY)
268 - 283		NAMELESS ALLEY
283 - 462	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 601 foot long block face along the E side of HIGH ST from GOODALE ST extending to RUSSELL ST shall be

Range in feet	Code Section	Regulation
0 - 59	2105.17	NO STOPPING ANYTIME
59 - 119	2105.15	VALET PARKING 6PM - 3AM
59 - 119	2105.15	NO PARKING , LOADING ZONE 8AM - 6PM
119 - 257	2155.03	3 HR PARKING METERS ONLY 8AM - 10PM EXCEPT SUN. AND HOLIDAYS
257 - 291	2105.17	NO STOPPING ANYTIME
291 - 312	2155.03	3 HR PARKING METERS ONLY 8AM - 10PM EXCEPT SUN. AND HOLIDAYS
312 - 352	2105.15	NO PARKING , LOADING ZONE 8AM - 6PM
352 - 568	2155.03	3 HR PARKING METERS ONLY 8AM - 10PM EXCEPT SUN. AND HOLIDAYS
568 - 601	2105.17	NO STOPPING ANYTIME

The parking regulations on the 354 foot long block face along the E side of PARKWOOD AVE from GRANVILLE ST extending to GREENWAY AVE shall be

Range in feet	Code Section	Regulation
0 - 68	2105.17	NO STOPPING ANYTIME
68 - 149	2151.01	(STATUTORY RESTRICTIONS APPLY)
149 - 168	2105.17	NO STOPPING ANYTIME
168 - 182		NAMELESS ALLEY
182 - 201	2105.17	NO STOPPING ANYTIME
201 - 312	2151.01	(STATUTORY RESTRICTIONS APPLY)
312 - 354	2105.17	NO STOPPING ANYTIME

The parking regulations on the 345 foot long block face along the S side of SULLIVANT AVE from SOUDER AVE extending to DAVIS AVE shall be

Range in feet	Code Section	Regulation
0 - 30	2105.17	NO STOPPING ANYTIME
30 - 288	2151.01	(STATUTORY RESTRICTIONS APPLY)
288 - 345	2105.17	NO STOPPING ANYTIME

The parking regulations on the 348 foot long block face along the N side of SULLIVANT AVE from SOUDER AVE extending to DAVIS AVE shall be

Range in feet	Code Section	Regulation
0 - 57	2105.17	NO STOPPING ANYTIME
57 - 315	2151.01	(STATUTORY RESTRICTIONS APPLY)
315 - 348	2105.17	NO STOPPING ANYTIME

The parking regulations on the 1960 foot long block face along the N side of SWITZER AVE from JOHNSTOWN RD extending to RARIG AVE shall be

Range in feet	Code Section	Regulation
0 - 100	2105.17	NO STOPPING ANYTIME
100 - 1960	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 1960 foot long block face along the S side of SWITZER AVE from JOHNSTOWN RD extending to RARIG AVE shall be

Range in feet	Code Section	Regulation
0 - 130	2105.17	NO STOPPING ANYTIME
130 - 1960	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 1480 foot long block face along the W side of TWENTY - FIRST ST from LONG ST extending to VERNON AVE shall be

Range in feet	Code Section	Regulation
0 - 159	2151.01	(STATUTORY RESTRICTIONS APPLY)
159 - 172		NAMELESS ALLEY
172 - 634	2151.01	(STATUTORY RESTRICTIONS APPLY)
634 - 649		NAMELESS ALLEY
649 - 1325	2151.01	(STATUTORY RESTRICTIONS APPLY)
1325 - 1340		NAMELESS ALLEY
1340 - 1480	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: TRACIE DAVIES, PUBLIC SERVICE DIRECTOR

BY-LAWS OF
THE FAR SOUTH COLUMBUS AREA COMMISSION

These By-Laws establish the procedure under which the Far South Columbus Area Commission shall execute those duties and functions set forth in and with authority granted by Columbus City Charter Section 60, 61 and 121.

Article I

Name

The name of this organization shall be the Far South Columbus Area Commission, herein referred to as the "Commission" and/or "FSCAC."

ARTICLE II

Area

The boundaries of the Far South Columbus Area Commission shall incorporate our 3111.03 boundaries:

To the North: SR 104, north on Lockbourne Rd., east to Refugee Rd., south on Alum Creek Dr.;

To the South: City of Columbus corporation limits;

To the East: west side of SR 33 to SR317 (Hamilton Road) south on SR 317, to south on Pontius Rd. to the City of Columbus corporation limits (excluding the villages of Obetz and Groveport);

To the West: east side of the Scioto River to I-270, west on I-270, and south on Jackson Pike / SR104 to the City of Columbus corporation limits.

ARTICLE III

Purpose

The purpose of this Commission shall be to afford additional voluntary citizen participation in decision-making in an advisory capacity to the City administration and City Council. The Commission shall also facilitate communication, understanding and cooperation among citizens, neighborhood groups, city officials and staff, and other stakeholders by performing those function and duties set out in C.C. 3109.14.

ARTICLE IV
Membership

Section 1: Members

The Commission shall consist of fifteen (15) members. Each member shall reside and/or be appointed in the Commission area and be duly appointed by the Mayor with the concurrence of Council, and serve without compensation.

- A. Nine (9) Elected Commissioners shall be elected in accordance with the election rules adopted by the Far South Columbus Area Commission. Each elected commissioner shall maintain his or her residence in the Far South Columbus area during the term of office.
- B. Six (6) Commissioners should either own real property or operate a business within the area and shall be nominated by the Commission. The six (6) shall be:
 - 1.) Zone 1: Clergy
 - 2.) Zone 1: Business
 - 3.) Zone 2: Clergy
 - 4.) Zone 2: Business
 - 5.) The two individuals approved by the Commission shall be from the Village of Lockbourne or Hamilton Township. The incumbents of these seats are ineligible to vote on zoning issues that pertain to the City of Columbus. The Lockbourne and Hamilton Township Commissioners shall be eligible to hold an office.
 - 6.) The four individuals approved for the Clergy and Business Seats by the Commission shall be area residents, one person from the business sector and one person from the clergy of each of the FSCAC zoning districts located within the Commission boundaries. If there is not a resident or a business owner available to accept those seats, the seats will remain vacant until such a person should become available.

Section 2: Terms

The normal term of membership shall be for three (3) years. All terms shall expire on the last day of June in different years. The term of newly elected members nominated by the Commission to fill a vacancy shall commence no sooner than thirty days after notice of nomination has been received by the Mayor's Office and shall be for no less than one year and not more than a full term. If a seat becomes vacant mid-term the Commission may call for a special election to fill the seat. Terms are staggered so as to maintain continuity of representation.

Section 3: Representation

No Commission member shall represent the Commission in its official capacity before any other public body or official, except as specifically authorized by the Commission, President or the relevant committee chair. Any and all conflicts of interest shall be disclosed. Any unauthorized representation shall be deemed as a resignation from the Commission and notice of such will be communicated to the Mayor unless two-thirds of those members present and voting determine that extenuating circumstances justify that member's continuing to hold his or her position.

Section 4: Disqualification

Members shall maintain their residence, employment or ownership in real property in the Commission area from which they were elected and appointed. Failure of a member to maintain his or her residence, employment or ownership of real property in the commission area from which he or she was elected and appointed shall be deemed as a resignation from the Commission and notice of such will be communicated to the Mayor.

Section 5: Attendance

Members shall so far as possible be in attendance. If a member has Three absences in a membership year that member shall be subject to termination from the Commission and notice of such will be communicated to the Mayor, unless two-thirds of those members present and voting determine that extenuating circumstances justify that the member shall continue to hold his or her position. The Recording Secretary shall remind such member of this provision after his or her third absence. Commissioner is responsible to inform the President or the Recording Secretary if they are unable to attend the meeting.

Section 6: Rules, Laws, and By-Laws

The Commission and its members shall adhere to all relevant and applicable local, state and federal laws and these by-laws as it relates to one's role at the Commission. Failure to adhere to such rules, laws and by-laws shall be deemed as a resignation of the Commission and notice of such will be communicated to the Mayor unless 2/3 of those members present and voting determine that extenuating circumstances justify that the member shall continue to hold his or her position.

Section 7: Vacancy

The Commission shall nominate by letter to the Mayor pursuant to C.C. 3109.11 one candidate to fill any vacancy caused by death, resignation or disqualification for the remainder of the unexpired term.

Article V

Budget

No monies shall be expended or encumbered, save pursuant to the Annual Budget.

- A. Prior to the January meeting the President and the Treasurer shall develop a draft of the annual budget. At the regular January meeting this written draft will be distributed to all Commissioners for discussion and approval of the budget by a roll call vote of those Commissioners present.
- B. Any monies received shall be deposited as soon as possible by the Treasurer.
- C. All purchases must follow the guidelines allowed in current City of Columbus Code for Area Commissions.
- D. For purchases for Commission activities that are itemized in the approved annual budget, any Commissioner may request reimbursement by providing the Treasurer with a written, dated request form explaining the purchase, followed by a paper copy of the original receipt for the purchase. Permission to grant reimbursement may be given by the Treasurer.
- E. Any Commissioner may request a full Commission vote on any expense reimbursement not itemized in the approved annual budget or approved by the Treasurer.

ARTICLE VI

Officers

The Officers of the Commission shall be a President, Vice-President, Treasurer, Recording Secretary, and Correspondence Secretary. All officers shall serve a term of one year, or until their successors are elected.

Section 1: Officer Nomination & Selection Process

- A. Voice nominations for each office are made during the annual meeting. The Commissioners shall accept or decline the nomination at this time. Then the nominations are closed. Commissioners will vote by roll call vote the following slate of officers, President, Vice President, Treasurer, Recording Secretary and Correspondence Secretary.
- B. A vacancy in the office of President shall be filled by the Vice-President. A vacancy in any other position shall be filled in the same manner as the original officer election process provided in Section 1 of this Article.

Section 2: President

The President shall:

- A. Chair all meetings of the Commission;
- B. Coordinate the actions of all officers and representatives of the Commission;
- C. Chair all public hearings called by the Commission;
- D. Select, supervise, direct or delegate any volunteers;
- E. Appoint all Chairs of standing committees per Article VIII, Section 2.C,
- F. Make sure that the Commission is represented at appropriate City Council meetings.

Section 3: Vice President

The Vice President shall:

- A. Assist the President
- B. Preside at meetings in the absence of the President
- C. Assist the President in establishing and distributing the monthly agenda
- D. Have responsibility for coordinating all committees.

Section 4: Recording Secretary

The Recording Secretary shall:

- A. Keep and permanently file all resolutions considered by the Commission , as well as a record of all actions taken; including reminding Commissioners of attendance issues.
- B. Call the roll at each meeting of the Commission and record times of arrival and departure of Commissioners after roll has been taken or before the adjournment of the meeting;
- C. Other duties relating to the nature of the Recording Secretary's function pertaining to the Commission not listed in this Section.

Section 5: Treasurer

The Treasurer shall:

- A. Receive all monies and approve all payments for the Commission in accordance with Article V.

- B. Prepare and present an Annual Budget, with the President, for the Commission in accordance with Article V;
- C. Provide a written report on the financial condition of the Commission at each regular meeting;
- D. Submit a written report of the finances of the Commission at the Annual Meeting
- E. Exercise all duties incident to the office of Treasurer, including compliance with all fiscal requirements within the memorandum of agreement with the city.

Section 6: Correspondence Secretary

The Correspondence Secretary shall:

- A. Correspond at the direction of the Commission.
- B. Keep on file all correspondence of the Commission.
- C. Provide copies of any Commission correspondence to all Commissioners and at a reasonable charge to any person requesting them;
- D. Notify the Mayor and the Department of Development of all appointments, elections, and vacancies within thirty (30) days of such action;
- E. Maintain all historic records of the Far South Columbus Area; maintain newsletter and photographs of Far South Columbus;
- F. Notify Commissioners of upcoming events and/or meetings. Notifying Commissioners by whatever means necessary.

ARTICLE VII

Meetings

Section 1: Regular Meetings

Regular meetings of the Commission shall routinely be held on the **1st Thursday of each month**, until otherwise directed by a majority vote of the Commission. Each meeting shall be held in the Commission area in an appropriate, large room convenient for members and the public. Prior to changing meeting time of location, the Commission shall notify within seven (7) days of the proposed meeting change to constituents by the City Bulletin.

Section 2: Open Meetings

All Commission meetings shall comply with the Open Meetings Law and the open meetings requirements in the Columbus City Code.

Section 3: Annual Meetings

The Annual Meeting shall be the Commission's regularly scheduled meeting in the month of July, at which time the Commission will accept and nominate for appointment newly elected members and receive annual reports from officers and committees.

Section 4: Recess

The Commission shall not meet during the month of **August**, unless two-thirds of those members present and voting determine that extenuating circumstances justify that the Commission meet during the month of August.

Section 5: Special Meetings

Special meetings may be called by the Executive Committee, the President or by a majority of the members in a regular or special meeting. The meeting's purpose, date, time and location shall be stated in the meeting notice. No business will be considered in a special meeting unless it was included in the meeting notice and a quorum is present. In the case of a special meeting, the Commission shall notify within five (5) days of the proposed special meeting constituents by publication in a newspaper of general circulation in the Commission area or by door-to-door notice and the City administration by telephone or electronic mail.

Section 6: Quorum

A majority (50% plus two) of the total membership shall constitute a quorum for conducting business at all Commission and Commission committee meetings.

Section 7: Voting

The President shall be the last to vote. A quorum of Commission members present and voting shall be required to approve any action.

Section 8: Public Comment

The President shall recognize all members of the public who wish to address the Commission concerning issues under discussion. The President may uniformly limit debate to an equal amount of time for each side of an issue; and when appropriate, the issue may be referred by the President to the proper committee for action and report at the next Commission meeting.

Section 9: Dissenting or Concurring Reports

Dissenting or concurring reports may be filed with the Recording Secretary by any Commissioner and shall be attached to the majority report.

ARTICLE VIII

Committees

Section 1: Duties of Committees and Subcommittees

The various functions carried out by any respective committee or sub-committee of the Far South Columbus Area Commission may include, but not be limited to, the following:

- A. Study the problems and needs of the Far South Columbus area, bring the problems and needs to the attention of proper government agencies or the citizens of the Far South Columbus area, and recommend solutions.
- B. Determine the need for and recommend to City Council or any other government body any needed legislation affecting the Far South Columbus area.
- C. Provide a communication mechanism within the Far South Columbus area and to City government through:
 1. Holding regular and special meetings open to the public and publishing time and place of meetings.
 2. Conducting public hearings on problems or issues confronting the Far South Columbus area.
 3. Sponsoring public forums on an as needed basis to provide an opportunity for Far South Columbus area residents to air problems or concerns.
 4. Solicit segments of the community including organizations, institutions, and government.
 5. Establish structures and techniques for preserving and restoring the historical significance of the buildings and land in the Far South Columbus area.

Section 2: Standing Committees

- A. The present standing committees are: Executive, Community and Public Interests, Zoning and Development Regulation, Elections, Internal Governance, and Economic Development.
- B. Other committees or sub-committees may be established for specific purposes by a vote of a majority of the members present at any meeting.
- C. The President shall appoint Commissioners to the standing committees subject to approval by the Commission. The President shall consider requests for assignments from all Commissioners but is not bound by those requests.

- D. The initial appointments shall be made at the meeting following the annual meeting.
- E. The President shall be an ex-officio member of all committees and may elect to be a voting member of any committee by a vote of the majority of the committee at the meeting.
- F. The President shall designate a Committee Chair to convene each meeting.
- G. The members of each committee shall elect a Secretary from members of the FSCAC sitting on the respective committees.
- H. Each committee may select other officers and adopt internal rules.
- I. All committees shall communicate on a monthly basis and submit a written and/or oral report at each Commission meeting.
- J. The terms of office of all members of all committees shall end at the beginning of the end of the calendar year.
- K. A vacancy in a committee shall be filled by the committee chair. A vacancy in the committee chair shall be appointed by the President.

Section 3: Executive Committee

The Executive Committee shall:

- A. Meet quarterly and consist of the President, Vice President, Recording and Correspondence Secretaries, immediate past President (if still a Commissioner) and the Treasurer.
- B. Evaluate and plan the direction and scope of the Commission activities.

Section 4: Public Safety Committee

The Public Safety Committee shall:

- A. Conduct research and analysis and make proposal recommendations on criminal justice issues and any city, state or federal plans that affect the area.
- B. Encourage, support. Conduct, research and make recommendations on criminal justice issues within the area.
- C. Research, monitor, and make recommendations on any federal, state or local funds or grant monies that are available to implement criminal justice projects in the area.
- D. Public Safety's area of responsibility should include but is not limited to the City's Public Safety Divisions (Police and Fire), Division of Communications, Community Relations between the fire and police departments, the US Justice Department, Drug Enforcement Administration, the Ohio Department of Rehabilitation and Corrections,

adult and junior block programs, citizens on patrol, vehicle and control maintenance and acting as liaison to city public safety and to the Franklin County Sheriff's Department.

Section 5: Recreation/Parks, Education and Health and Human Services Committee

This committee shall:

- A. Conduct research, analysis and make proposal recommendations on these issues and any city, state or federal plans that affect the area's recreation and parks.
- B. Research, monitor, and make recommendations on any federal, state or local funds and grant monies that are available to implement relevant projects in the area.
- C. The Recreation and Parks component of this committee should include but is not limited to the Columbus Division of Recreation and Parks, the Ohio State Parks system and Ohio Department of Natural Resources.
- D. Research, monitor, and make recommendations on any federal, state or local funds and grant monies that are available to implement programs pertaining to the housing, health and human services in the area.
- E. Research, monitor and make recommendations on any federal, state or local funds and grant monies that are available to implement educational opportunities for the area.
- F. Conduct research, analysis and make recommendations on public service issues.
- G. Research, monitor and make recommendations on any federal, state, or local funds and grant monies that are available to implement public service projects in the area.

Section 6: Zoning and Development Regulation Committee

The Zoning and Development Regulation Committee shall:

- A. Regularly receive, review, and make recommendations on all applications for rezoning, variances, and other zoning adjustments; all appeals; all requests for demolition permits, graphic permits and all special permits; and all applications for city historical designations pertaining to property wholly or partially within the Far South Columbus Area Commission boundaries.
- B. Review existing zoning, building practices, and administrative procedures, as well as make recommendations for proposed changes.
- C. Hold meetings on the second (2nd) Wednesday of each month and as needed for the FSCAC Zoning districts. Developers need to go to the relevant active Civic Association before coming before the Area Commission. If there is not active Civic Association in the area under question, developers must go directly to the applicable FSCAC Zoning District meeting.

D. FSCAC has two Zoning Districts, whereby any persons with zoning issues shall have a presentation BEFORE coming to the FSCAC general meeting for any FSCAC recommendation. These zoning items are: for applications for rezoning, variances and other zoning adjustments, all appeals, all requests for demolition permits, graphic permits; and all applications for city historical designations pertaining to property wholly or partially within the FSCAC service area shall present to the designated FSCAC district where the property in question is located.

1. Zoning District One meets at the Marion Franklin Community Center on the second Tuesday of every month at 2801 Lockbourne Road at 6:00pm. The boundaries are as follows. North – SR 104 north on Lockbourne Road, east to Refugee Road, south on Alum Creek Drive. East- SR 33 to Hamilton Road, south on Hamilton Road/SR 317. West- Northwest on Groveport Road to west on Williams Road, north to CSX railroad tracks (excluding Groveport and Obetz), South – West on Groveport Road to I-270.
2. Zoning District Two meets at the Lighthouse Ministries Annex at 2295 South High Street on the first Monday of every month at 7:00 pm. The boundaries are as follows; North – SR 104 to CSX railroad tracks. East – CSX railroad tracks to Williams Road, east on Williams Road to southeast on Groveport Road then south on 317 to south on Pontius Road. West – Scioto River to I-270 north on I-270 to south on Jackson Pike. South – City Corporation Limits.

E. The decision of this committee on all such requests must be reported to the Commission at the next regularly scheduled meeting and is not final until that time. Upon a motion by any Commissioner, requests may be reconsidered by the entire commission and approved by majority vote.

1.)The Co-chairs of the Zoning and Development Regulation Committee’s area of responsibility shall include, but is not limited to: code enforcement and zoning, housing code violations, weed and grass violations, hazards and broken glass and trash on property, boarded houses and garages, and act as a liaison to the Department of Development.

2.) Presentations by developers and others during the commission meeting will adhere to the following format and guidelines:

F. The Zoning Committee must have the application packet 14 days prior to the FSCAC regular monthly meeting. Any applications received less than 14 days prior to the regular monthly meeting will be moved to the following month’s meeting. Rare exceptions may be granted at the discretion of both chairs of the Zoning and Development Regulation Committee and the President. The developer/applicant presentation to the Commission should last no longer than five minutes. (There will be time for Q&A, as well as public comment. The Zoning Chairs will provide order and preside over all zoning hearings.

Section 7: Internal Governance Committee

The Internal Governance Committee shall:

- A. Implement these By-Laws and election rules as required.
- B. Research the effectiveness and applicability of these by-laws and make recommendations to the Commission for amendments to the by-laws.
- C. Conduct the orientation of the new Commissioners.
- D. Coordinate the internal activities of the Commission as it relates to proper procedure and accountability.
- E. Elections Sub-Committee shall review election procedures and make recommendations concerning all processes related to any FSCAC election.

Section 8: Economic Development Committee

The Economic Development Committee shall conduct research, analysis and make policy recommendations on any economic development issues in the area, and any federal, state or local plans, funds and grant monies that affect the area's economic development.

ARTICLE IX

Elections

Section 1: Election Procedure

All elected members of the Commission shall be elected by general elections from within the Commission area. Members shall be elected to serve as a delegate to the Commission to represent a specific geographic area or issue area as defined in the Commission's Election Rules and shall represent all interests within the Commission area and the interests within the member's respective area of representation. The Election Board shall present final election results to the Commission at its next annual meeting following the general elections in the same year. The Commission shall accept such results by a majority vote of the Commission members present and voting. The Secretary shall submit approved election results to the Mayor for appointment and concurrence within Council.

Section 2: Election Committee

The Elections Committee shall consist of Commission area residents and two Commissioners appointed by the Chair with the approval of the Commission at a regular meeting each year prior to the general meeting in June. Candidates for election shall not be members of the Elections Committee or polling staff in the year or years in which the candidate's name appears

on the ballots. The Chair shall designate one person as “Director of Elections.”

Section 3: Election Committee Responsibilities

The Committee shall accept any necessary volunteer assistance with the election process; provide for printing and distributing necessary forms such as, but not limited to, petitions, ballots and tallies; receive petitions; locate polling places, certify persons who have qualified as candidates; conduct the election; hear and decide complaints concerning the election or campaign; and certify the winning candidates to the Commission pursuant to C.C. 3109.08 and all other activities incidental thereof. Specifically, the duties of the Election Committee include but are not limited to the following:

- A. Devise the form, arrange for reproduction of and distribute petitions of candidacy for Commissioner.
- B. Arrange for and supervise the reproduction of ballots and map of the Commission area.
- C. Select a location for and equip headquarters for the committee.
- D. Certify the adequacy of circulated petitions submitted by candidates and make public announcement of the names and districts of the certified candidates.
- E. Enlist and assign volunteer workers to staff polling places.
- F. Obtain and distribute equipment and supplies required in polling places.
- G. Tally the votes and certify the results for the Commission.
- H. Make final determination of challenges of the eligibility of votes, handle the final determination of challenges of past ballots, and final determination of other questions arising during the election process.
- I. Make all other necessary and appropriate arrangements and determinations with respect to the nomination and election process.

Section 4: Election Rules

The Election Committee shall recommend and the Commission shall approve by majority vote of its members the Election Rules for governing the Commission elections. Such rules shall include but not be limited to the following provisions: election place(s) hours, and date; representative areas (geographic boundaries, issue areas) and number of delegates per area; ballot qualifications; campaign procedures; polling procedures; tallying election results. Such rules shall be consistent with these by-laws and all other relevant and applicable local, state, and federal laws. Such rules shall not be changed during ninety days before an election nor thirty days after an election. The Commission may amend the Election Rules without action by the Election Committee in the same manner as an amendment of these by-laws. Election Rules and any amendments shall be submitted to the City 90 days prior to the election.

Section 5: Election Process

Elections shall be by secret ballot and determined by plurality vote if three or more candidates vie for a single position. Otherwise a majority of votes cast shall elect. Any person sixteen years of age or older who resides, works or owns real estate in the Commission area (or portion thereof) may be an eligible elector. Electors need not be registered with the Franklin County Board of Elections but must be certified by the Election Committee as an eligible elector.

Section 6: Date

The election shall be held each year upon the first Saturday in June.

Section 7: Polling Places and Hours

The number and location of polls shall be determined by the Election Committee. If the Committee determines that polls are needed in each district, then there shall be an equal number of polling places in each district. The Commission's headquarters shall be the primary polling site for both Districts. The election information shall be published and posted on the City Bulletin - cityofcolumbus.gov.

Section 8: Ballots

- A. Each ballot shall carry the name of each candidate and shall state the number of candidates for whom the voter may vote.
- B. No political party or other organization shall be named on the ballot.
- C. The total of ballots reproduced for each district shall be numbered and recorded by the Election Committee.

Section 9: Candidate Qualifications

- A. Each candidate shall be eighteen years of age or older.
- B. Each candidate must be a resident of the FSCAC area for which he or she seeks to be elected at the time he or she commences circulating a nominating petition.
- C. Candidates in this non-partisan election shall not declare any political party affiliation.
- D. Candidates need not be registered voters on the rolls of the Franklin County Board of Elections.
- E. Write-in candidates are not permitted.

Section 10: Petition Qualification

- A. Nominating petitions shall be made available no later than the first Monday in April.
- B. Petitions are to be circulated personally by the candidates.
- C. Each circulator of a petition must complete and execute the affidavit at the end of the petition prior to its submission to the Election Committee.
- D. The Election Committee may grant exception to the requirement that a petition be circulated personally by the candidate, due to disability demonstrated by the circulator. This exception may be granted only upon written application submitted by the circulator to the Election Committee. If granted, a written statement to that effect must be issued by the Committee with seven days after the Committee has received the written application. A proxy shall be designated to collect the signatures.
- E. Each petition must be signed by at least fifty persons, aged 16 or over and residing in the Commission area.

Section 11: Voter Qualifications

- A. Each voter must be sixteen years of age or older. Identification may be required to verify age.
- B. Each voter must be a resident and/or own real property with the Far South Columbus Area upon election date of the year in which the resident seeks to cast a vote.
- C. Each voter need not be a registered voter on the rolls of the Franklin County Board of Elections.

Section 12: Campaign Procedures

- A. There shall be a \$100.00 limit on campaign expenditures. A campaign expense is any appraisable good or service acquired primarily for campaign purposes. Each candidate must file a report of campaign expenditures with the Elections Committee within seven calendar days after the election and candidates failing to meet this requirement shall be disqualified.
- B. Campaigning of any kind (including the posting of campaign materials, and not excluding any other activity that would amount to campaigning) within 100 feet of the polling place is prohibited.
- C. It is the candidate's responsibility to remove any campaign posters, flyers, etc. within 48 hours of Election Day.

Section 13: Polling Procedures

- A. The polling staff shall keep a register of the residents who have voted in the

respective polling places, said register to reflect a list of resident's names and addresses of those who have cast ballots and signatures.

- B. All polling records shall be placed in the custody of the Recording Secretary of the Commission and retained in a secure place for three years.

Section 14: Counting of Ballots

- A. The counting of ballots shall be done by the Election Committee at its headquarters immediately following the conclusion of all voting and shall be placed in sealed envelopes and given to the Recording Secretary.
- B. Candidates may have an observer present at the counting of the ballots at the headquarters.
- C. Results of the balloting shall be certified by the Elections Committee to the Commission at the next regularly scheduled meeting following the election and shall thereafter be certified by the Recording Secretary of the Commission to the Community Liaison within thirty days.

Section 15: Results

The candidate receiving a plurality of votes cast in each district shall be the winner in his or her district. In the event of a tie vote, the winner shall be decided by the majority vote of the Commission only after a recount of ballots.

Section 16: Security of Ballots

- A. In the polling places, each ballot voted shall be deposited by the voter in a sealed ballot box.
- B. Ballot boxes shall remain sealed until counting begins.
- C. Counting shall begin after all ballot boxes have been delivered to the Election Committee at its headquarters.
- D. All voted ballots for each district shall be placed in a sealed container after counting has been completed.
- E. The sealed containers shall be kept in a secure place until three years after the election, at which time they may be destroyed under the supervision of the Elections Committee.

Section 17: Election Challenges

- A. An infraction of any of the election rules may result in a candidate being disqualified and/or a special election.
- B. Election challenges must be presented in writing to the Elections Committee on or before 5:00 pm on the 7th day following the election. Each candidate for election, upon

verification of his or her qualifications and petitions shall be informed specifically where challenges may be delivered.

- C. In the event of an election challenge, an immediate fact-finding hearing will be held by the Elections Committee for the purpose of receiving relevant testimony and receiving other evidence. The Elections Committee shall not deliberate upon or make any determination in regard to oral or other evidence received in the fact-finding hearing. This will be done in a second hearing, which shall be open to the public.
- D. The Elections Committee shall describe the evidence previously received, hear arguments relating to the evidence and make its decision.
- E. The decision of the Elections Committee shall be appealable to the full Commission. The decision of the Commission shall be final.

Section 18: Deadlines

When a date is set as a deadline, and that date falls on a Saturday, Sunday or a State of Ohio or national holiday, then the deadline shall be extended to the next regular business day following the aforesaid weekend or holiday. In all cases, the day of the deadline shall end at 5:00 p.m. Deadlines as they pertain to the election rules shall be strictly adhered to and shall be final in regard to the items to which they relate. No person shall have the right to an extension of any election deadline.

ARTICLE IX

Public Records

The Commission shall adhere to all public record requirements in the Ohio Revised Code and City of Columbus Code. The Commission shall maintain and make available for prompt inspection any public records in their possession.

ARTICLE X

Parliamentary Authority

Robert's Rules of Order (Newly Revised) shall govern in all cases to which they are applicable and not inconsistent with these by-laws and any special rules of order the Commission may adopt.

ARTICLE XI

Amendment of By-Laws

These By-Laws may be amended as permitted in C.C. 3109 at any regular meeting of the Commission by an affirmative vote of two-thirds of the Commission members provided that the amendment was properly submitted in writing at the previous regular Commission meeting. The Recording Secretary shall file any approved amendment immediately after its adoption with the City Clerk for publication in the City Bulletin. Such amendment shall take effect ten days after such publication per C.C. 121.05.

Adopted this _____ day of _____, 2014

President

